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SITTING DAYS—2020

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RADIO BROADCASTS

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FORTY-SIXTH PARLIAMENT
FIRST SESSION—FIRST PERIOD

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

Senate Office Holders
President—Senator the Hon. Scott Ryan

Deputy President and Chair of Committees—Senator Susan Lines
Temporary Chairs of Committees—Senators Askew, Bernardi, Bilyk, Brockman, Brown, Faruqi, Fawcett, Fierravanti-Wells, Gallacher, Griff, Kitching, Polley, Sterle and Stoker

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

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

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

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

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator the Hon. Mathias Cormann
Deputy Leader of the Liberal Party in the Senate—Senator the Hon. Simon Birmingham

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

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

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

Chief Government Whip—Senator Dean Anthony Smith
Deputy Government Whips—Senators James McGrath and Slade Brockman

The Nationals Whip—Senator Perin Davey
Chief Opposition Whip—Senator Anne Elizabeth Urquhart
Deputy Opposition Whips—Senators Raff Ciccone and Malarndirri McCarthy

Australian Greens Whip—Senator Rachel Siewert

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

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Pursuant to section 42 of the Commonwealth Electoral Act 1918, the terms of service of the following senators representing the Australian Capital Territory and the Northern Territory expire at the close of the day immediately before the polling day for the next general election of members of the House of Representatives.

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\(^{(1)}\) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice D Bushby), pursuant to section 13 of the Constitution.

\(^{(2)}\) Chosen by the Parliament of Victoria to fill a casual vacancy (vice M Fitfield), pursuant to section 15 of the Constitution.

\(^{(3)}\) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice S Dastyari), pursuant to section 15 of the Constitution.

\(^{(4)}\) Chosen by the Parliament of Victoria to fill a casual vacancy (vice S Conroy), pursuant to section 15 of the Constitution.

\(^{(5)}\) Chosen by the Parliament of South Australia to fill a casual vacancy (vice C Bernardi), pursuant to section 15 of the Constitution.

\(^{(6)}\) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice A Sinodinos), pursuant to section 15 of the Constitution.

\(^{(7)}\) Chosen by the Parliament of South Australia to fill a casual vacancy (vice N Xenophon), pursuant to section 15 of the Constitution.

\(^{(8)}\) Chosen by the Parliament of Queensland to fill a casual vacancy (vice G Brandis), pursuant to section 15 of the Constitution.
PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
CA—Centre Alliance; CLP—Country Liberal Party; IND—Independent;
JLN—Jacqui Lambie Network; LNP—Liberal National Party;
LP—Liberal Party of Australia; NATS—The Nationals;
PHON—Pauline Hanson's One Nation

Heads of Parliamentary Departments
Clerk of the Senate—R Pye
Clerk of the House of Representatives—C Surtees
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—J Wilkinson
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<td>Prime Minister</td>
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<tr>
<td>Minister for the Public Service</td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Minister for Women</td>
<td>Senator the Hon Marise Payne</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Public Service and Cabinet</td>
<td>The Hon Greg Hunt MP</td>
</tr>
<tr>
<td>Minister for Indigenous Australians</td>
<td>The Hon Ken Wyatt AM MP</td>
</tr>
<tr>
<td>Assistant Minister to the Prime Minister and Cabinet</td>
<td>The Hon Ben Morton MP</td>
</tr>
<tr>
<td>Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development</td>
<td>The Hon Michael McCormack MP</td>
</tr>
<tr>
<td>Minister for Agriculture, Drought and Emergency Management</td>
<td>The Hon David Littleproud MP</td>
</tr>
<tr>
<td>Minister for Communications, Cyber Safety and the Arts</td>
<td>The Hon Paul Fletcher MP</td>
</tr>
<tr>
<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td>for Regional Health, Regional Communications and Local Government</td>
<td>The Hon Mark Coulton MP</td>
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<tr>
<td>Minister for Decentralisation and Regional Education</td>
<td>The Hon Andrew Gee MP</td>
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<tr>
<td>Assistant Minister for Road Safety and Freight Transport</td>
<td>The Hon Scott Buchholz MP</td>
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<td>Assistant Minister to the Deputy Prime Minister</td>
<td>The Hon Kevin Hogan MP</td>
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<td>Assistant Minister for Regional Development and Territories</td>
<td>The Hon Nola Marino MP</td>
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<tr>
<td>Treasurer</td>
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<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon Josh Frydenberg MP</td>
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<td>Assistant Treasurer</td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td>Minister for Housing</td>
<td>The Hon Michael Sukkar MP</td>
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<tr>
<td>Assistant Minister for Superannuation, Financial Services and Financial Technology</td>
<td>The Hon Michael Sukkar MP</td>
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<td>Minister for Finance</td>
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<tr>
<td>(Vice-President of the Executive Council) (Leader of the Government in the Senate)</td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td>Assistant Minister for Finance, Charities and Electoral Matters</td>
<td>Senator the Hon Zed Seselja</td>
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<td>The Hon David Littleproud MP</td>
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<td>The Hon Sussan Ley MP</td>
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<td>Minister for Resources, Water and Northern Australia</td>
<td>The Hon Keith Pitt MP</td>
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<td>Assistant Minister for Waste Reduction and Environmental Management</td>
<td>The Hon Trevor Evans MP</td>
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<td>Assistant Minister for Forestry and Fisheries</td>
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<td>Minister for Foreign Affairs</td>
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<td>Minister for Trade, Tourism and Investment</td>
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<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
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<tr>
<td>Minister for International Development and the Pacific</td>
<td>The Hon Alex Hawke MP</td>
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<td>Minister Assisting the Minister for Trade and Investment</td>
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<td>Assistant Minister for Regional Tourism</td>
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<td>Attorney-General</td>
<td>The Hon Christian Porter MP</td>
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</table>
(Leader of the House)  

**Minister for Industrial Relations**  
The Hon Christian Porter MP

**Minister for Health**  
The Hon Greg Hunt MP

**Minister for Youth and Sport**  
Senator the Hon Richard Colbeck

**Minister for Regional Health, Regional Communications and Local Government**  
The Hon Mark Coulton MP

**Minister for Home Affairs**  
The Hon Peter Dutton MP

**Minister for Agriculture, Drought and Emergency Management**  
The Hon David Littleproud MP

**Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs**  
The Hon David Coleman MP

**Assistant Minister for Customs, Community Safety and Multicultural Affairs**  
The Hon Jason Wood MP

**Minister for Education**  
The Hon Dan Tehan MP

**Minister for Employment, Skills, Small and Family Business**  
Senator the Hon Michaelia Cash

**Minister for Decentralisation and Regional Education**  
The Hon Andrew Gee MP

**Assistant Minister for Vocational Education, Training and Apprenticeships**  
The Hon Steve Irons MP

**Minister for Industry, Science and Technology**  
The Hon Karen Andrews MP

**Minister for Energy and Emissions Reduction**  
The Hon Angus Taylor MP

**Minister for Resources, Water and Northern Australia**  
The Hon Keith Pitt MP

**Assistant Minister for Northern Australia**  
The Hon Michelle Landry MP

**Minister for Defence**  
Senator the Hon Linda Reynolds CSC

**Minister for Veterans' Affairs**  
The Hon Darren Chester MP

**Minister for Defence Personnel**  
The Hon Darren Chester MP

(Deputy Leader of the House)

**Assistant Defence Minister**  
The Hon Alex Hawke MP

**Minister for Defence Industry**  
The Hon Melissa Price MP

**Minister for Families and Social Services**  
Senator the Hon Anne Ruston

(Manager of Government Business in the Senate)

**Minister for the National Disability Insurance Scheme**  
The Hon Stuart Robert MP

**Minister for Government Services**  
The Hon Stuart Robert MP

**Assistant Minister for Children and Families**  
The Hon Michelle Landry MP

**Assistant Minister for Community Housing, Homelessness and Community Services**  
The Hon Luke Howarth MP

Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. The title of a department does not necessarily reflect the title of a minister in all cases. Ministers are sworn to administer the portfolio in which they are listed under the ‘Minister’ column and may also be sworn to administer other portfolios in which they are not listed. Assistant Ministers in italics are designated as Parliamentary Secretaries under the **Ministers of State Act 1952.**
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Tuesday, 11 February 2020

The PRESIDENT (Senator the Hon. Scott Ryan) took the chair at 12:00, read prayers and made an acknowledgement of country.

DOCUMENTS
Tabling

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

COMMITTEES
Meeting

The Clerk: Proposals to meet have been lodged as follows:
Community Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 12.05 pm.
Human Rights—Joint Statutory Committee—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 12 February 2020, from 9.30 am.
Legal and Constitutional Affairs Legislation Committee—public meeting on Wednesday, 12 and 26 February 2020, from 9.30 am.
Scrutiny of Bills—Standing Committee—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 12 February 2020, from 10 am.

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

BILLS
Australian Research Council Amendment Bill 2019
Second Reading

Consideration resumed of the motion:
That this bill be now read a second time.

Senator PRATT (Western Australia) (12:01): Today we have before the chamber the Australian Research Council Amendment Bill 2019. Labor do not oppose this bill; however, we do have significant concerns with the government's track record in this space.

The bill before us applies indexation of funding for the Australian Research Council to the existing appropriation amounts for approved research grants between 2019 and 2022. It also inserts a funding cap for financial year 2022-23 by amending the Australian Research Council Act. However, let's not pretend that this government is in any way committed to higher education and Australia's global competitiveness in research and development in our nation. Time and time again, this government's track record has been to undermine Australian universities as well as research and development in this country.

Under the coalition we have seen some $328½ million ripped from university research. Universities Australia, the peak body for Australian universities, has forecast that government investment in research and development in Australia is set to reach its lowest level as a share of our economy in four decades—that is, just half a per cent of GDP in 2019. Senators—through you, Madam Deputy President—that is lower than the level of investment that we had as a nation in 1978. Despite the forecasts, last year's midyear update cut $328½ million from research funding. Universities Australia said at the time that such deep cuts to university research were 'a ram raid on Australia's future economic growth, prosperity, health and development'.

We also know, as has been well debated in this place, that ministerial vetos have been used to restrict funding for research that doesn't support the education minister's world view. Political interference in independent, peer-reviewed grant processes is absolutely unacceptable. The ARC has a rigorous process for coming up with its recommendations on research funding, and it should not be interfered with. Ministers should rely on expert advice for the awarding of these grants and should have no role in picking and choosing which individual grants should be funded. I also note that the current government has started delaying the announcements of these grants to suit local political announcements so that they can do this with local members. This is unreasonably interfering with universities' and academics' control over these grants and their independence.
Labor, on the other hand, is very proud of our record in this space, supporting universities in their research and their education roles. We can't separate this debate about funding for the ARC from the more than $2 billion that has been ripped from Australia's universities. This has seen some 200,000 Australians denied the opportunity of a university education. We used to have a system that was demand driven and this government reduced it to a cap—a cap that is only just starting now to return to population growth; it doesn't even closely meet demand. Labor went to the election with a strong plan to invest in our universities that would have seen thousands more Australians get the chance to get a degree. That means thousands more Australians—many, many more clever Australians—involved in the kind of research that an advanced economy like ours needs.

We know that Australia will need an additional 3.8 million university qualifications by 2025. Yet when it comes to our higher education system, we have seen this government's policy, time and time again, has been simply to cut and cut. This flows through not just to opportunities for Australians but also to our nation's research outcomes. These cuts have come at a time when our ranking and spending globally on research and development is falling. The latest growth expenditure in research and development as a proportion of GDP has decreased from 1.88 per cent to 1.79 per cent according to the latest data from the Australian Bureau of Statistics. The total human resources devoted to business R&D is still well below what was devoted when the government took office. In 2013-14, total person years of effort was almost five per cent lower. In other legislation before this place, in the R&D tax incentive bill, we can't see any improvement in these figures. Business R&D spending has hit 0.9 per cent of GDP, falling below one per cent of GDP in previous data. It's simply not good enough to have this downward overall trend in research and development under this government's watch—one that stakeholders can see could be exacerbated by the very legislation before us.

Recently the Australian Institute of Company Directors detailed in their report that Australia's total gross domestic spending on R&D is currently ranked 21st within the OECD, and that while the global trend is for national business expenditure on R&D to grow, they say—and the figures are there—that Australia's has fallen. Our investment levels are below countries such as South Korea, Israel, Sweden, Denmark, Finland, Iceland, Norway and Singapore. We are close to the bottom of the OECD rankings for collaboration between industry and researchers and, according to the OECD index of research and development investment by government, Australia sits at 107, having fallen from 114 in 2017-18.

Good quality research and development in this country is absolutely critical to our success as a nation. It's critical to the sustainment of so many different industries as our economy navigates periods of really fast innovation. It leads people to conclude that this government cannot be trusted with education and cannot be trusted with research and development. On the other hand, I'm really proud of our track record. We uncapped university places in 2008, when we were in government, and I can proudly tell the chamber that by 2016 the number of students from poorer backgrounds was up by 55 per cent. Indigenous student numbers had jumped by 89 per cent, enrolments of students with a disability had more than doubled and enrolments of students from country areas had grown by 48 per cent. By 2016, an extra 220,000 students had had the opportunity of a university education. Many of these students were the first in their family to attend university.

Two hundred thousand more students: that is about the same number, according to modelling, who have missed out under this government's watch. This has a direct impact on the skills our economy needs to innovate and to conduct research and development. The Australian Industry Group said that 75 per cent of businesses it had surveyed are struggling to find the qualified workers they need. That is a great shame, because we know that a great education is a ticket to a lifetime of opportunity for individuals and a ticket to a wealthier and more productive nation. It is a ticket to world-class research that benefits everybody. A university education transforms the lives of individuals and is one of the best investments that any government can make. It has the power to close the gap in just one generation and has a spillover effect on our whole community. Investing in maintaining our world-class universities is good for all of us. Maintaining the independence and integrity of the Australian Research Council is good for all of us, as is funding it properly. We're extremely disappointed that the government chose to tie funding for national disaster relief to education and infrastructure funding last year. When the government moved to abolish the Education Investment Fund, this stripped universities of much-needed capital support for their research.

When you lock someone out of an education you lock them out of a job. But when you block research you damage Australia's international competitiveness and undermine growth in skilled, well-paid jobs. We on the Labor side in this place call on Simon Birmingham to explain, which he has not done, his decision when, as Minister for Education and Training, he sought to overrule the ARC's recommendations. Ministers in general should be called on to publicly explain when they veto an ARC recommendation, which is still possible under the current act but should not be possible at all. Simon Birmingham, when education minister, vetoed 11 research projects that were specifically recommended by the Australian Research Council. There was no public
announcement of these decisions, but the decisions came to light at Senate estimates in evidence given by the Australian Research Council. Senator Birmingham was asked to justify his decisions and said simply that the 11 projects were not in the national interest. He did not say what he meant by that. The 11 projects that Senator Birmingham decided were not in the national interest included research into the social impact of shutting down the Australian car industry, research into responses to climate change by the MCG and other sporting venues, and a comparative study of Indigenous politics in the United States and Australia.

We know that when Minister Tehan took over from Senator Birmingham he defended his predecessor's intervention. He announced that grants would now be subject to a new national interest test. This completely overlooks the fact that applicants were already required to submit an impact statement setting out their project's compliance with national priorities in science and research and explaining how it would maximise economic, environmental, social and/or cultural benefit to Australia. So we have Dan Tehan's new 'tick a box' form of notification of ministerial intervention. This does not go far enough. Ministers must be prepared to front up and explain their decisions. The Australian Research Council was also subjected to political interference under Minister Brendan Nelson when he vetoed 10 projects in the humanities and climate change research area. It appears that climate change denial is a longstanding tradition among Liberal Party members and that that denial knows no bounds even when it comes to important research on climate change.

The government has politicised university research grants even further. I note that Australian researchers have accused the coalition government of delaying the announcement of grants for political advantage. Researchers have had to comply with embargoes of up to a month until the grants are formally announced by Minister for Education Dan Tehan, often through a press release with a coalition MP. We've even seen MPs from the coalition in lower house seats make research announcements in Labor or Greens seats. That's pretty extraordinary. Universities Australia has complained about the logistical challenge to universities in satisfying the dual requirements of maintaining an embargo on the grant whilst pursuing activities in relation to the operation of the grant. I call on the government to take that issue seriously.

Today in the chamber—(Time expired)

Senator FARUQI (New South Wales) (12:16): I rise to speak on the Australian Research Council Amendment Bill 2019. This bill merely indexes the Australian Research Council's funding to keep pace with inflation. That's not good enough; frankly, it's pathetic. We need to make sure that our best minds are given the resources that they need to help us face the twin crises of the climate emergency and rising inequality. At the last election, the Greens' fully costed education and research package would have delivered a $2.5 billion boost to the Australian Research Council, the National Health and Medical Research Council and the cooperative research centres over the next decade. That is exactly the kind of funding we need to move into the future and tackle the climate emergency.

Instead of following our lead in funding and the research to build a more equal and just society, the government has, time and again, disrespected researchers and cut research funding. Take, for example, the $130 million per year that has been cut from research block grants since MYEFO in 2018, or the $6.7 million cut to Australian Research Council funding, or indeed the $6.7 million taken from the National Collaborative Research Infrastructure Strategy. And that's not to mention the freeze on Commonwealth student places, and stagnant funding for undergraduates that is blocking the pipeline for future researchers.

This government's disrespect for research goes well beyond their funding cuts. We've seen it in former Minister Birmingham's veto of 11 Australian Research Council grants in humanities, which typified the Liberals' willingness to violate academic independence to please their conservative mates. When I joined the Senate, the first bill I introduced in here was to remove the education minister's power of veto over research grants. I remain absolutely committed to the work of our academics and researchers—work that is free from any government interference.

We saw this government's disrespect for research just last year, when Minister Tehan left researchers in painful limbo by deciding on their grant applications but refusing to announce the decision because he wanted to squeeze the announcement for political juice. He made a mockery of the Australian Research Council's independence and disrupted the lives and work of researchers by announcing grants for early career researchers in a piecemeal way in coordinated media opportunities with MPs in press releases, instead of the usual practice of announcing them all at once so that researchers can get on and do their work. This prevented researchers finalising funding deals or seeking feedback and moving on to other research if their applications were unsuccessful. Even more shamelessly, the education minister shut some local opposition and crossbench MPs out of announcements in their electorates and allowed government MPs from nearby electorates to do this.
This government is not satisfied just with roting the sports grants program. It is not satisfied with splashing $100 million of cash in marginal coalition electorates through its sports infrastructure fund. This government is not satisfied by funnelling $150 million into swimming pools also in marginal coalition electorates. On top of this sports rort, you went ahead with a research rort as well. In the light of this ridiculous politisicisation of vital research processes, I foreshadow that I will be moving an amendment to protect researchers and to protect the independence of the Australian Research Council by requiring that the minister publish decisions approving research expenditure within 21 days of the decision being made and stipulating that the minister must not make an announcement on recent expenditure with any other member of parliament. I do urge the opposition and the crossbench to support this amendment, which is a step towards the independence of the ARC and their research grants.

The Greens are proud to support Australian researchers. This amendment will give certainty to researchers and prevent the government playing public relations games with their future and with our future. I do urge the Senate to support it.

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (12:21): I rise to speak on the Australian Research Council Amendment Bill 2019. One of the great achievements of this government—there have been many great achievements—has been its investment in science, research and innovation, something that I believe the Australian people, especially those from Queensland, recognised at the last election. Queensland is renowned for having people who basically are brain boxes. We're a lot smarter than the rest of the country, and that was recognised at the last election—sorry, cabinet minister from New South Wales—when 23 out of the 30 seats in Queensland returned a Liberal National Party member. Queensland understands and respects how this Liberal National Party government spends funds and makes sure we are the guardians of the taxpayer funds, because it is not the government's money. It's not the Greens' money.

I heard Senator Faruqi before talking about how she would like to spend more money. That's nice, because that means Senator Faruqi and the Greens want more taxes and they want to tax the people who work hard and who make sure that Australia drives forward. We on this side of the chamber, the Liberal National Party, make sure that the taxpayer funds are spent appropriately. In 2018-19 the Liberal-National coalition government committed $9.6 billion of taxpayer funds to the areas of science, research and innovation. Now, that mightn't be much to the senators from the other side, because they're very good at wasting money—they're in the Guinness book of records. There are photos of the shadow cabinets and previous cabinets of Labor administrations that have been world record breakers at wasting money, but $9.6 billion is a lot of money. We've got to make sure that that money is spent appropriately, cautiously and in the right area.

It gets even better for the research sector. Over the next four years, the Liberal-National coalition government will invest $12.4 billion in education. That's not 'million'; it is 'billion'. That is a lot of money. That includes $8 billion through research block grants provided to universities and $3.3 billion in funding provided through the Australian Research Council. This government understands the importance of research and understands the importance of science. It's why, since 2013, for example, we've been prioritising STEM in terms of making sure that element of schooling is focused upon. Minister Andrews, a former engineer and the minister in one of these shadow cabinets and previous cabinets of Labor administrations, is pushing forward to make sure we get more young people, especially more young women, into these areas. We're also making sure the money is going into these areas.

This goes to an earlier point I was making. You cannot spend these record amounts of money, these billions of dollars, unless you are looking after the economy. You can't all go to some Swiss bank, get a MasterCard out and say, 'We'd like to borrow a couple of billion dollars, $3.3 billion, to fund the Australian Research Council.' We can't keep going overseas and borrowing money off people; we have to make sure we live within our means in Australia. That's why our government in Australia, this Liberal National Party government, understand we have to live within our means, to make sure that there are low taxes, because we believe people are better judges to make sure the money they worked hard for is spent by them, and that the taxes raised are spent appropriately. We make sure business is encouraged to employ more people, to invest in business and grow. We want to encourage people to start their own businesses, so they can get out there and earn money.

We don't want to have the Labor and Greens approach of having a drone-like economy where people are constantly sanded down and all they're seen as is just cash cows for left-wing projects. We understand the majesty of people, the majesty of innovation that can happen in Australia with freedom. That comes from having a government who understands that low taxes work. When you get the money in, you invest it wisely. We already heard here today that the Greens want to spend more money and more money and more money. That's nice. There's no such thing as free money. There's no such thing as a nice international bank that's going to send lots of cheques over to the Greens and say, 'Here you go; spend all this money.' The money the Greens want to spend comes from taxes and will come from increasing taxes on hardworking Australians.
We've also supported a further $2.2 billion investment in world-class research, equipment and facilities through the National Collaborative Research Infrastructure Strategy. The government invests in research because we recognise its role in securing a strong and prosperous economy. The Australian Research Council supports a wide variety of fundamental and applied research projects. I'll be brutally honest: sometimes they put investment into projects where I raise one or two eyebrows and probably roll my eyes, but I understand the importance of the research sector. The government is supporting the next generation of researchers as well as Australia's current generation of excellent researchers through the research funding schemes of the Australian Research Council, with around $770 million of funding allocated to the council this year.

This is not the government's money. I keep stressing this. This is taxpayer money. On this side of the chamber we want to make sure that taxpayer money is being spent appropriately. We don't want to see an equivalent of 'cash-for-clunkers'. We don't want to see an equivalent of the pink batts scheme. We don't want to see an equivalent of what Labor did in their last term, sending out cheques to dead dogs and things like that. We want to make sure that taxpayer money is being spent appropriately.

What this bill does is update the appropriation in the Australian Research Council Act 2001 with current indexation rates across the forward estimates. It is an annual exercise to ensure the council's funding is maintained in line with indexation. The Australian Research Council Act is the legislative basis that supports the financial operations of the Australian Research Council's research programs. It does this through special appropriation mechanisms which must occur each financial year. Each year the special appropriation funding caps—that is, sections 48 and 49 in the Australian Research Council Act—are amended. The funding caps are amended to reflect the latest agreed funding profile as established in the 2019-20 budget. That is a very important budget that we should always spend more time focusing on. It is a budget where Treasurer Josh Frydenberg laid out a very strong plan—building on the work of previous treasurers in this government—for how we're going to get this budget back into the black and, importantly, pay down the national debt that was racked up by the reckless spending of the previous Labor administrations. It is only by managing the economy carefully—by ensuring the guardianship of important taxpayers like pay-as-you-go taxpayers and businesses that grow and have income and pay company tax, and by making sure they have the aspiration to work hard and make their lives better and make Australia a better place—that the government can receive taxation income and spend that money in areas such as this.

Because if you do not have a well-run economy, if you do not live within your means, that will conclude with important programs like the Australian Research Council not being funded. If you look at what happens in the recent history of this country, Labor will get in and they will stuff the economy up. And that is a very analytical term: 'stuff the economy up'. You can look at the periods 1972 to 1975, 1983 to 1996 and 2007 to 2013. What happened in each of those Labor administrations? In fact, I might be back to pre-1949. When Labor get into power, they stuff up the economy or they want to do crazy things like nationalise the banks and nationalise the economy. They get in, they rack up debt and they increase taxes, and the resulting effect of this is that services suffer.

In my home state of Queensland, Labor administrations have been in power for decades and look what they have done. We've got hospital ramping again. We've got overcrowded schools. On a national level, we can see, for example, whether it is the funding that goes into the Australian Research Council program or the funding that goes into the Australian Army, Navy and Air Force, that under Labor spending as a percentage of GDP on our Defence went down to pre-World War II levels. That happened because Labor, the left and the Greens were not managing the economy. And what we're seeing here is that we are managing the economy and we are investing in research programs. This funding profile reflects the government's agreed policy. These amendments only impact administered special appropriations and they do not alter the substance of the Australian Research Council Act. As such, I recommend the bill to the Senate.

Senator KIM CARR (Victoria) (12:33): Anyone familiar with the university sector knows that research funding is an increasingly contested matter. I'm not referring to the total amount of Commonwealth funding provided through the Australian Research Council, although that is a continuing issue. Last month, the education minister squeezed the funding a little further by sequestering $12 million for a special research initiative. I'll have more to say about that issue in the committee stages of the bill.

Today I want to talk about the importance of international collaboration for Australian universities. As I've argued before, such collaboration is essential if Australian scientists are to punch above their weight. Australia has neither the scale of physical or human capital nor a sufficiently large domestic market to engage the international frontiers of technology by itself. This country spends about $25 billion a year on R&D, compared with about $500 billion each year by the United States and China. Slightly more than half of our R&D spend is by business, but that's mostly on applications of existing knowledge. Universities are the main institutions in Australia for
engaging in the discovery of new knowledge. Measured by articles cited in peer reviewed journals, collaboration with China and a range of other countries is increasingly important. In some areas, it's actually vital—in materials science, energy, engineering, and computer science. Collaboration with Chinese researchers has also led to life-saving breakthroughs in medical science. Possibly the most famous is the development of Gardasil, the vaccine produced by Professor Ian Frazer and Dr Jian Zhou. Now, I assume that no-one wishes that work had never been undertaken, but increasingly there are people who do want to obstruct research collaboration with China.

In parts of the defence and security establishment, there are hawks intent on fighting a new cold war. They have waged a muttering campaign against collaborations with China and have found eager acolytes in sections of the Australian media. The result has been a spate of stories thick with assertions that vilify and denigrate Australian researchers and their work. Doubt is cast on their loyalty to Australia. These stories, however, offer no evidence that any of these researchers have actually acted as cat's paws of a foreign power. Yesterday, for example, on the front page of *The Australian*, under the lurid headline, 'Security experts warn of military threat from Chinese marine project', doubts were raised about a five-year, $20 million partnership between the CSIRO and China's Qingdao National Laboratory for Marine Science and Technology. Those allegations were repeated again today. This joint project, the Centre for Southern Hemisphere Oceans Research, conducts research into ocean temperatures and currents and their role in climate change. The centre is headed by the highly regarded CSIRO researcher Dr Cai Wenju. The *Australian* report, however, hints that there is something sinister in the research collaboration because Qingdao University also conducts research into the development of satellite based lasers to locate submarines. The report does not cite any notifications of any breach of security by CSIRO or any notification of investigation of a possible breach. To my knowledge, none has occurred.

CSIRO responded to the report, with Dr Larry Marshall, the CEO of CSIRO, writing to *The Australian*. That letter to the editor was edited very heavily, to a form that one might say is doctored. I will quote from the letter that was actually presented to *The Australian*, not the one that appeared in the paper today:

To imply the Centre for Southern Hemisphere Oceans Research (CSHIR) poses a national security risk, without any supporting claims of fact, is alarmist and irresponsible reporting. With all CSIRO research outcomes available in the public domain, calls for greater transparency about this research are disingenuous. Let me not be misunderstood in any way. I'm not suggesting that universities or public research agencies need have no concern about whether their research affects national security. But we should act with regard to evidence and proven fact, not ideologically driven assertions.

This country already has stricter regimes on research collaboration than the United States. I'm not aware of any reports of scientific report of fraud as has occurred in the United States. The Defence Trade Controls Act 2012 was introduced under the former Labor government in response to concerns that it was too easy for other nations and perhaps non-state actors to obtain sensitive materials from this country. The act regulates access to technologies placed on the Defence and Strategic Goods List, which are reviewed annually. The defence department is in contact with universities and industry to ensure their compliance. Since the act was introduced there has been no reported breach by an Australian university. The operation of the act has been independently reviewed by Dr Vivienne Thom, a former Inspector-General of Intelligence and Security. In her report of October 2018, she rejected calls for tougher restrictions on technology transfer.

In November last year, the education minister announced new guidelines agreed to by the universities for vetting international research collaboration. Media reports with headlines such as 'Rooting out campus spies' announced the new vigilance measures. Universities will have to work more closely with security agencies, upgrade their cybersecurity and 'identify staff who have international financial interests or affiliations with foreign institutions'. I ask: are these the staff that are campus spies that are supposed to be rooted out? The media reports don't say. Of course, they do cite alleged instances of dangerous collaborations, and the most frequently mentioned is the facial recognition technology involving the Chinese surveillance of the Uyghur minority in Xinjiang. According to the reports in *The Australian*, an artificial intelligence company formed by a University of Queensland professor is alleged to have used this surveillance. In the *Australian* report the weasel word ‘alleged’ is used. I repeat: because there have been no reports of breaches of the defence control act by any Australian science agency, I find it strange that *The Australian*'s report is not able to provide any context to understand the manner in which this research is undertaken.

It's important to state that this country has no homegrown tech giants, such as Google. Here university research is essential in creating artificial intelligence knowledge. AI knowledge is the key to the technologies of the fourth industrial revolution, which is transforming the world's workplaces. Australia's leading collaborator, by far, is China. The implications of ending this collaboration should be clear.
In another report in *The Australian*, a University of New South Wales computer science professor is said to have 'co-authored research with Chinese generals linked to Beijing's nuclear weapons program.' If that were true, it would be a clear breach of the Australian defence export control act. No reports have occurred.

Why is this happening? Because the global geopolitical environment has shifted substantially in the past five years and much of this has been focused on fears, particularly in the United States, about cyberwarfare and industrial espionage. The Trump administration has been seeking stricter restrictions on science and technology exchanges with the Chinese, and there have been very willing advocates here in Australia for such a position, and one of those is ASPI, the Australian Strategic Policy Institute. ASPI has launched the China Defence Universities Tracker, a website dealing with the defence and security links of more than 160 Chinese universities and research agencies. Just what the tracker will do that is not already being done by the defence department and the Australian universities under the Defence Trade Control Act is not clear to me. But what is clear is the source of the funding: ASPI acknowledges that it's the Global Engagement Center of the United States state department. The Global Engagement Center coordinator is one Ms Lea Gabrielle. She's described on the United States state department website as a former US navy fighter pilot who later trained with the CIA and was assigned to the Defence Intelligence Agency. So, while ASPI has not found any Chinese spooks yet, at least one other spook is in plain sight.

ASPI is registered under the Foreign Influence Transparency Scheme and has disclosed that it is receiving state department funding under the requirements of the scheme, but no details are provided. Of course, there's nothing in ASPI's annual report for 2018-19. It merely says that income of $448,000 'has been received in advance for sponsorship of ASPI programs for the financial year 2019-20'. So the US government's funding of nearly $450,000 for this tracker report has been withheld from the readers of ASPI's annual report. So much for full disclosure and transparency! Just imagine if other organisations tried to make their public records so vague. If it's fair to scrutinise and to challenge the funding arrangements of researchers in Australian universities and science agencies, surely it's fair to subject ASPI's funding arrangements to the same level of scrutiny. ASPI receives core funding of $4 million from the Department of Defence but takes in more than double that amount in commissioned and sponsored income and earnings from other events. The money that the Global Engagement Center provides to ASPI's China Defence Universities Tracker is an example of that supplementary funding.

ASPI has other sponsors—the French aerospace and defence manufacturer Thales, for example, which has had a long involvement in this country. This is a company I have had a longstanding engagement with as well. It is a very fine company operating in this country. Thales is also an investor in China, including in the development of the air traffic control management system for Beijing International Airport. Mr Jerome Bendell, Thales Group's vice-president for North Asia, says:

The Group is a committed, and key partner in China's journey to becoming a more digitalized and innovative country. There's nothing wrong with that, of course. But it is puzzling that ASPI hasn't made much more of it, given the way it treats our science agencies and universities. It berates Australian researchers for collaborating with Chinese partners but ignores the fact that some of its own sponsors do the same. It's a simple proposition.

We have seen a report in today's *Australian*—I'll say more about this in a moment—of the ARC providing grants of over $250 million over the past five years to Australian researchers and Chinese collaborators. Nothing about that was done improperly. It is totally consistent with government policy. This selective use of these so-called collaborations has now become all too common. Just because it's selective doesn't make it right. We should make it clear: if you're going to play to this level of scrutiny, then ASPI is entitled to be scrutinised in exactly the same way.

**Senator VAN** (Victoria) (12:47): I rise to speak on the Australian Research Council Amendment Bill 2019. I know I am not the first to declare in this place that the coalition government's strong record on science, research and development is on show for all to see. On this side of the chamber, we believe that Australia's science, research and innovation system benefits our national interest through generating economic opportunity and by improving the lives of its citizens. Science, research and innovation can support innovative businesses when linked with higher education by providing ideas, technologies, knowledge and skills that are necessary for innovation and value creation. Our investment into research and development is significant. The coalition government will invest $9.6 billion in research and development in financial year 2019-20. This includes significant national research infrastructure investments, establishing the Australian Space Agency and the ongoing funding of our national science agencies such as the CSIRO.

Our vision for an Australian society that is engaged in and enriched by science is set out in our National Science Statement. We laid plans to engage all Australians with science, build our scientific capability and skills, produce new research, knowledge and technologies and improve Australians' lives through science. We backed up
the National Science Statement in the 2018-19 budget, through $2.4 billion in funding over 12 years in Australia's research, science and technology capabilities. This includes: $1.9 billion over 12 years in additional long-term funding for national research infrastructure to ensure our world-leading researchers and innovative businesses have the tools to develop and commercialise first-to-market products and services; $225 million of investment in satellite positioning capability to give Australians access to world-leading geospatial technology; a commitment to establishing a national space agency; and nearly $30 million to build Australia's artificial intelligence capability and support the responsible development of AI.

I am a strong believer in supporting the creation, translation and commercialisation of Australian ideas. In practice, this is done through wider ranging investments in science, research, innovation and the commercialisation of new products and services. The commercialisation of science and research is not a new idea though, and I'm pleased to see that the 2018 National Survey of Research Commercialisation indicated that the Australian public research organisations are increasing their commercialisation and collaboration activities. The commercialisation of science and research is very much an integral part of the Australian Research Council, which was established in 2001.

As you would know, Mr Acting Deputy President Brockman, the ARC is a key organisation that advises the federal government on research matters and administers grants, managing Australia's significant investment in research and development. Through the ARC, the federal government supports a wide variety of fundamental and applied research projects. We've already made a significant investment in science, research and innovation. As I said earlier, in financial year 2018-19 alone, we committed $9.6 billion across all portfolios to research and development. High-quality research is an important contributor to securing an innovative, prosperous and sustainable future for Australia. The ARC amendment bill before us today updates the ARC Act 2001 with current indexation rates across the forward estimates. This is an annual and administrative exercise that ensures the ARC's funding is maintained.

Unlike Labor, the coalition government understands the importance of continuing research funding. Let's not forget that the last time Labor were in government they left a funding cliff for NCRIS. As part of Labor's last budget, the four-year forward estimates for NCRIS showed funding for only two years until 30 June 2015. It was indeed fortunate the coalition government was able to fix this funding cliff, saving thousands of research jobs.

In supporting this ARC amendment bill today, I want to highlight an ARC project that I had the pleasure of announcing on behalf of my colleague the Minister for Education, the Hon. Dan Tehan. This was just a few weeks ago at the University of Melbourne, in my home state of Victoria. The project received over $1.4 million in grant funding for three ARC linkage projects. I had the pleasure of visiting the university on behalf of the coalition government to meet the researchers who will be involved in a $540,000 project. This project will allow Melbourne university to work with industry to develop technology to accurately assess the performance of aluminium cladding, glass facades and skylights under severe hailstorm events. This will enable cost-effective design of more robust cladding solutions in the future. I think this funding has come at a critical time, following the recent hailstorms in Victoria and in other parts of our nation. I think we all remember a few weeks ago the photos of massive hailstones that appeared right across the nation. I have on my phone many photos sent by my friends whose places were damaged. I think, from memory, this place was also surrounded by hailstones. This research from this ARC linkage project will benefit homeowners, asset managers, insurers and the building and construction industry, and help save billions of dollars in economic loss from hailstorm damage. What I'm also hoping is that the outcomes of this research will also increase our export opportunities. As a player in this field of research, Australia can gain a competitive advantage in the global market.

I'd like to extend my gratitude to the University of Melbourne for hosting me for that visit. In particular I'd like to thank the Vice-Chancellor, Professor Duncan Maskell; Pro Vice-Chancellor (Research Collaboration and Partnerships) Professor Mark Hargreaves; and the Acting Dean of the Melbourne School of Engineering, Professor Jamie Evans, and, of course, all of his research team. In supporting this bill, I support the next generation of researchers as well as Australia's current generation of excellent researchers. It is important that our researchers are afforded bipartisan support for investment in partnerships between universities, industry and government to drive the commercialisation of research. It is only with greater collaboration between universities and businesses on research innovation and workforce preparation that we can ensure a prosperous and sustainable future for Australia. I commend this bill to the Senate.

Senator Ayres (New South Wales) (12:55): Labor won't oppose the legislation that's before the Senate, the Australian Research Council Amendment Bill 2019, but I do have to say we have deep concern about the position of the government in relation to the higher education sector and what, amongst some sections of the government and of the Liberal Party in particular, is an antipathy to higher education and to academic inquiry that mobilises sections of their base—driven perhaps in the wake of the Abbott period—and that I think has created a crisis of
There has been a concerted campaign by figures within the government to belittle our higher education sector institutions and to diminish the regard for academic inquiry and deep research, and it has done enormous damage to the capability and national fabric of the country.

This deep loathing, this sort of nativist anti-intellectualism that is at the heart of Liberal Party branches, is often reflected in the kind of characters who come to this place representing the Liberal Party. It is often represented in what they say late at night on Sky television, but it does an enormous amount of damage to the institutions of higher education. Consistent with the government's approach to a range of national institutions that matter, playing to the base is so much more important for these characters than actually delivering for, and supporting, the kind of national institutions that make our country a great place to live and make our country prosperous and safer in the long run. To be fair, I don't see that language often used by those in the National Party—usually they recognise the role that universities, particularly those in country towns, play. But, of course, as with many other issues, the National Party is a tail that struggles to wag the Liberal dog on some of these questions, and it is missing in action. So we've got the party of Menzies at war with the higher education sector. We should be better than that.

It does mean that Australia is slipping backwards. If we want to be a self-reliant, confident nation, academic inquiry and deep research matter—whether it's in the social sciences, science, engineering, architecture or any of the other fields where Australian universities have developed deep capability. It is a national act of self-harm to belittle higher education institutions and to diminish our universities.

When Minister Tehan took over from Senator Birmingham, he defended his predecessor's interventions into the ARC grants system and announced that grants would be subject to a new national interest test. This culture war proposition from Senator Birmingham, and now the current minister, ignores the rigorous process that the ARC grants system has employed, with thousands upon thousands of applications that have been approved, free from ministerial intervention, over many years. They have created enormous social benefit. They have sometimes created arguments that perhaps the Liberal Party would prefer weren't happening in the community or in our academic institutions. But that is the nature of independent inquiry. And ministerial intervention to pick and choose academics and projects diminishes the capacity for independence, diminishes the value of research and undermines the quality of Australia's research community.

The Australian Research Council has been the subject of political interference before, when the then Minister Brendan Nelson vetoed 10 projects. Vetoing projects in the humanities area for a cheap headline in The Daily Telegraph, vetoing research proposals that were approved by the ARC in climate change areas, might play well at Liberal Party branch meetings but it does enormous damage to our national capability in this area.

Senator Birmingham should explain his decision-making in this area. He should publicly explain. He should explain to the Senate, and not with glib words, the basis on which he intervened in this process. The then Minister Birmingham vetoed 11 research projects. There wasn't a public announcement about that decision; it had to be dragged out of the government at Senate estimates—just like so many efforts by this government to obscure its decision-making processes and to hide from the Australian public and the institutions that matter in this area. Senate estimates is the only tool that is available to the Australian people to get some truth about the government's activities.

When asked to justify the proposition that he had intervened to delete 11 of these applications—just like Senator McKenzie knocking off sports club grants because the government didn't like them—he did not offer a real explanation. Some of these projects were of enormous potential value. They included research into the social impact of shutting down the Australian car industry. We hear a lot of hot air from senators opposite about manufacturing and energy policy. I don't hear too many defences of the social and economic cost of 40,000 jobs in the Australian car industry being wilfully thrown overseas. A bit of publicly funded research in that area might have done the country so good. But we're not going to see that project, because the government claimed it was not in the national interest. In truth, it was not in the Liberal Party's interest that that research be done.

Another of those projects that were knocked off was research into responses to climate change. That was probably knocked off for the same reason—for narrow, venal self-interest. And a project on comparative studies of Indigenous politics was knocked off. The truth is that the minister has intervened in this process for narrow, political self-interest. These people are not capable of acting in the public interest. The idea that it is not in the national interest is a furphy that is really there for performances to the Liberal Party base.

The role of academic research is to speak truth based upon evidence—I know that is an anathema to many people on the other side of the Senate. The role of academic research is to speak truth based upon evidence, academic inquiry and independent analysis—to speak that truth to power. That doesn't work if what the government does, if what the executive does, is defund proposals that are potentially critical of government.
policy. Of course, the biggest expression of this is in the Liberal Party's hostility to academic inquiry in the field of Australian history. Former Prime Minister John Howard popularised the term 'the black-armband version of history' for historians—in particular, Henry Reynolds—who challenged the settler myth and the terra nullius myth of Australian history. It was a vicious, sustained attack, usually coming from Liberal Party supported circles in minor think tanks with scant academic qualifications, who made hot-take points in the Quadrant and whatever the other low-rent conservative publications are. Howard's nativist heirs in this area are launching the same attacks on academics like Bruce Pascoe, who is the author of Dark Emu. These publications should be judged on their academic merits. They should be the subject of robust academic and public inquiry and debate and criticism. I'm not here to say that they shouldn't be—I think they should be—but what shouldn't happen is direct political interference. What shouldn't happen is government diminishing the academy, diminishing universities and attacking educational institutions.

The value of research for the Australian community is immense. There is our scientific research capability in climate change and a whole range of areas. There is our research in agriculture, making sure that Australian farmers have got increasing productivity in an era of increasing drought, lower water availability and increasing evaporation. We need to reinvest in that capability where state governments have been pulling resources out of agricultural research. There's a role for the Commonwealth to be stepping in, because that underinvestment threatens the viability of Australian farms and Australian businesses over the coming decades: investment in health research, research into the future of our cities, research into the future of work and building collaboration and co-operation at work, research into the contribution of women in society and equal rights for women at work, research into the kinds of architecture and building processes that are going to make better low-carbon cities and research into foreign affairs and defence capability that's going to make Australia safer and build on our independence in our region. These are the things that build a confident, well-informed Australia.

I think what we're witnessing on the conservative side of politics is some confusion. On the one hand there's a strain of conservative politics that has always supported academic research, that has always been a part of these things; on the other hand there is the appeal to populism, the appeal to the Trump-era 'war on facts'. We can do much better than that. If we want an economy with increasing productivity, if we want jobs where work becomes better—better jobs, better relations at work—if we want Australia to enter a period of climate change resilience where we've got the technology and the capability to build Australian jobs, to lower Australian emissions and, indeed, reduce energy costs, if we want to have capability in terms of national security and big new ideas about the future of Australia's role in the world then we should be investing in Australian research. We should be building capability; we shouldn't be penny-pinching and, at the very least, there should not be political interference in the process of the ARC research grants.

Australia's economic growth has been the slowest since the GFC. That's got a little bit to do with our diminishing higher education capability. Wages are stagnant, household debt has skyrocketed, almost two million Australians are looking for work or for more work and the unemployment and underemployment rates are much higher than they should be. Business investment is at its lowest level since the 1990s recession. Productivity and living standards are going backwards.

A decline in educational standards and in our research capability has got just a little bit to do with that. We're seeing falling investment in research and development across the private and public shares of the economy. The total GDP expenditure in research and development has fallen from 1.8 per cent down to 1.79 per cent. That's public and private. We shouldn't rely upon corporate Australia to fund the bulk of our research. That actually is the government's role, to direct national priorities in research. Business investment in research and development has fallen to 0.9 per cent, 21st in the OECD, and bottom in the OECD on collaboration. And it's fallen to 107th in total expenditure. We could do much better than that, and we should. (Time expired)

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (13:10): I am pleased to complete this debate in relation to the Australian Research Council Amendment Bill 2019, which means that funding caps within the Australian Research Council Act 2001 are consistent with past precedents.

This bill will ensure that the ARC can continue to support Australia's best researchers to undertake the highest quality fundamental and applied research and research training. The government continues to support efforts in this space in numerous ways. For example, in recent weeks the Morrison government has announced over $24 million in research funding for new ARC training centres and approximately $242 million for ARC centres of excellence around the country. We have also announced the 2019 Australian Laureate Fellows who will share in $54 million to lead their world-class research teams for five years. This funding underpins the research careers of hundreds of researchers, which in turn underpin Australia's position as a leading power among the world's scientific and knowledge economies. I'd note in relation to Senator Ayres's comments before that it is important—
very important—that Australian industry and business are also major contributors and leaders in relation to research and development.

The State of Australian university research 2018-19: ERA national report, released by the ARC in March, found that Australia is increasingly performing above world standard in terms of research quality. The report found that Australia exceeds international standards in 11 broad disciplines, including technology, mathematics, medicine, engineering, and sciences relating to our earth and environment.

More broadly in other areas, I note that on 10 October 2019 the foreign minister and Minister for Women, Senator Payne, released the ARC’s Gender and the research workforce report, which uses data from the Excellence in Research Australia assessment to give a new insight into Australia's research workforce. A key statistic out of this report analysed the ratio of men to women in the research workforce, which was 56 to 44 in 2018, a small improvement on the ratio of 57 to 43 in 2015 but denoting that further work remains to be done there. It shows that the proportion of male and female researchers varies greatly between research disciplines, with female researchers outnumbering men in just five of the disciplines out of the 22 that are measured by the report. It's through the work of the ARC that we know about this gender disparity, and it's through the ARC that we work to address it through initiatives such as the Kathleen Fitzpatrick Australian Laureate Fellowship and the Georgina Sweet Australian Laureate Fellowship.

Initiatives such as these show the significant role of the ARC in Australia's research landscape, which gives us both the insight and the power to create real change in our research sector. Thanks to the ARC, the impact of this research is also now known, since the release of Australia's first national assessment of how universities engage outside academia and how they work to translate their research into benefits for society. The Engagement and impact assessment 2018-19 national report, a critical initiative of our government, was released by the ARC in March last year and makes transparent the value to ordinary Australian taxpayers of the government's $12 billion in research funding. It's now possible to explore the data presented in this report, as well as the 240 highly rated impact studies; they are available through the ARC website. These studies paint a rich picture of how Australian research is saving lives, strengthening the economy and improving our quality of living.

Funding the ARC is part of our government's investment in the future of Australia, and, over the next four years, with the passage of this bill, the ARC will deliver over $3 billion in funding for thousands of research projects. This will help to underpin Australia's research strengths as well as ensuring many benefits are leveraged by Australian industry, for Australian jobs and across the Australian community. I commend the bill to the Senate.

Question agreed to.

Bill read a second time.

In Committee

Senator KIM CARR (Victoria) (13:15): I would like to raise with the minister some matters in regard to the special research initiative that was flagged by the minister recently, particularly whether or not the $12 million that's been referred to is, in fact, new money. But I'd also like to raise some other matters, because the ARC was under attack this morning by a new wave of assault. Further to this program, this process of politicisation of ARC grants appears to have had some receptive hearing within the government ranks, and it follows a similar pattern. The Australian has reported that $262 million in grants have been awarded since 2014 to projects involving Chinese organisations. Four of these projects involved the telco Huawei. My question there specifically is: were any of these grants awarded in breach of government policy? It clearly follows a similar pattern where an unproven allegation about a purported security risk in collaboration between Australian and Chinese researchers is asserted, and then the facts seem to be ignored, particularly in regard to whether or not the project has passed the very strict security processes imposed by the Defence Trade Controls Act. Have any of these matters been in breach of the Defence Trade Controls Act, Minister? A further aspect of these campaigns seems to be that an unproven allegation is made and reported, impugning the loyalty and good standing of respected Australian researchers.

I referred to some $262 million in grants. These grants, according to The Australian, included 'work on advanced materials and coatings, cryptography, quantum computing, next-generation radio technologies and machine learning'. It's alleged that there have been grave concerns because the research could have 'military applications'. It uses words such as 'could have', 'might have' and 'may be'. This is the usual pattern: there are dark conjectures about alleged possibilities, but there are no proven facts. There's no acknowledgement of the most fundamental fact of all: that these grants occurred, I will assert, under government policy; that, throughout this period, the government has actually encouraged collaboration with People's Republic of China research institutes; that it's been the policy of the Commonwealth of Australia that such practices take place, under the conditions...
imposed by the Defence Trade Controls Act, the strictest regime; and that no breaches have been reported in meeting those conditions. Minister, I would ask whether or not you can confirm that is the fact, as distinct from the implication in the paper today.

What we saw is that the ARC grant process includes a national interest test. We know this follows previous tests that were in place with very similar wording, so there was no real difference; nonetheless, those on the government side have expressed horror at the thought of this collaboration between Australian and Chinese researchers. At estimates, Senator Abetz asked a question about the grants. I didn't see this quote in the paper this morning, but Senator Abetz said in the paper today that these grant allocations had been 'deeply disturbing'—deeply disturbing, it was reported. Senator Abetz asked another question at estimates. He asked: ‘Since its introduction, how many applications for the ARC funding have been rejected on the basis of failing the national interest test?’ You'll be surprised to hear this, Minister Birmingham, but the answer was simple, direct and emphatic; the answer was 'none'. I must have missed that in the paper this morning.

Given there was an assessment of the provisions of the Defence Trade Controls Act and no evidence of a security threat was discovered in any of these grants by the Australian Research Council, and given all of these grants have been signed off by a minister of the Crown, I'm wondering how it can be that there is a threat to our security. I'm wondering how undermining the integrity of the grants process through the politicisation of the grants process actually enhances our security.

We've seen too often now the growing politicisation of the process. We saw it in the special research initiatives that the minister announced just recently. Minister, you'll be able to tell me whether or not there's any new money involved in that. The minister announced we need 'fewer people telling us what to think'. Well, I'm just wondering where in this process we would actually establish that we would have fewer people telling us what to think. I'm also wondering how making such an announcement on a day of global significance—namely, the 75th anniversary of the liberation of Auschwitz by the Red Army—fits into the minister's process of ensuring that our understanding of history takes a more domestic and narrow focus; how a knowledge of our history will help us 'break the cycle of Australia Day antagonism' on the 75th anniversary of the liberation of Auschwitz—whether or not there were any global implications of such an event.

If these SRI funds are to be allocated through a normal peer-review process without political interference, I'm just wondering how the outcomes might be different from the present arrangements; how we would see the process change from the way in which grants are allocated at the moment. What happens when a historic inquiry is undertaken under the directions of a political process from a minister who seems to know better than peer-reviewed processes, a minister who seems to want a situation where we have fewer people telling us what to think? How does the process that the minister has outlined produce a result where we have fewer people telling us what to think? How is it that the historical process will be improved when the minister determines what's politically acceptable and what's not?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (13:24): I'll attempt to answer the couple of questions in Senator Carr's speech. In relation to the $12 million Special Research Initiatives, I can advise Senator Carr that that funding is from within the Linkage Program. In relation to the grants that are cited in newspapers today, I understand that all of these grants were awarded in accordance with policies and guidelines, including adherence to the Defence Trade Controls Act. In relation to matters of collaboration, I would note that collaboration is an important part of successful research, including to maximise the impact and reach of that research, but of course emphasise that safeguards exist and are applied in relation to collaborative partners with whom such research is undertaken in collaboration.

Senator FARUQI (New South Wales) (13:25): I move the Greens amendment on sheet 8831:

(1) Schedule 1, page 3 (after line 11), at the end of the Schedule, add:

4 After section 51

Insert:

51A Announcements about approval of expenditure on research programs

(1) The Minister must, within 21 days after making a determination under paragraph 51(2) (b):

(a) make a public announcement of the determination; and

(b) cause a copy of the announcement to be published on the internet.

(2) The Minister must not make an announcement under subsection (1) together with any of the following:

(a) another member of parliament;

(b) a candidate in an election for the Senate or the House of Representatives.
(3) An announcement made under subsection (1) is not a legislative instrument.

(4) To avoid doubt, subsection (1) applies in addition to subsection 51(3).

(5) In this section, member of parliament means:

(a) a senator; or

(b) a member of the House of Representatives; or

(c) a Minister of State who is not a senator or member of the House of Representatives; or

(d) a person who is taken to be the President of the Senate under the Parliamentary Presiding Officers Act 1965 and who is not a senator or member of the House of Representatives; or

(e) a person who is taken to be the Speaker of the House of Representatives under the Parliamentary Presiding Officers Act 1965 and who is not a senator or member of the House of Representatives.

In moving the amendment I would just like to say that this is a pretty straightforward amendment. It will give certainty to researchers and it will prevent what we have seen happen recently. It will prevent the government from playing a public relations and political game with the process and also with our future. We already know from the history of this government, from sustained funding cuts to Minister Birmingham's veto of liberal arts research and Minister Tehan's politicisation of the grants announcements, that the government has time and again disrespected researchers and, frankly, made a mockery of the ARC's independence. It was quite interesting to hear Senator Van in his speech on the bill talk about bipartisanship, when we know that is the exact opposite of what the government did recently when it completely politicised the announcements for ARC grants by locking out crossbench MPs, as well as opposition MPs, from taking any part in making announcements. We do need to make sure that our best minds are given the resources and the independence that they need to do their work and to help address some of the crucial problems that we face, problems such as the climate crisis and problems such as rising inequality. I commend the amendment to the Senate.

Senator PRATT (Western Australia) (13:27): Labor does not support this amendment, but we understand the importance and intent of Senator Faruqi's amendment in seeking to remove the politicisation of the announcing of ARC grants. We've long held concerns about the politicisation of the ARC grants process, and I would really like to commend the work that Senator Carr has highlighted, showing how the work of the ARC has been undermined by the government. He has exposed many issues around the transparency of ministerial vetos of grants and the delay of funding for the ARC, despite grants having been ticked off and been ready for announcement. We have sought a briefing from the department—I'd like to thank Minister Birmingham and Minister Tehan for organising that. We understand and note the minister's comments that outline the administrative changes that have been undertaken and further note this is the information provided to us in the briefing that we received and that these arrangements were changed last year. The department has advised Labor in relation to Senator Faruqi's amendment that it would have unintended consequences and could delay announcements unnecessarily. As a result, we're not supporting the amendments today.

However, the onus remains on the government to do the right thing and stop announcing research grants for political purposes. We note that Senator Van announced a research grant in January for research into hail. This was only days after a hailstorm swept through the ACT. Another announcement coincidently followed bushfires. The government announced this ARC grant while you were scrambling for something to make you look reputable in the government's response to bushfires. This grant had been approved many months earlier. So, if the government does not stick to its commitments, we will be here to call it into account. The government needs to implement these commitments and be seen to do it forthrightly. We will be working with all interested parties, including the Greens, on depoliticising the grants process.

Senator KIM CARR (Victoria) (13:30): I will add a few comments. Look, I have been involved in these issues for nearly 2½ decades in this chamber. I have taken a keen interest in these matters. The question of the ARC's role in administering these programs is a crucial one, as are the ministerial interventions. We have seen circumstances in which I was heavily involved with in terms of combating Minister Nelson's interventions. He did veto a number of grants, and we did make it clear that a number of those grants and the circumstances around those grants were totally inappropriate. As with Senator Birmingham, I was the one that drew those matters to the public's attention.

Notwithstanding that, we have had conservative ministers who undertook interventions which were totally inappropriate and I believe for gross political purposes: to meet internal political questions within their own parties. I still maintain the view that ministers are ultimately responsible for the allocations of programs, because they have to sign off on them. That's why I argued the case that, if the ARC does make a recommendation under peer-review processes and that recommendation is to be rejected by a minister, the minister must put that position to the parliament. That's the position that I've always argued here, particularly if you're a Senate minister, which
clearly puts you in a position where invariably you'll be in a minority. If you can't explain that, I think you'll be faced with some considerable difficulties.

The fact remains that the ARC does not get it right on every occasion. I am a strong supporter of the ARC, but I have seen it throughout what is now coming into my 28th year come Easter. I have seen examples where they have made errors. And I've made this point with regard to the centre of excellence program with regard to reefs and the situation down in Wollongong last year, where world-leading researchers were not even able to get on a shortlist. It was very difficult to explain, and I would never get an adequate explanation as to why that had happened. I think there are circumstances where you can argue that ministers do need to have accountability where there have been judgement questions raised where the peer-review process has let us down, because it's not infallible. But, where that occurs, my strong view is that there has to be parliamentary accountability for the minister's action.

What occurred with Minister Birmingham's position was that he acted in secret, and that had to be exposed by chance through the estimates process. I was given a tip-off that there was a problem. I indicated to the chamber on previous occasions that I was not aware how extensive that was until I saw the process. When I saw the particular projects, I was truly horrified. I was particularly horrified by those projects and the subject of the ridicule that was visited upon those researchers. A researcher of bird songs was subjected to infamous abuse—a world-leading musicologist, an internationally famous musicologist, but when you discover they are actually doing neuroscience—oh, of course, that was a different situation entirely, wasn't it? It's one thing to abuse humanities scholars; it's another thing to abuse medical scientists. We can't do that, can we? Of course, most of those projects were subsequently re-funded—not all of them; most of them. I made inquiries. Some were actually out of time and they weren't able to be re-funded under the ARC rules. But the fact remains, in this circumstance, that if the minister felt so strongly that there had been a miscarriage of judgement then he should have come into the chamber and explained why he was exercising that discretion.

The Labor Party's position is not to give the ARC a blank cheque but to protect the integrity of the ARC to ensure the ARC has the capacity to fulfil its functions. That's why I'm concerned about the changes that are now occurring with the way in which grants are announced, and I'm particularly concerned about the assaults on the ARC through the history program and the attempts to belittle historiography in this country. I am particularly concerned that the special projects that the government has now embarked upon should have had additional money. When I was minister, when we did the SRI program, which you can do under the act, we always provided additional money to support that direction to the ARC. I can see the officers looking at one another. Check the facts and you will find that that's the case. It was a particular policy position that we adopted. That's what should have occurred. If the minister felt this was necessary, he should have provided the extra money and not taken it from other people.

I'm particularly anxious about what's happening with regard to historiography, because what we see in this government is an assumption that there are good histories and bad histories, based on political judgement. History is always, invariably, an argument. I find Pascoe's book to be a particularly good one. I know it'll be controversial. It's a particularly good book, because it argues to overturn traditional views about the nature of hunter-gatherer Indigenous society. It goes to great lengths re-examining documents from the early settler period, looking at Indigenous architecture, aquaculture, agriculture and animal husbandry. Frankly, as a student of history with quite substantial qualifications, I had not appreciated the extent and manner in which that historical interpretation had been suppressed. So, it's a very interesting book, and I think it's really worthy of close study. That doesn't mean you have to agree with every word of it. That's the nature of history. It's going to be an argument. For the government—a minister!—to say, 'I'll pick and choose what's good history and what's bad,' poses very serious questions about the way in which we discuss not just our past but our future. That troubles me enormously when it comes to the question of the allocation of research funding, given how important research funding is to the future of this nation. That's why I'm concerned.

As for the questions the minister has answered, I really do thank you, Minister, for the direct answers you've given me on the series of questions I've asked about the defence control act, government policy and the story that appeared in The Australian today. I want to repeat: the letter that Larry Marshall wrote to The Australian today needs to be highlighted, because it has been bastardised in the way it's been presented in The Australian. Larry Marshall is a cautious man when it comes to public comment, so we should note he has made statements such as:

To imply the Centre ... poses a national security risk, without any supporting claims of fact, is alarmist and irresponsible reporting.

Those words have been deleted. He goes on to say that the centre's 'research outcomes are available in the public domain' and 'calls for greater transparency about this research are disingenuous'. Disingenuous, he says. Those
words have been removed. It strikes me as quite an important matter to draw to the Senate's attention when it comes to defending the integrity of our researchers.

Minister, I thank you for your answers. I note that all too often our researchers have been subjected to vilification and outright slander. The only thing I'm disappointed in is that I believe it is not just Labor senators who should be speaking up on these matters; I think it is appropriate and timely that ministers of this government defend the integrity of our researchers. I think you would appreciate how significant the consequences are in relation to our relations with other countries. *(Time expired)*

**Senator BIRMINGHAM** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) *(13:40)*: I will deal with a few issues here. I note Senator Carr's remarks at the end there. As I said before, the government recognises the important role collaboration plays in maximising the impact of research projects and ensuring the success of those projects; but it should be done against strict guidelines, safeguards and practices, including in relation to sensitive matters.

Senator Carr commented that, when he was the minister, he always provided extra money for any decisions or special initiatives that were undertaken. I would make the passing observation that, when the Labor Party were in government, they provided extra money lots of times and for lots of things. That's why the budget ran a prolonged and consistent deficit that has taken much effort to bring back into balance. Sometimes you have to make decisions about what you can do within existing resources, too.

I will turn to grants, and some of the comments that have been made about me, in a second. But, firstly, I will deal with the amendment and the question that is before the chair. I thank the opposition for their indication that they will not support the Greens' amendment. Nor does the government. As has been canvassed here, the minister is the responsible and ultimate decision-maker on grant funding under the ARC Act and is accountable to the parliament and Australian taxpayers for the use of funds.

Minister Tehan has declared an intention is to improve the public's confidence in taxpayer funding to university research whilst also being focused on promoting the benefits and outcomes of grant funding, including through transparent and wide-reaching announcements that raise awareness of such valuable research. The minister has made some commitments and taken some action in that regard. On 19 October 2019, in response to representations from the sector, the minister asked the ARC to notify applicants—in practice, mostly universities—of their successful and unsuccessful outcomes under embargo in advance of any formal announcement by the government. This is a similar practice to what occurs at the National Health and Medical Research Council with its grants program. This embargo process ensures administering organisations are advised of their outcomes very soon after the minister has approved the grants, and in advance of any official announcement, so that they can share their outcomes with the research team and partner organisations within their applications. That provides universities, researchers and their collaborators with certainty about the outcomes of applications sooner than ever before, allowing successful researchers to commence their research projects, maintain their partner organisation commitments, undertake recruitment and proceed with employment contracts. Equally, it allows unsuccessful researchers to proceed with alternative plans for their research careers, including preparing applications for new ARC scheme rounds or seeking alternative sources of research funding and/or employment. This is part of our commitment to ensuring taxpayer funding for research addresses our domestic challenges, whether they be in in health, social cohesion, environment, economy or security, and drives ideas that help to facilitate growth.

I note that some have reflected upon decisions I made back in my time as minister for education. I will again place on the public record the research grants that I declined to approve—because I did note, in Senator Ayres' contribution in particular, that I don't think his characterisation of those grants bears factual analysis or reality. The grants that I declined to approve were—I'll just read the titles and funding amounts—Rioting and the Literary Archive, $228,000; A History of Australian Men's Dress 1870-1970, $325,000; Beauty and Ugliness as Persuasive Tools in Changing China's Gender Norms, $161,000; Post-Orientalist Arts in the Strait of Gibraltar, $223,000; Music Heritage and Cultural Justice in the Post-Industrial Legacy City, $227,000; Greening Media—

**Senator Kim Carr:** That's the car industry. That's the auto industry.

**Senator BIRMINGHAM:** I'll take Senator Carr's interjection because, yes, indeed, I noted that Senator Ayres described that about being the impact in relation to the car industry. I think that is misleading in what that research project was seeking to do. It did have a correlation to regions in which the car industry closed, yes, but it was far from looking at the economic, social or other broad impacts of closing the car industry. It was particularly narrow in its application. I'll continue with the list: Greening Media Sport, $260,000. I assume that's the project Senator Ayres was referring to when he said I rejected a project—

*Senator Pratt interjecting*—

CHAMBER
Senator BIRMINGHAM: I will deal with that interjection in a second too, Senator. I assume that was the project Senator Ayres had in mind when he said I had rejected a project related to the response to climate change, which, again, I think is grossly misleading. I can assure the Senate that every research project that came across my desk that dealt with how we might reduce emissions, how we might support adaptation or any such measures received my approval, as did any dealing with Indigenous studies. And again I completely reject Senator Ayres's characterisation that any of the grants I did not approve related to Australian Indigenous studies; they certainly did not.

To finish the list: Price, Medals and Materials in the Global Exchange, $392,000; Legal Secularism in Australia, $330,000; Soviet Cinema in Hollywood Before the Blacklist 1917-1950, $336,000; Writing the Struggle for Sioux Modernity, $926,000; and The Music of Nature and the Nature of Music, $464,000. Having put those on the record and dealing with Senator Pratt's interjection, no, it was not the titles. Of course, information in terms of a proposal summary was provided and then, in considering—not approving—those, I sought further information at the time from the Australian Research Council before making a final determination on those matters.

My view, as I said at the time, is that those grants would have been inconsistent with the expectations of the broader Australian community. But in the end, as minister, had I approved them I would have to defend that use of taxpayers' money and I did not believe that that would be consistent with what the Australian community would expect. I want to deal, importantly, with a few of the consequences of that. In no way did not approving those grants make any change in the dollars spent on research. There was no change to the ARC budget as a result of that. For the grants that were not approved, those dollars would have been spent and will by now have been spent, no doubt, on alternative research projects. In no way did I direct where those alternative dollars should go to. I simply indicated that I was not willing to approve those particular projects.

I note arguments about why I didn't make the rejection of those projects public at the time. I have no doubt that, if I had gone out and made rejection of the grants public at the time, Senator Carr or others probably would have accused me of political grandstanding. I was seeking to make sure that in no way were we being seen to attack any part of the research community or undermine the credibility of the research grants process. In fact, I was seeking to uphold the credibility of the research grants process by ensuring that, as minister, the only grants I was seeking to approve were those that I believed would be consistent with the expectations of the Australian community.

Senator KIM CARR (Victoria) (13:49): Minister, of the grants you just read out how many were subsequently funded by your successor?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (13:49): Off the top of my head, I can't tell you, Senator Carr. I acknowledge that a number were. I know that Mr Tehan has indicated that some of those grant projects came back with amendments to them. In the end it is a ministerial discretion and determination to approve recommendations, and Mr Tehan made those decisions according to the information that was put before him. Of course, you have reflected upon the fact that he has also developed the national interest test as an additional element in assessing such grants in the future.

Senator KIM CARR (Victoria) (13:50): I might say, Minister, that you made a political decision not to fund them and the subsequent minister made a political decision to fund them. If they were so horrific to you, why were they not horrific to your successor?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (13:50): As I said before, my understanding is that Mr Tehan has indicated there were amendments to some of those grant applications. I've not gone back myself and sought to second-guess the decisions that Mr Tehan has made. They are, rightly, his decisions as minister. If additional information was provided and if amendments to the grants were provided, then of course it would have been entirely appropriate for him to make a fresh decision on those matters.

Senator PRATT (Western Australia) (13:51): Minister, are you aware that men's fashion is historically understudied in Australia relative to women's fashion?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (13:51): There are many questions that I've faced in this place, but that's taken them in a new direction! In the end, as I said before, my view was that the research projects proposed were not meeting with the expectations of the broader Australian community. I acknowledge that others could differ in their assessment.

The TEMPORARY CHAIR (Senator Griff): The question is that the amendment moved by Senator Faruqi be agreed to.
Question negatived.
Bill agreed to.

Bill reported without amendments; report adopted.

Third Reading

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:01): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

STATEMENT BY THE PRESIDENT

Question Time

The PRESIDENT (14:01): Could I make a brief statement about issues raised in question time yesterday. I reviewed the Hansard. I said I would come back to the chamber. The first matter was about the direct relevance of a question from Senator McAllister to Senator Cormann. In short I have reviewed the Hansard, and part of the question did ask about the government's position. I believe the minister was being directly relevant to the question with the material he outlined in his answer.

The second issue was raised during question time and then at the end of question time by Senator Watt. It referred to claims made by a number of senators about comments made that may have been unparliamentary. I
have reviewed the Hansard and consulted with the Clerk. I do not find anything in the Hansard that is an unparliamentary reflection or an unparliamentary imputation. There are highly contestable matters recorded in the Hansard. Obviously the Hansard does not necessarily record everything said in the chamber. I would ask senators to be mindful of standing orders when matters are, in a disorderly way, interjected across the chamber.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:02): This is probably not the time to dispute some of that ruling, but I do want to place on record the opposition's concern with two aspects of it. First: in relation to the indication that a reference to the government's position can somehow render subject matter germane or directly relevant, I'm inferring that that only extends to subject matter that is somehow germane to the topic under debate.

Senator Cormann: Yes.

Senator WONG: Thank you, Senator Cormann. The second point I make—I'm not moving anything, but I am putting on record our concern with the ruling in respect of Senator Reynolds. It is an imputation to suggest that a senator is using loss of life for political purposes. In fact I can think of fewer more egregious imputations. They were her words, and I would ask you to reflect upon that. We have a longstanding position of respect for the President's position, but to allow a minister to suggest that a senator in this place is using someone's death for political purposes—that is a highly egregious position for her to take. It is unbecoming of a minister—an indication of a glass jaw, if I may say. I am reflecting to you, Mr President, from the opposition's perspective, substantial concern with the second aspect of your ruling. I take it no further than placing it on the Hansard.

The PRESIDENT: I appreciate the discretion you've exercised there, Senator Wong. I'm happy to take submissions on specific words. The words I have in front of me in the Hansard, on which I have consulted with the Clerk, don't reflect the exact words you said there. There were different words used which, in my view, are highly politically contestable—some may consider them highly unpleasant—but that I don't necessarily consider to be an unparliamentary reflection. If someone used the exact words you used there, Senator Wong, I may come to a different conclusion.

I appreciate the support of the chamber. I remind senators that this doesn't arise if we all are a little bit more careful with our language.

QUESTIONS WITHOUT NOTICE

Energy

Senator MARIELLE SMITH (South Australia) (14:05): My question is to the Minister representing the Minister for Energy and Emissions Reduction, Senator Birmingham. Yesterday the Liberal member for North Sydney, Trent Zimmerman, said:

We have no commitment to fund a coal-fired power station and I don't think we should … From my perspective, it's not the business of the Commonwealth government to be building or funding coal-fired power stations.

And yesterday Liberal member for Wentworth, Dave Sharma, said on public funding of new coal-fired power generation:

… I don't think the government should be in the position of doing this.

Does the minister agree with the position of his New South Wales Liberal colleagues?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:05): The government is not funding a new coal-fired power station. The government committed $10 million at the last election to address supply and affordability issues for energy-intensive and trade-exposed customers in North and Central Queensland. There are industries like aluminium smelting, refining, cement, sugar and copper processing that all rely on low-cost and reliable energy, employing tens of thousands of Queenslanders. Part of that commitment was to fund a number of feasibility studies for new generation projects to ensure that these projects stack up and make commercial sense. We won't stand in the way of private sector investment, but the investment the government is making is in relation to those feasibility studies as committed to at the election.

The PRESIDENT: Senator Smith, a supplementary question.

Senator MARIELLE SMITH (South Australia) (14:06): In an opinion piece to The Courier Mail, Senator Canavan said:

… The Liberal National Government is supporting the development of a coal fired power station at Collinsville in North Queensland.

Will the minister rule out this government providing taxpayers' money to fund the construction of a new coal-fired power plant?
Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:06): I refer the senator to the answer I just gave the Senate, which detailed precisely what the government took to the election. The government are doing precisely what we took to the election; no more, no less.

Senator MARIELLE SMITH (South Australia) (14:07): The member for Dawson put out a media statement yesterday declaring:

Despite claims of one inner-city Liberal MP on Sky News this morning, the Morrison Liberal National Government is providing funding to coal-fired power projects …

Is Mr Christensen correct?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:07): Once again, I think I have answered that question, if Senator Smith had listened to the initial answer or to the supplementary answer. The government are doing precisely what we promised at the election in relation to the $10 million of funding, the feasibility projects—

Senator Watt: Point of order on relevance: the minister might want to avoid it, but this question is about comments made by the member for Dawson. We haven't asked about them before, so he shouldn't be referring to previous answers. We want an answer to this question.

The PRESIDENT: You've restated the question. He has been speaking for 14 seconds. I am listening carefully to a specific question. I'll let the minister continue.

Senator BIRMINGHAM: The government are delivering on our commitments for the dual feasibility projects in relation to the two projects under assessment there. And in terms of the work the government are currently pursuing on a decision that the government have made, that is the extent of it, and that is what we are delivering upon.

Employment

Senator HUGHES (New South Wales) (14:08): My question is to the Minister for Employment, Skills, Small and Family Business, Senator Cash. Can the minister please update the Senate on how the Morrison government is building a stronger economy and is delivering initiatives that are creating more Australian jobs?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:09): I thank Senator Hughes for her question. On this side of the chamber, the government side of the chamber, we understand that the government has put in place the policies that employers are able to lever off to create jobs. And that is exactly what this government have been doing since we were elected to office in 2013. What we also acknowledge and put in place, though, are processes and procedures to ensure that people who are looking for work are actually connected with local jobs near where they live.

Last Friday, I was able to join the member for Lindsay, Melissa McIntosh, at a jobs fair in Penrith. As Senator Payne would know, there was much-needed rain in Penrith on Friday, but I'm delighted to say that, despite this, over 2,400 people came along to the jobs fair. These are 2,400 people actively looking for employment, putting their hands up and saying, 'We are ready, willing and able to undertake work.' Jobs fairs are a practical way of connecting jobseekers not only directly with employers who have jobs there on the day but also with employment service providers for any questions that they might ask. It also gives the jobseekers the ability to ask questions face-to-face and, in particular, to have their resumes looked at. Do they have the most up-to-date resume? They can also undertake a practice interview. We have a number of workshops running throughout the day, and these are always well attended. Since we were elected into office, the economy itself has now created in excess of 1.5 million jobs. In the last two years we've held a number of jobs fairs around the country, and we've now had over 26,000 jobseekers attend. We have a commitment to get more people off welfare and into work, and this is exactly what we're doing. (Time expired)

The PRESIDENT: Senator Hughes, a supplementary question.

Senator HUGHES (New South Wales) (14:11): Minister, why is it important to focus on helping Australians into work?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:11): As a government we understand the benefits of work. We as a government are focused on growing our economy, on getting more people off welfare and into work and also on delivering well-targeted social security. That is funded, of course, through a strong budget. A strong economy and a strong budget allow you to do so many things. As I've stated, since we were elected to office more than 1.5 million jobs have been created. But, on top of that, our strong economic management, led in particular by our Treasurer and also by the Leader of the Government in the Senate, the Minister for Finance, has now seen welfare dependency hit its lowest level in 30...
years. In fact, Department of Social Services analysis shows that the proportion of working-age Australians receiving welfare benefits has fallen to 13.5 per cent. This is a decrease of 100,000 working-age people in receipt of income support from June 2018—(Time expired)

The PRESIDENT: Senator Hughes, a final supplementary question.

Senator HUGHES (New South Wales) (14:12): Can the minister inform the Senate of the policy priorities of the government to continue to support jobs growth in Australia?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:12): Again, on this side of the chamber, the government side of the chamber, we understand that, as a government, we need to put in place the right policy framework so that businesses can prosper, grow and create more jobs for Australians, which is exactly what business is doing under this government. We have put in place a number of policies that are allowing job creation, including lowering taxes. Why are we lowering taxes? So that both working Australians and small businesses are able to keep more of what is theirs. We are also focused on reducing red tape, cutting through it by deregulation, and also on access to finance—ensuring, in particular, that small businesses are getting paid on time. We're also ensuring that Australians have the skill sets that employers are telling us they need. We've also expanded—and I acknowledge the work that the minister for trade has done—our trade borders to make more markets and to create more jobs. We are focused on jobs and we will continue to put in place—(Time expired)

DISTINGUISHED VISITORS

The PRESIDENT (14:13): I draw to the attention of honourable senators the presence in the chamber and the gallery of a parliamentary delegation from Cyprus, led by Mr Demetris Syllouris, President of the House of Representatives of Cyprus. On behalf of all senators I wish you a warm welcome to Australia and, in particular, to the Senate. With the concurrence of honourable senators I would invite President Syllouris to take a seat on the floor of the Senate.

Honourable senators: Hear, hear!

President Syllouris was then seated accordingly.

QUESTIONS WITHOUT NOTICE

Morrison Government

Senator SHELDON (New South Wales) (14:14): My question is to the Minister representing the Prime Minister, Senator Cormann. Prime Minister Morrison has promised Australians a strong and stable government. Today one Liberal MP has told The Australian that the Liberals' treatment of the Nationals was:

… like appeasing a child who has a tantrum. … This is what we have been doing for four years. The more they don't get their way the bigger the tantrum is.

How is the Prime Minister going to appease the Nationals this time?

Senator CORMANN (Western Australia—Minister for Finance and Vice-President of the Executive Council) (14:14): It's good to see how the Australian Labor Party is asking the great questions about the future of our nation. I know that the senator is concerned, so let me reassure him that the Liberal-National coalition remains strong and united and continues to deliver for the Australian people. Having taken over a government from the Labor-Green coalition that preceded us, we turned around that disastrous situation that we inherited. Under that government there was a weakening economy, rising unemployment, a rapidly deteriorating budget position, chaos at our borders and people forced to pay more for their electricity in order to send higher emissions overseas. The last Labor-Green period in government was a complete failure. The Liberal and National parties in government continue to deliver for the Australian people, continue to deliver a stronger economy with better opportunities for Australian families to get ahead and, indeed, continue to keep our borders safe and secure. I put our record against the Labor-Green record any day.

They can come in here and ask juvenile university politics questions. Senator Sheldon, given that you used to be a national secretary of a great union, the Transport Workers Union, I think you should be embarrassed that you have accepted that sort of question from your tactics committee.

The PRESIDENT: Senator Sheldon, a supplementary question?

Senator SHELDON (New South Wales) (14:16): Yesterday former Prime Minister Turnbull told journalists in the Marble Foyer:

Those people who are advocating that the government should fund coal-fired power are basically making a case for higher emissions and higher energy prices, and that is nuts.

Does the Prime Minister agree with former Prime Minister Turnbull?
Senator CORMANN (Western Australia—Minister for Finance and Vice-President of the Executive Council) (14:17): I thank you for the supplementary question. I remember my time in the Turnbull cabinet, when we initiated the Underwriting New Generation Investments program, which was deliberately technology neutral. It was during the during the Turnbull government that we thought very carefully about how we would deal with the clearly ongoing need for base-load power into the future as part of an energy mix that includes an increasing proportion of renewables.

Under our government, we are making record investments in renewables. We are also investing in the major battery of the nation through Snowy 2.0. We were always focused making sure that there was the opportunity for appropriate investment in base-load power generation that was appropriately affordable and reliable, including in coal. That was what accepting recommendation 4 of the ACCC report was all about. (Time expired)

The PRESIDENT: Senator Sheldon, a final supplementary question.

Senator SHELDON (New South Wales) (14:18): Deputy Leader of the Nationals in the Senate, Matt Canavan, said yesterday, 'Renewables are the dole bludgers of the energy system'. Does the Prime Minister agree with Senator Canavan's comments?

Senator CORMANN (Western Australia—Minister for Finance and Vice-President of the Executive Council) (14:18): I have provided an answer on record in relation to this. I don't agree with that description. Renewable energy is a very important part of our energy mix. In order to ensure that we can deliver affordable, reliable energy supplies, we need to ensure that we continue to make sensible decisions about the entire energy mix, which will continue to also rely substantially on Australian coal. Relying on Australian coal and demonstrating to the world how we are able to lower emissions through higher efficiency, lower emissions coal-fired power station technology will help reduce emissions around the world. If we displace ground coal, which is more polluting, with high-quality Australian black coal into HELE plants, that is a good thing for the environment. That is perhaps something that the Labor Party used to understand. If they thought about it, they might get their head around it again.

The PRESIDENT: Are you on a point of order, Senator Watt?

Senator Watt interjecting—

The PRESIDENT: The minister has concluded his answer, Senator Watt.

Senator Watt: I seek leave for Senator Canavan to reply.

The PRESIDENT: You don't have the call, Senator Watt. Good try.

Honourable senators interjecting—

The PRESIDENT: Order! Can I hear Senator Siewert, please.

Welfare

Senator SIEWERT (Western Australia—Australian Greens Whip) (14:19): My question is to the Minister for Families and Social Services, Senator Ruston. Minister—through you, Mr President—my question relates to the opt-out provisions of the cashless debit card. According to the Department of Social Services' latest available data, so far nobody has successfully been exited from the cashless debit card using those provisions. To date, 635 people have applied to exit the card, yet nobody has come off it. Why has nobody been exited from the card yet? Would you expect that, after more than six months of these provisions being applicable, more people would have been exited than none?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:20): I thank Senator Siewert for her ongoing interest in the cashless debit card and income management more generally. The issue which Senator Siewert raises is in relation to the exit provisions that have newly been put into place for people to be able to exit for a different reason than the harm that potentially could happen to people—the psychological harm for people in distress. This is a different exit mechanism for the cashless debit card. It came about through some legislation last year, and we started the process of enabling people to contact the Department of Social Services to seek to exit the card last year. Subsequent to a number of people having put forward the request to be able to exit the card, there were a number of quite complex pieces of information that were required, some of which were actually under the purview of the state and territory governments. Currently, we are undertaking the review of the requests from those people who have requested to come off the card, and we will continue to work with the state and territory governments, in the areas where the cashless debit card currently exists, to make sure that we have fully examined all of the criteria necessary to determine whether the aspects that we require—that the government and the legislation require—for people to exit the card have been able to be met.

The PRESIDENT: Senator Siewert, a supplementary question?
Senator SIEWERT (Western Australia—Australian Greens Whip) (14:22): I thank the minister for her answer, which doesn't adequately—

Senator O'Neill interjecting—

The PRESIDENT: Order on my left! Senator O'Neill, I can't hear—

Senator O'Neill interjecting—

The PRESIDENT: Senator O'Neill, I would like to hear Senator Siewert's supplementary question.

Senator SIEWERT: Minister—through you, Mr President—do you acknowledge that it is too hard for people to successfully meet the highly subjective exit criteria? Do you acknowledge there is a conflict of interest in having local partners provide assistance in completing exit applications?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:22): I thank Senator Siewert for her follow-up question. Let's be clear: no. The implication that possibly comes from your question is that people haven't been able to exit the card. I have not said that. What I have said is that the process under which we need to undertake the assessment—working with various stakeholder groups, with state and territory governments and with local providers to be able to gather the information to determine whether those criteria have been met—has been complex. So the process is ongoing. People who have made application will be assessed on a case-by-case basis, and obviously processing times are going to vary between applications. So we will continue to work with the trial sites and with the local providers so that we can make sure that, when we make the assessments to determine whether people come off the card or not, we are dealing with issues like the drug and alcohol related issues, crime, violence and antisocial statistics.

The PRESIDENT: Senator Siewert, a final supplementary question?

Senator SIEWERT (Western Australia—Australian Greens Whip) (14:23): As I said, nobody has been exited from this process yet. When does the minister expect that a decision about even one application will be made?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:23): Thanks, Senator Siewert. Obviously, as I said, the complexity of this process is something that is going to take time. When we are in a position to be able to make the assessment—as I said, there is the difficulty with working with state and territory governments and in collating information from local community groups, and there are differences between each of the trial sites. There may be some much more complex processes than we possibly imagined in the first place, but I can assure Senator Siewert we have not refused people's exit. We are merely going through the process of assisting and making an assessment in relation to the criteria in the legislation as to the validity of their exit process.

Coronavirus

Senator PATRICK (South Australia) (14:24): My question is to the Minister representing the Minister for Health, Senator Cash, and concerns biosecurity measures directed against the 2019 coronavirus, which has now claimed over 1,000 lives. Can the minister advise how many people arriving in Australia from China since 1 February have been the subject of biosecurity screening and advised to implement self-isolation at home? How is the government able to confirm that incoming travellers are following self-isolation protocols? Are travellers arriving from China under any legal obligation to comply with self-isolation guidance?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:25): I thank Senator Patrick for the question and for some prior notice. The details I have been unable to get I will seek to have provided to you on notice. In terms of the latest data, as at midday today there are approximately 42,723 confirmed cases, and 1,013 deaths have been reported globally. Of the 1,013 confirmed deaths, 1,011 have been from mainland China. Of the confirmed cases reported globally, the fatality rate is approximately two per cent.

The Morrison government is doing everything in its power to protect Australians from the ongoing coronavirus outbreak. We've implemented enhanced border measures at international ports, including a direction to airlines and ships that enter Australia. Foreign nationals who have been in mainland China since 1 February, inclusive, will not be allowed to enter Australia. As a result, the overall total of arrivals from mainland China since 1 February is approximately 28,500. I'm advised that this represents a very substantial decrease in numbers arriving from mainland China. I'm also advised that this has not resulted in any significant increase through key transit points, such as Kuala Lumpur and Bangkok, indicating that the restrictions are proving effective. All arrivals undertake appropriate screening and are provided with information on the virus and on what to do if symptoms present. These border measures are effective. Since 1 February, 145 China-to-Australia flights have been cancelled; 30 arriving passengers have had their visas cancelled, of which 19 visas have been reissued, resulting in a total of 11 visa cancellations; 234 passengers were refused permission to board their flight to Australia; and 84
passengers in Australia have been refused permission to board their departing vessel. I will take on notice any further details for you.

The PRESIDENT: Senator Patrick, a supplementary question?

Senator PATRICK (South Australia) (14:27): Have any biosecurity control orders been imposed in relation to confirmed or suspected cases of coronavirus in Australia? If so, how many? In what general circumstances would the government consider the imposition of human biosecurity control orders to be appropriate?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:27): I am advised that on 21 January 2020 'human coronavirus with pandemic potential' was listed as a listed human disease under the Biosecurity Act 2015, enabling the use of enhanced border measures. All states and territories have powers to issue orders under public health legislation, which include provision for detaining persons and enforcement of those orders in relation to notifiable conditions. Authorised public health officers may issue directions to an individual, but, generally, chief health officers must authorise orders for detention. All states and territories have emergency powers, which provide extensive authority to control a public health emergency, including the power to determine individuals. In such cases, the emergency direction must be authorised by the chief health officer or in some cases the minister. However, once declared, authorised emergency officers may have delegated powers and the agency to detain individuals. The Commonwealth can issue directions during a human biosecurity emergency under the Biosecurity Act. Again, further information that I can get you—(Time expired)

The PRESIDENT: Senator Patrick, a final supplementary question?

Senator PATRICK (South Australia) (14:29): Will the government undertake to promptly publish general details, being the numbers and broad locations, of any human biosecurity control orders imposed in relation to the coronavirus? Will the government undertake to provide a weekly update to the chamber on its measures in relation to the coronavirus?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:29): I believe that Minister Hunt has already done his first press conference for the day in relation to this issue, and we are obviously providing regular updates both to the parliament—the House of Representatives and the Senate—and to the Australian people. Information is being shared through the Australian Health Protection Principal Committee and other relevant forums. Importantly, the national incident room is working with all states and territories to facilitate contact tracing of any individuals identified as being at risk of exposure to the virus on incoming flights. This includes contacting individuals in close contact with any confirmed cases and providing other passengers with advice on what to do if they begin feeling unwell. We are meeting all requests of state and territory governments as promptly as we can. As you would understand, this is an evolving situation, and we will continue to follow the expert medical advice.

Female Facilities and Water Safety Stream

Senator FARRELL (South Australia) (14:30): My question is to the Minister for Youth and Sport, Senator Colbeck. Yesterday I asked the minister about the Prime Minister's media release dated 30 March 2019, which stated:

Further details on the change room and swimming facilities fund will be released later in 2019.

I ask the minister again: were these further details ever released?

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:31): I thank Senator Farrell for the question. I haven't seen any further details of that particular program being released. After the election, the government made a decision to allocate 41 projects, as we discussed in the chamber yesterday, to that particular program for administration, and the administration of that program was moved from the department of infrastructure, which is under the stewardship of the Deputy Prime Minister, to my portfolio. Since the program has been in my portfolio, there has been no further information released in respect of the program, because, at this point in time, the responsibility that I have, along with my department, is to administer the delivery of those election commitments that are now a part of the female facilities and water program, the FFW safety stream program. The election intervened in that process. The allocation of the election promises was made to that program, and they now rest with my portfolio for administration and delivery.

The PRESIDENT: Senator Farrell, a supplementary question?

Senator FARRELL (South Australia) (14:32): I do, thank you. Yesterday, the minister refused to advise the Senate whether his agencies had expressed concerns that no guidelines or further details were ever distributed despite the Prime Minister stating that they would be. I ask again: can the minister assure the Senate no concerns were raised with him or his office about the failure to distribute further details or guidelines?
Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:33): As I indicated yesterday, all of these projects were election commitments. We made a number of election commitments for sporting projects—

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

Senator Wong: I know that the minister is simply repeating the script that the Leader of the Government in the Senate has given him, but my point of order is on direct relevance. We did not ask about guidelines. We did not ask about election commitments. We asked about an answer that the minister gave previously in relation to advice from agencies, and I would ask you to ask him to return to that question.

The PRESIDENT: The minister has been speaking for eight seconds. I appreciate it was a specific question that related to advice received or not received, and the minister needs to address that particular question. He has only been speaking for eight seconds, so I'm going to grant him a couple of sentences, at the very least, before I make a judgement on direct relevance. Senator Colbeck.

Senator COLBECK: Thank you, Mr President. As I was saying, all of the projects that are being administered under this program were election promises. As I indicated to the chamber yesterday, because the delivery of these projects is very similar to the way that CDG projects are rolled out—

Senator Farrell interjecting—

Senator COLBECK: the department have decided—it expressed no concerns to me, Senator Farrell—to use the guidelines for the delivery of CDG projects for the delivery of this program. There was no concern from my department to me around how this program might be delivered. The government made a decision that the Department of Health would deliver this program rather than the department of infrastructure, and the Department of Health is utilising—(Time expired)

The PRESIDENT: Senator Farrell, a final supplementary question?

Senator FARRELL (South Australia) (14:35): I do have a further supplementary question, Mr President. Yesterday I asked the minister to explain why $150 million of taxpayers' money is being allocated without any guidelines. I again ask the minister: why was the $150 million of taxpayers' money allocated without any guidelines?

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:35): As I've said a number of times, the projects being delivered through this program were election commitments. It's that's simple. The opposition made $250 million worth of election promises, with a line in their election policy document to increase that to $400 million. Where are the guidelines for the Labor Party's election commitments? This government made a number of election commitments—41 of them, in fact—that are being delivered through this program. The Labor Party made $250 million worth of election commitments—no guidelines, no process. They'd have to have had a program to deliver it, the same way the government does.

Welfare

Senator O'SULLIVAN (Western Australia) (14:36): My question is to the Minister for Families and Social Services, Senator Ruston. Can the minister update the Senate on how the Morrison government's plan to provide pathways from welfare to work is building a stronger economy and creating more Australian jobs?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:36): I thank the senator for his question and his ongoing and enduring interest in our social welfare system. I am very pleased to be able to update the Senate on the government's progress in building a stronger economy and creating more jobs. We have absolutely focused on the economy because getting more people into work, and delivering a well targeted and sustainable social welfare system funded through a strong budget, is the only way that we can continue to grow our economy and provide jobs for the people who need them.

As my colleague Senator Cash mentioned earlier—and in conjunction with the work I do with Senator Cash as the Minister for Employment—we work hand-in-glove to identify the barriers for people to actually get into employment. At the same time, we are creating jobs to make sure that, when we break those barriers down, the jobs are there. As Senator Cash mentioned, as at 30 June 2019, the proportion of working-age Australians who are dependent on welfare had fallen to 13.5 per cent. That is the lowest level of dependency for over 30 years. When you combine that with the job creation programs of this government—so that when people find themselves in a position to move into employment, the jobs are there—we have actually got a formula that means more Australians are in work. As more people are finding employment we are seeing a corresponding fall in the number of working age Australians on welfare. Since 2013—

Opposition senators interjecting—
Senator RUSTON: Those opposite can sit there and scoff and they can interject. Since 013, we have created 1.5 million jobs for Australians so that they can get into work. As we sit here today, we continue to understand that there are people with barriers to getting into work. We're working on innovative programs such as the Try, Test and Learn program so that we can identify the unique reasons why people sometimes find it more difficult to get into work.

The PRESIDENT: Senator O'Sullivan, a supplementary question?

Senator O'SULLIVAN (Western Australia) (14:38): Why is it important to reduce welfare dependence and promote self-sufficiency and resilience? How does welfare dependency at present compare to previous terms of government?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:39): The underlying objective of our welfare system is to support Australians who find themselves in a position where they're not able to support themselves. Moving people from welfare to work obviously strengthens our communities and strengthens our economy, but it is also of extraordinary benefit and value to the person themselves when they get a job. Every person who is on welfare who gets a job is a victory for this system.

But it's also imperative that the long-term sustainability of this system is protected because that protects our community at large and ensures there will be a system in place for them, for our families and for our children. In June 2019, there were 2.2 million Australians of working age receiving income support. This is a decrease of 100,000 people from June 2018. Over the same period of time, the working-age Australian population aged 16 to 65 also increased. (Time expired)

The PRESIDENT: Senator O'Sullivan, a final supplementary question?

Senator O'SULLIVAN (Western Australia) (14:40): Can the minister update the Senate on how a sustainable welfare system supports Australian families and retirees?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:40): As those in this place would probably know, and if they don't they should, one-third of Australia's budget is targeted to our sustainable but targeted welfare system and this includes payments to a range of people. They include $48 billion to support our older Australians with the age pension, $18 billion on family tax benefit and $9 billion for carers, amongst others. Social services touches almost all Australians at some stage during their lives and it is a safety net to make sure we provide for those who are most vulnerable when they are vulnerable. It is particularly important that this system remains sustainable, because we need to make sure that this system is in place not just for Australians today but for Australians into the future. I am sure those opposite would like to think this system would be sustainable should their children or their grandchildren ever need the safety net that is provided by this system. (Time expired)

Veterans Affairs

Senator LAMBIE (Tasmania) (14:41): My question is to the Minister representing the Minister for Veterans' Affairs, Minister Reynolds. My question refers to the announcement of 10 new case coordinators for the Department of Veterans' Affairs Coordinated Client Support program. The government has made quite a point of saying the case coordinator roles are about providing at-risk veterans a single point of contact to work with throughout all the complexity of the workings of the Department of Veterans' Affairs. There is definitely value in having one person you can actually trust to work with who helps you throughout your transition into civilian life, but you don't want your single point of contact leaving just because they are on a short-term contract that is not renewed. Will you commit to making sure that none of these case coordinators are external contractors?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:42): I thank Senator Lambie for her question on this announcement and I also thank you, Senator Lambie—through you, Mr President—for your ongoing advocacy and support for so many of our veterans. I thank you for that. In relation to the announcement of the additional case workers, I can confirm that we are doing this. The reason we're doing this is veterans under the age of 30, as you well know, who are in voluntary discharge are at a higher risk of suicide than the general population, which is why we're investing the $4.8 million you referenced, to ensure that young and vulnerable veterans who leave the ADF will be provided a single point of contact with 10 additional case coordinators. The Coordination Client Support program is already helping well over 1,000 veterans. In relation to who will be used, Senator Lambie, I will have to take that on notice and I will endeavour to get back to you straight away.

The PRESIDENT: Senator Lambie, a supplementary question?
Senator LAMBIE (Tasmania) (14:43): The average time a veteran stays in the Coordinated Client Support program is about 275 days. What guarantee can you give to veterans who are going to have to deal with more than one case coordinator simply because the government thought that was the cheapest way to do it?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:43): Thank you very much, Senator Lambie. I have to take issue with your last comment. I don't in any way agree with your characterisation and I'll take that specific question on notice as well to get you the right information.

The PRESIDENT: Senator Lambie, a final supplementary question?

Senator LAMBIE (Tasmania) (14:43): You would think the easiest way to make sure veterans had one single point of contact across their time in the program would be to have their case coordinator to be on staff as a permanent employee. So why have you created this revolving door of bureaucrats on tap by cutting DVA's APS staff by 15 per cent in the last four years?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:44): I again thank Senator Lambie. In relation to that last question, again, I reject the premise of your question but I will also take that on notice. I would also extend—through you, Mr President—the opportunity for a meeting with Minister Chester to discuss your concerns in relation to who those people will be.

Australian Bushfires

Senator KITCHING (Victoria) (14:44): My question is for the Minister for Defence, Senator Reynolds. I refer to the party political advertisement published on the Prime Minister's social media channels at the height of the bushfire crisis that was authorised by 'S. Morrison, Liberal Party, Canberra'. Did the minister authorise the use of video footage containing Australian Defence personnel and assets in the Liberal Party's party political advertisement?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:45): Thank you very much for the question, Senator Kitching. The answer is very simple: that was the legislated requirement to go on that ad.

The PRESIDENT: Senator Reynolds, have you concluded your answer? There is an opportunity to debate questions. Senator Kitching has an opportunity for supplementary questions. Senator Kitching?

Senator KITCHING (Victoria) (14:45): Who authorised the use of video footage which contained Australian Defence personnel and assets in the Liberal Party's political advertising? When was that authorisation granted?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:45): In relation to that question, I'll have to go back and have a look at exactly what photos you're referring to. As Senator Kitching would be well aware, there is a gallery of photos available on the website for people to download and use. So that I don't mislead the Senate, I'll seek some further information on that and get back to you.

The PRESIDENT: Senator Kitching, a final supplementary question.

Senator KITCHING (Victoria) (14:46): The Australia Defence Association executive director, Neil James, said that the ad was 'plain wrong' and broke longstanding conventions on the use of the Australian Defence Force in advertising. How do you respond to Mr James?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:46): I'll just point out what else he has said about the Australian Defence Force contribution to the bushfires. So that has been an amazing—

The PRESIDENT: Senator Wong, on a point of order?

Senator Wong: The point of order is direct relevance. We all support what the ADF has been doing. That is not the question. So I ask the minister not to cloak herself in the ADF's courage in these circumstances. We are asking this minister how she responds to Mr James's criticism of the political use of these images.

The PRESIDENT: On the point of order, the question was specifically around comments regarding an advertisement and the role of the ADF, and to be directly relevant the minister must refer to those elements of the question.

Senator REYNOLDS: What I would remind those opposite is that it wasn't a ministerial—or it wasn't a prime ministerial, as I understand the piece that you're referring to. It was required to be authorised and it was authorised. It was not a piece of material from myself as the minister, so I will take that on notice.

Australian Bushfires: Tourism

Senator McGrATH (Queensland—Deputy Government Whip in the Senate) (14:47): My question is to the Minister for Trade, Tourism and Investment, Senator Birmingham. Can the minister outline how the Morrison government's $76 million bushfire recovery package is helping to support affected communities?
Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:48): I thank Senator McGrath for his question. Senator McGrath is a passionate Queenslander with a passionate interest in the tourism industry. I thank Senator McGrath in particular for the many representations and the feedback that he’s been providing to me in terms of the impact of the coronavirus especially and also the reputational impact in relation to bushfires on Queensland tourism businesses—as have so many coalition members.

The government, as is well known, has applied a $76 million step-up in terms of tourism funding. Many have commented that this, so far as they’re aware, is the single largest additional investment made in Australian tourism by an Australian government, in terms of support for recovery during this time. In implementing this package, the government is seeking to activate increased domestic tourism through a $20 million campaign, and we are particularly working to help states and territories, who will receive the bulk of that $20 million funding. Matching money is on the table for those states and territories, so they step up and put in extra money and we put in extra money. Today we will also release guidelines for the regional grants program. The regional grants program is a $10 million component of the $76 million package specifically for fire affected communities. Those communities are in a position to be able to invest in regional events, in other promotional activities, and quickly secure grants under this program to lift and boost visitation especially during non-peak periods. Those non-peak periods are important to make sure that we lift and make up for the loss in visitation that has occurred and is occurring. We note that the ongoing impacts of the coronavirus have had a continual slowdown impact on many regions across Australia, including some of those fire affected regions. That’s why it’s important that we get the investment of this funding absolutely right.

The PRESIDENT: Senator McGrath, a supplementary question?

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (14:50): Can the minister advise the Senate what steps the government has already taken so far to assist the tourism sector in response to the challenge of bushfires and coronavirus?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:50): As I indicated, the bulk of the $20 million in funding is available for the states and territories. I welcome those states that have made the decision to put in matching funding, which helps to nearly double the commitment that is already there in terms of the partnerships that exist. I welcome the fact that companies such as Qantas, Virgin, Jetstar, AAT Kings and Rydges have all come on board and are partnering with Tourism Australia in seeking to drive the sale of products and help lift travel across Australia. I note the fact that the 'Holiday Here This Year' campaign has featured on cover-wraps across 24 Australian newspapers, 376 advertising panels, 53 airport screens and advertisements in over 600 office towers. It has been broadcast on radio nearly 3,000 times and a bonus of nearly 12½ thousand free charge spots. I thank the many Australian media outlets for providing free or discounted space to help us get campaign-reach further and drive taxpayer dollars further in our support for tourism businesses.

The PRESIDENT: Senator McGrath, a final supplementary question?

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (14:51): Can the minister inform the Senate how the government's tourism package is being responded to in market?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:51): It is early days still and, in terms of a recovery in those international markets, we see globally a downward trend in terms of international travel. This is not a problem affecting just Australia; it is a problem affecting visitation and travel right around the world as a result of coronavirus. I heard the interjections before from those opposite. I was on the South Coast of New South Wales the week before last talking to tourism providers there, and I know that they are hurting intensely. Let me make it very clear: they are hurting for a range of reasons that some of those opposite seem to ignore. Getting road access from Victoria up into some of those South Coast communities has been ongoing work. It is a real problem. We have been offering additional resources to the Victorian government to get those roads open. Frankly, those opposite ought to deal in the reality of the challenges that are there. And we are working—(*Time expired*)

Australian Bushfires

Senator AYRES (New South Wales) (14:52): My question is to the Minister for Families and Social Services, Senator Ruston. Yesterday the minister told the Senate:

I think you will find that the majority of Australians impacted by these bushfires have been very happy and grateful for the response by this government.
Megalong Valley resident Glenda Lane has been told she is not eligible for bushfire recovery assistance despite her smoke stained home. After facing drought and bushfires, she is now in a perilous financial position. Is the minister really saying that Ms Lane should feel happy and grateful for the assistance that she has received?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:53): Thank you, Senator Ayres, for your question. If you actually listen to what I said yesterday, I said that the majority of Australians are very happy with the response that has happened, not just by the federal government but by state governments as well, in relation to these unprecedented disasters that have occurred. In relation to the specific example that you have raised, as I said yesterday in response to a question very similar to the one that you have just asked, if you have a particular individual who is experiencing particular difficulty, we are more than happy, on a case-by-case basis, to look at the circumstances around that particular case to see whether they are able to be supported.

Senator Watt: You said they should be grateful.

Senator RUSTON: I will take Senator Watt's interjection. I think the Australian public in general, particularly those who have been affected by bushfires, have been very, very grateful for the response they have received across-the-board—from the state governments across the many states that have been impacted by bushfires.

I have to say that I saw the military walk off the aircraft on Kangaroo Island and the Australian government's response through the ADF—and I thank Senator Reynolds for the response process that she put in place—and I watched the faces of people on Kangaroo Island, people who had lost their houses, lost their farms and lost their livestock. When those boots got on the ground on Kangaroo Island those people were very, very grateful. So I can assure the chamber that my statement yesterday was absolutely accurate: I do believe that the majority of Australians who have been impacted have been grateful for the response they've received across the board.

However, there will be individual circumstances—possibly like the one that Senator Ayres raised in his question—that we would be more than happy to take on and have a look at on a particular case-by-case basis so that we can have a look through the recovery process, both state and federal, to see whether there are other things that are available to the constituent to which you refer.

The PRESIDENT: Senator Ayres, a supplementary question?

Senator AYRES (New South Wales) (14:55): A month after losing his home in the bushfires, Weetaliba Rural Fire Service firefighter Joe Borgia had only received the disaster recovery payment, was still waiting for other funding approvals and was forced to accept donations from neighbours just to keep going. Is the best advice this minister has for Mr Borgia really just to be happy and grateful?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:56): Senator Ayres, you do a disservice to this place and yourself by making a comment like that! The reality of this is that it was an absolutely unprecedented disaster and there have been hundreds and thousands of Australians who have been out there working on the fire front—our firefighters, our emergency service workers and our defence forces. They've been out there helping Australians—

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

Senator Wong: A point of order on direct relevance: could this minister not hide behind the goodness and courage of other Australians and respond to her 'happy and grateful' lecturing of Australians in this chamber?

The PRESIDENT: Senator Wong! That is not a point of order. Senator Cormann?

Senator Cormann: That was my point, and I would like to reflect on this. I think that on many occasions now, instead of raising a point of order, Senator Wong raises debating points. Obviously, that is disorderly. I think she should be called to order much quicker.

The PRESIDENT: I'll take that submission. I was attempting to call Senator Wong to order on the point of order. On questions that are highly politically charged: the minister is entitled to address them in a manner that the minister sees fit. It is not appropriate to call a point of order for an answer someone doesn't like when there has been a politically charged question. Senator Ruston to continue.

Senator RUSTON: Thank you very much. This just gives me the opportunity to update the Senate on some of the activities that have actually been undertaken as part of the bushfire recovery. Over $121 million has been paid to families and individuals, and over $155 million has been paid to 88,900 eligible individuals in disaster recovery payments and allowances. We've paid $5.2 million to 1,500 volunteer firefighters, and almost $300,000 has been paid to 23 applicants under the expansion of the Community Child Care Fund. (Time expired)

The PRESIDENT: Senator Ayres, a final supplementary question?
Senator AYRES (New South Wales) (14:58): Members and senators are hearing from countless Australians in areas devastated by bushfires, frustrated about inflexible government bureaucracy and severe delays in receiving assistance. Why is the best this minister can say to Australians struggling in the aftermath of the bushfire crisis simply to be happy and grateful?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:58): I will take the premise of the comment that's just been made there. I did not say yesterday that Australians should be happy or should be grateful. I said that the feedback I've received on the ground from the majority of people who I have encountered since I've been out on the bushfire firegrounds has been that they are grateful for the response that they've received from the federal government and the state government, and from their communities—their local government. I think that to come in here and seek to misrepresent me is not doing Senator Ayres any service.

However, what I would say, Senator Ayres, is that the response to these unprecedented fires has been unprecedented in itself. It's the first time that the military has been called out to the kind of degree that it has. This is the first time that the federal government has had to stand up a National Bushfire Recovery Agency, and there has been an absolute myriad of programs put in place, including the $2 billion made available by our good economic management.

Middle East

Senator MCLACHLAN (South Australia) (14:59): This is not my first speech. My question is to the Minister for Defence, Senator Reynolds. Can the minister update the Senate on how the Australian Defence Force is working with its partners to support maritime security in the Middle East.

Senator REYNOLDS (Western Australia—Minister for Defence) (14:59): I thank the senator for his first question. On 13 January I farewelled HMAS Toowoomba and her crew of 190 personnel on a six-month deployment to the Middle East under Operation Manitou, and I'm very happy to report to the Senate that they are already doing our nation proud. Manitou is Australia's longest-standing commitment to maritime security and stability in the Middle East. This is not a new mission. HMAS Toowoomba is in fact the 68th Royal Australian Naval deployment to the region since 1990. HMAS Toowoomba commenced operation on 31 January and has already conducted a transit of the Strait of Hormuz with the United Kingdom Royal Navy's HMS Defender, but, throughout her deployment, she will be dual-assigned. She is also supporting the Combined Maritime Forces, a 33-nation partnership which is targeting terrorism, piracy and drug smuggling in the Middle East region and also on the north-east coast of Africa. She is also supporting, as I have said, the International Maritime Security Construct, a broad international effort designed to protect freedom of navigation and support the safe passage of commercial shipping and maritime trade in the region. Australia joined the IMSC in mid-2019 following a series of security incidents against shipping in the Strait of Hormuz. Under the IMSC, HMAS Toowoomba is working with international partners to secure trade and energy flows throughout the Middle East region by ensuring the safe passage of commercial and civilian vessels. When operating in support of the IMSC, Toowoomba will coordinate with a complementary European-led maritime surveillance mission in the Strait of Hormuz.

The PRESIDENT: Senator McLachlan, a supplementary question?

Senator MCLACHLAN (South Australia) (15:01): Can the minister provide an update on how Australia's support to the Combined Maritime Forces helps to counter terrorism and narcotics in the Middle East?

Senator REYNOLDS (Western Australia—Minister for Defence) (15:02): Again I thank the senator for his question. While supporting the Combined Maritime Forces, HMAS Toowoomba will assist with the interdiction of illegal activities that fund terrorism. This includes the movement of personnel, weapons or income-generating narcotics, and also charcoal. Since 2014 the Royal Australian Navy has seized in excess of 9.6 tonnes of heroin, 58 tonnes of hashish, 15 kilograms of methamphetamine and 35 kilos of amphetamines, with an estimated combined street value in excess of $6.2 billion, as well as approximately 2,200 illegal weapons, nearly 500,000 rounds of ammunition and more than 12 tonnes of precursor chemicals required to manufacture explosives. Through these efforts Australia has helped deny terrorist organisations crucial weapons and also revenue.

The PRESIDENT: Senator McLachlan, a final supplementary question?

Senator MCLACHLAN (South Australia) (15:03): Can the minister explain how Australia's contribution to the International Maritime Security Construct supports Australia's economic and security interests?

Senator REYNOLDS (Western Australia—Minister for Defence) (15:03): Maintaining vital trade and energy flows through key choke points like the Strait of Hormuz is crucial to the global trading system, the international economy and also Australia's prosperity. Around 40 per cent of the fuel used in Australia transits through the Strait of Hormuz and is either refined here or overseas. The International Maritime Security Construct seeks to provide freedom of navigation through these shipping lanes, which reach directly into the Indo-Pacific region and...
well beyond. Under the IMSC, HMAS Toowomba will work with international partners to monitor and deter destabilising activities which could disrupt trade and also vital energy flows. She will also support the safe passage of commercial and civilian shipping in the region.

**Ministerial Standards**

**Senator Gallagher** (Australian Capital Territory—Manager of Opposition Business in the Senate) (15:04): My question is to the Minister representing the Prime Minister, Senator Cormann. When was the last time the minister tabled a report by the Secretary of the Department of Prime Minister and Cabinet relating to ministerial standards that had been considered by the Governance Committee of cabinet?

**Senator Cormann** (Western Australia—Minister for Finance and Vice-President of the Executive Council) (15:04): We don't table those reports. The Governance Committee of the cabinet considers these reports in relation to serving ministers. She was a serving minister at the time. Of course, obviously, the deliberative processes of the governance committee led to the outcome that is now well known. I suspect that you might want to refer to two former ministers who have long left parliament, and that is not the same process.

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

**Senator Gallagher** (Australian Capital Territory—Manager of Opposition Business in the Senate) (15:05): Given that on 22 July 2019 the minister tabled a report of the Governance Committee of cabinet by the then Secretary of the Department of the Prime Minister and Cabinet, Dr Martin Parkinson, relating to ministerial standards, what is the real reason he will not release the report by the Prime Minister's former chief of staff, now secretary of his department, into the breach of ministerial standards by former minister Senator McKenzie?

**Senator Cormann** (Western Australia—Minister for Finance and Vice-President of the Executive Council) (15:05): I don't accept the premise of the question, but, in order to ensure the bit relating to the Governance Committee of cabinet, I will clarify the facts and I will get back to the chamber on notice.

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

**Senator Gallagher** (Australian Capital Territory—Manager of Opposition Business in the Senate) (15:05): Given the clear precedent for releasing such reports, why won't the minister come clean with the Senate and the people of Australia that the only reason he won't release the Gaetjens report is that it shows that disgraced former minister McKenzie has been left to take the blame for a program involving the Prime Minister, his office and senior members of his cabinet?

**Senator Cormann** (Western Australia—Minister for Finance and Vice-President of the Executive Council) (15:06): There is no clear precedent in the form that Senator Gallagher is outlining. The clear precedent under governments of both political persuasions—and I can provide the chamber with a long list of quotes from former Prime Minister Gillard in the last period of Labor government, when precisely the same claims of public interest immunity were made in relation to documents prepared for the consideration of cabinet or a cabinet subcommittee and which informed the deliberation of cabinet, which were exempt from public release. There are well-established conventions in relation to this for good reasons, and our government, in the same way as previous Labor and coalition governments, is absolutely acting consistently with those conventions.

With those few words, I ask that further questions be placed on the Notice Paper.

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

**Energy**

**Morrison Government**

**Senator Sterle** (Western Australia) (15:07): I move:

That the Senate take note of the answers given by the Minister for Finance (Senator Cormann) and the Minister for Trade, Tourism and Investment (Senator Birmingham) to questions without notice asked by Senators Marielle Smith and Sheldon today relating to coal-fired power stations.

I don't know where to start. I don't know if I should be standing with a top hat, singing like the circus leader: 'Gather round, everyone! What was it? 'Roll up, roll up, roll up!' But I've got to say this very clearly. In all the moons that I've served in here, I have not seen a situation like the one we find ourselves as a nation in here today. Never before have I seen the coalition at each other's throats, whether it be over coal, promotions, leadership or rorts within the sports portfolio. Senator McKenzie is leaving, but I've got to say this: I reckon you're the fall guy, Senator McKenzie. I honestly believe you're the fall guy. There's no way you acted on your own with coloured bits of paper to make sure that there was rorting.

I'll tell you how bad it's got: it's got so bad that all the Nats have been relegated down to this end of the chamber and even Senator Henderson got promoted up. How badly are they going over that side? What an absolute rort!
Senator Henderson: Madam Deputy President, I rise on a point of order: the senator has reflected on Senator McKenzie in relation to her leaving the chamber, which is in defiance of the standing orders, and I would ask that he withdraw his comment and ensure that he doesn't reflect on her or any other senator in that way again.

The DEPUTY PRESIDENT: Thank you, Senator Henderson. If you check the record, you will see that I often remind senators of that convention—it's not a standing order—and I would have reminded Senator Sterle at the conclusion of his contribution. Please continue, Senator Sterle, and bear in mind the point.

Senator STERLE: I will do that with pleasure, because I don't have to defend anyone over there, because that just goes to show there is no coalition over there. What we clearly have here in the rural and regional areas—and I think there are some decent people in the Nats. I think there really are some decent people who have come here to try and do good. The trouble is that the circus is being led by the clowns. Never before have we seen such white hot anger. Never before have we seen this carry-on going on between the Nats and the Libs. I honestly believe—for you, Madam Deputy President, and others that are listening—that they may be tigers out there in the bush but, for crying out loud, they're pussycats when they come here to Canberra. The only thing that they will stand up and fight for is their own personal pay packet. Look at the choice that they have—the choice of Mr McCormack. I don't know where his friends come from, but he dug a few up the other day. It's amazing what you can do to win a vote when you get the opportunity to offer ministries and assistant ministries.

It's amazing how much they are at each other's throats. They hate each other. I don't know if that's a word I can use, but I can't think of anything else. There is a very famous saying in politics that I think of when I look at the carry-on between the Libs and the Nats: if you can't govern yourself, how the hell can you govern the nation? The more they sit back and tear each other apart, the more they have the former leader, the member for New England, Mr Joyce, proudly saying, on the one hand, 'If I'm called to arms I'll stand up.' He was busily working the phones—surprise, surprise! He was called to arms. He couldn't even count 11. I know that, unfairly, Senator Cormann gets tagged as being the powerbroker, and he couldn't get that magical number, whatever it was, in the Liberal Party at the time. But it was a lot more than 11. In the next breath, Mr Joyce says: 'I won't challenge again. I'm only interested in having a strong National Party, and we're in a coalition.' How long did that last—17 hours?—before the headline about Joyce and Co. and the breakaway group and what they're going to do to demand coal-fired plants?

What happened to the days when the good old Country Party used to stand up for farmers? Where is the good old Country Party—even those as recent as Senator Boswell—that actually stood up for Australia's food producers? Where are those country members now? They are long, long gone. There are a couple of members in the Nats who actually come here with dirt under their fingernails—and that's a nice thing to have, because it proves they've worked for a living—but, by crikey, they're starting to fall into the same trap as the Libs: go through university, go and work in a parliamentary office, run for the state secretariats of your party or whatever it may be, and come in here with no skills. I'm not looking at you two, Senator McDonald and Senator McMahon. You just happen to be there because the others were out of here like a rat up a drain. They've absolutely absconded, because they fall into that trap.

Senator Henderson interjecting—

Senator STERLE: You be careful too. You be very careful what you wish for, Senator Henderson.

The DEPUTY PRESIDENT: Senator Sterle, address your comments to the chair.

Senator STERLE: Isn't that amazing! If only they had that much unity in anger. Where are you at trying to get the pups back into the kennel?

Senator Henderson: It's love! There's so much love, Senator Sterle!

Senator STERLE: It's just: 'How can I get a promotion?' Keep carrying on; I'm enjoying every bit. You know how we've got Aussie's here? I wish we had a popcorn-vending machine, because of the entertainment. There shouldn't be, but there's so much entertainment.

But, at the same time, how embarrassing for this nation! Look at the distress and the hatred. I've just travelled the nation doing an inquiry into the Inland Rail. One minute Mr Joyce, while he's trying to take out Mr McCormack, is talking about how it's great—'We've delivered the Inland Rail.' Well, I've got to tell you: I went to one town, Millmerran, and there is nothing great about that.

You know what, Nats? I've got to tell you: cut the umbilical cord. You're chucking the toys out of the cot, but this mob aren't your mates. This mob have no intention of looking after rural and regional people. These people love your vote. You're going the wrong way. (Time expired)

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (15:13): It's not often that I give the Labor Party free advice, but I will. I sat here and listened to Senator
Sterle, and we heard the ridiculous line of questioning that we had again today in the Senate, which we've heard so many times here. It is like deja vu all over again. It does feel like 2018, 2017, 2016, 2015 or 2014—going right back to the election of the coalition government in 2013. The Labor Party believe, as we saw in their question time strategy today, that if they focus on the insider yarns that they're encouraged to take up by the twitterati and other parts of the commentariat then that is a recipe for electoral success. They believe that that is the way to win the hearts and minds of the Australian people. It is this flawed strategy of the Labor Party—focusing not on the fundamentals, not on what's important to the Australian community, but on the insider nitpicking yarns—that they believe is the pathway to electoral success. Well, Senator Sterle, I can tell you and I can tell Labor senators that we've seen this over the last 6½ years and it led them to a position where they received their lowest vote in 100 years. I wonder why that would be? It used to be Sam Dastyari who came in here and played these games. I haven't been here that long, 6½ years or a little under, but to have Senator Sterle lecturing the National Party and the Liberal Party on the diversity of experience coming from the Labor Party—I'm reminded of Martin Ferguson's words when it came to Labor senators, how they would find a place for the underperforming union hacks somewhere in the upper house if they couldn't get them anywhere else. So let's not be lectured by the likes of Senator Sterle on diversity when it comes to political parties.

But let's be clear for those who are listening and those who are watching—

Senator Sterle: Have you relegated me from a union thug to a union hack now?

Senator SESELJA: You are correct, Senator Sterle: union thugs. I stand corrected, and I take the interjection. I thank Senator Sterle for the interjection.

But let's be clear on what's actually at stake and some of the things that we are actually debating.

Senator Keneally: Tell us about the Orange by-election!

Senator SESELJA: Sorry, 'Miss 26 per cent'? Was it 26 per cent you got in New South Wales, Senator Keneally? I can't remember. You might be able to clarify the worse election result for New South Wales Labor under your leadership, but we'll come back to the fundamentals.

Senator Keneally interjecting—

Senator SESELJA: The fundamentals are about a strong economy, border protection—sorry, Senator Keneally; I couldn't hear the interjection. What was it about New South Wales? Was it Eddie Obeid? I can't remember. Who was it in New South Wales that you're talking about?

Senator Keneally interjecting—

The DEPUTY PRESIDENT: Order!

Senator SESELJA: I am trying, Deputy President, but it's hard to hear myself over the interjections about New South Wales Labor.

Why don't they want to ask questions about the economy? They took a plan to the last election for $387 billion of extra taxes. And as we respond to some of the challenges that we face, as we respond to the bushfire crisis—when they finally got to a question around the bushfire crisis, they didn't go into the overall response; they just tried to play word games with what the minister had said. They didn't go into the fact that we are delivering 6½ thousand personnel on the ground, $1,000 per eligible adult, $800 per child, $52.6 million paid out across 44,000 claims, the Australian government disaster recovery allowance, payments to volunteer firefighters, $75,000 recovery grants to primary producers, $50,000 grants to affected businesses, $500,000 loans—the list goes on.

The reason we can do that is that we have focused on the fundamentals. Unlike the Labor Party, we have focused on the fundamentals: a strong economy, strong budgetary management, making sure we get the policies right.

As we debate the future of our nation, if the Labor Party's pathway forward is to continue with the insider nitpicking then they will continue to get the same results, and the Australian people will see what the Labor Party are about. When it comes to the Liberal and National government, we are about delivering a strong economy, a safe Australia, a prosperous Australia and the services that Australians deserve, which we can deliver because of our strong budgetary and economic management—something those across the aisle could only dream of. (Time expired)

Senator WALSH (Victoria) (15:18): Over the past couple of weeks we've had an absolute masterclass from this government in what they are today calling 'insider nitpicking'. We've had a masterclass in chaos from this government. We've had an absolute masterclass in division. We've had a masterclass in instability. And today, here in the Senate, we've had a masterclass in spin, because this government cannot admit that it just has no plan to take our country forward. And you have to ask: how can this government run the country in this state? How can they run the country when they cannot even run themselves?
Let's talk about the government's performance over the past couple of weeks, and in this chamber today. We've had two New South Wales members of the government—Mr Zimmerman and Mr Sharma—say that it is not the government's job to fund a new coal-fired power station and that they don't support it. At the very same time, we've had Senator Canavan and Mr Christensen—from Queensland—telling Queensland voters that the government is in fact funding a new coal-fired power station. Then, today, we heard from the minister, Senator Birmingham, who said, 'No, the government is not funding a coal-fired power station.' Which is it: yes or no? Who knows? This government is in absolute chaos. It is divided. It has no plan to deal with the big issues that are facing our country today. Today we heard a member of the government describe other members as 'toddlers having a tantrum', and we saw a bit of that in the chamber here today. Yesterday one of their former prime ministers condemned the government's support for this proposed coal-fired power station. Then, on the other hand, a Queensland senator called the renewable energy sector the dole bludgers of the energy system—of course, we could only be referring there to Senator Canavan. So, again, what is this government's plan? What is its policy? Does it support renewable energy or does it not support renewable energy?

Let's talk about the feasibility study. What is it actually about? It is $4 million of taxpayers' money being spent on a study for a coal-fired power station that no-one in the private sector wants to touch. No-one in the private sector wants to go anywhere near coal-fired power stations right now. If the government is proposing to support this, what is it doing with taxpayers' money? If the private sector doesn't want to go anywhere near it—if it doesn't want to take the risk—then why risk taxpayers' money? The answer has been on show here today and over the past couple of weeks. This feasibility study is $4 million being spent to just shut up the climate deniers in the coalition who are in the government today. So chaos, division, instability, confusion, different answers to the same question and different points of view within the party is what this government is putting on show for the Australian people right now.

The big problem for the Australian people is that this means that the government cannot deliver on the big challenges that are facing the country today. It just does not have a plan for anything. Government MPs and senators are speaking out against their own leadership. We've had the Nationals in a leadership coup. Just yesterday, the government lost a vote, losing control in the House of Representative and losing the vote on an important position for the government. Those in the government have no idea what is coming at them at the moment. How are they meant to be governing the country when they cannot even govern themselves? They like to talk about the economy. Where is their plan for the economy? They don't have a plan for the climate, they don't have a plan to tackle energy prices or the cost of living and they don't have a plan to take Australia forward, because they are so focused on themselves—on their own internal divisions and their own chaos—that they cannot deliver what Australians need today. (Time expired)

Senator STOKER (Queensland) (15:23): It's really quite interesting to stand up and take note today, having heard people go on and on about division and conflict and leadership and so forth. They think that if they say it often enough it will become so, but it just doesn't work that way at all. In fact, I find it quite disturbing that those opposite have a culture that finds it so unhealthy, so unusual for people to think for themselves, to debate among themselves and to try and work together to come up with new ideas. In fact, I would like to hope that when each and every one of those people opposite put up their hand to come to parliament they might have thought, even just for a moment: 'Boy, I'd like to contribute some ideas. I'd like to bring my life experience and my learning and my ideas and my community's perspectives into the parliament and debate it with my colleagues so, together, we can come up with a great, refined fabulous policy.' But instead those on the other side come in here and go, 'Yes, I want to be a robot who doesn't think for themselves, who doesn't debate with colleagues.'

In fact, in question time yesterday we even had those opposite criticising a government member of the Senate for having an open mind. Can you believe it? What treachery! What heresy for a person to have an open mind, to think for themselves, to consider evidence on its merits using their brain that the good Lord gave them and to reach conclusions based on that evidence. Isn't that an extraordinary thing! And yet those opposite think that that is heresy. The people of Australia should be horrified to hear that those opposite have a problem with open-mindedness, with thinking, with debate, with people bringing their varied experience and ideas and the perspectives of the different communities they come from into this place to make up a healthy broad church where we work through problems together. You know what? That's exactly what we're doing.

Senator Walsh, in what was a very good-natured display, said: 'We have no plan to take our country forward. Where is your plan?' Thank you for the invitation, Senator Walsh. We have an outstanding plan that we are delivering day in, day out for the Australian people. I don't have enough time to go through all of it, but let's get cracking so we can get through some of the gems. Instead of smashing Australians with $387 billion worth of new taxes, we're all about getting more opportunity into the lives of Australians. We're all about getting more money into the pockets of Australians, not into big government far away in Canberra, because Australians know what
they want to do with their money. We have given 8.1 million hardworking Australians around $6.1 billion in additional income. This isn't a gift from government; this is allowing Australians to keep more of what they earn, what they deserve, because they know what they need to do with their money. We're not about redistribution; we are about reward for effort. When Australians want to deliver for their families, we want to deliver for them too, so we give them more of their money back in their pockets. And it has flow-on effects: more ability for people to spend in their local communities, more growth for local businesses and more jobs. That is a virtuous cycle we just love here on the government side of the chamber.

We are always working hard to make sure Australians are getting ahead, every day of the week. That's why we are so focused on jobs. There have been over 1.3 million new jobs created by the private sector in the term of this government. It's an enormous number of new, real jobs. And we won't stop; we will keep on going, because Australians depend on it for their livelihood. That's how we give them choice. It's how we give them the freedom to live a life of their own design, to reach their goals and to reach their potential. We know big government can't design, with its pulling of levers, the perfect life for all people. That is something that can only be determined in the heart of the individual. We are putting the tools back in the hands of Australians so they can design their perfect lives with their money, their time, their family and a whole lot less of the interfering, we-know-best approach that we get from those opposite.

The PRESIDENT: Order, Senator Stoker!

Senator SHELDON (New South Wales) (15:28): What an interesting debate. We're hearing about all the things that the government are doing, yet they are spending their entire time fighting each other. We had the comments from Senator Cormann earlier. In actual fact, I agree with Senator Cormann that Senator Canavan got it wrong when he said, 'Renewables are the dole bludgers of the energy system.' We're on a unity ticket! We think that that comment is stupid, and the Minister representing the Prime Minister also thinks it's stupid. But the Liberal and National parties are boxing it out. Why is the fact that they are boxing it out so important? Because the economy is in some serious trouble. It was reported late last week that non-paying creditors have jumped by 29 per cent, and that defaults have increased to 64 per cent in 2019 in the transport industry. In 2019, health care went up by 79 per cent. The economy is in trouble, and this is not postcoronavirus and not post the bushfire challenges; these are the problems which exist because this government is in an absolute mess.

We heard a comment before about robots. I think what we're seeing across the other side of the chamber are the robot wars. They're battling it out amongst each other, trying to tear each other's arms off, rather than trying to get the economy to start ticking over in a fashion that everyone needs it to. We see that wages growth is not moving. We see that there is no plan to deal with systematic wage and superannuation theft. We see chronic underemployment—over two million Australians can't get the hours that they're seeking. There is no plan for the economy and there is no plan for energy, but there is a plan for the robots about how to bash each other up and tear each other's arms off. Unfortunately, we're seeing that day in and day out.

I think that universally people thought Tim Fischer, the former leader of the National Party, was a pretty good bloke. He was admired right around the country. And I think his wife has also been greatly admired. According to reports today, it was her pleas for unity that the currently embattled leader, Michael McCormack, was forced to deliver to the divided coalition room. She told Mr McCormack that her husband would 'want us all to stand firm together'. That's an obvious point! That was because the challenges in the economy are significant, and yet the government is spending its time tearing itself apart.

To see the National Party holding a vote for the deputy leader on the same day that we were making condolences for many of their own constituents and for many Australians who fought on behalf of others—putting their lives on the line and sometimes losing them—was an absolute tragedy. We have to turn around and look at the sorts of changes that we can make together. But I would say this to the coalition first of all: can you start working out what you're going to do rather than spending your time beating the living daylights out of each other? I agree with Minister Cormann: we have to have a position to make a difference in this parliament, not just an opportunity to watch the other side turn around and tear itself apart.

I know that when we have this number of defaults and creditors in the trucking industry it means that people start losing jobs. The government has no plan. I note that when there are wage freezes and underemployment that people can't provide for their families. But the government has no plan! I see $6 billion being ripped off from the Australian community in billions of dollars of superannuation and wages, and that the government has no plan to recoup it. It's quite clear that all this government has is a plan on how to beat the living daylights out of each other. We've seen this time and time again.

We've seen that with the sorts of divisions there were when Mr Abbott was Prime Minister. We saw the divisions when Mr Turnbull was the Prime Minister. In actual fact, we were reminded by Senator Cormann about
his time in the Turnbull government. Well, we're finding the exact same issues right now: fighting at a time of crisis. This is when we need to be making sure that this country is put first, but the divisions in the government and within their parties—(Time expired)

Question agreed to.

Welfare

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:33): I move:

That the Senate take note of the answer given by the Minister for Families and Social Services (Senator Ruston) to a question without notice asked by Senator Siewert today relating to the cashless debit card.

Just to remind the chamber: these are the provisions that were agreed to by the government as a deal with the ALP when the last expansion of the trials was put through this place. The opt-out provisions were put in place then. I'll just remind the chamber that originally they didn't work; the government had to come back and alter those provisions. These are so that a person can apply to exit the cashless debit card if they can demonstrate reasonable and responsible management of their affairs, including financial affairs, in accordance with the criteria set out in the legislation. The problem here is that those criteria were always set at a level that was going to make it extremely difficult for people to get off the card, and it's quite obvious what is happening. According to the latest data available from the Department of Social Services via the government data website, which is as of 31 December, 635 people had applied. The numbers of applications from different areas are listed: 226 from Bundaberg, 196 from the Goldfields region, 44 from East Kimberley, 21 from Ceduna and 148 from out of area. It says: 'Approved: none. Not approved: none.' So the minister was technically correct when she said, 'Oh, but we haven't said no to anyone,' but the fact is that they have not said anything. Fair enough—the renewed process didn't actually kick in, once the kinks were ironed out to actually make the thing work, until early September. But the fact is that that was five months ago, and we still haven't seen anybody able to exit this program.

The minister said there are complex provisions. Yes, they are complex, which we said at the time. They are designed, in my opinion, to make sure people couldn't get off. She then went on to blame the states and territories. So now, of course, the Commonwealth standard is: 'Use the complexity excuse—tick. Now we'll use the states and territories excuse.' The fact is that you don't want people to be able to exit the cashless debit card. These are people who are going to have to jump over hurdles that are so high. They have to find documentation that we said at the time was going to be extremely hard to find. Finding the documentation to be able to get people to support you in making that application is extremely difficult.

You've got to remember that many of these 635 people actually started applying and ringing about this before July last year, when the provisions were supposed to kick in. So not only have they been waiting since the form technically became available but they were waiting for months and months prior to that. So some of these people who have applied will have been waiting for almost a year to get off the cashless debit card.

I asked—and the minister did not answer the question—about local partners. What people also have to do is go to the local partners, and my argument there is that it could be very strongly argued that there is a conflict of interest for these local partners, because it's in their interests to keep people on the cashless debit card. The government wants to keep people on the cashless debit card. So is anybody out there really surprised that the government hasn't exited anyone? In fact, it hasn't dealt with any of this.

So these are my questions—and these will be raised during estimates, so I give a heads-up to the government. Just how many people in the Department of Social Services are actually working on this exit process? When there are 635 applications, just how many are working to make this process work? How long have some of these applications been in? What qualifications do the Department of Social Services staff working on this have to deal with what the minister herself said are very complex provisions? Given the high proportion of First Nations people on the card, what resources are being made available in remote communities to enable people to access the form properly and fill in the form properly, and to make sure that it's culturally sensitive and in language for those whose first language is their own language and for whom English could be their third or fourth language? What other resources is the government investing in making sure that people with low literacy and numeracy levels are able to access and make these applications? My question also is: how many of these applications have not been filled in to what the department thinks is the standard required because the form is not adequately accessible for people for whom English is not their first language? (Time expired)

Question agreed to.

PETITIONS

The Clerk: A petition has been lodged for presentation as follows:
Palliative Care Tasmania

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

The petition of the undersigned shows:

- Palliative Care Tasmania's current funding agreement expires on 30 June 2020;
- Most state and territory palliative care peak bodies receive recurrent government funding;
- Palliative Care Tasmania provides valuable services to the palliative care sector and the broader community, including delivering community education and professional development covering palliative care, death, dying, grief and bereavement to over 4,000 Tasmanians per year;
- Should Palliative Care Tasmania not receive further funding, their services would either have to be provided directly by the Tasmanian Government at much greater cost or would be lost to the sector; and
- In addition to further funding, Palliative Care Tasmania needs ongoing funding certainty to ensure they can plan for the long term.

Your petitioners ask that the Senate call on the Tasmanian and Australian Governments to work together to:

- provide Palliative Care Tasmania with adequate funding to continue its core activities; and
- continue each year to provide Palliative Care Tasmania with funding certainty over the forward estimates.

by Senator Bilyk (from 912 citizens)

Petition received.

NOTICES

Presentation

Senator Roberts to move on the next day of sitting:

(1) That the Senate notes that:

(a) on 5 February 2020, the Minister for Defence tabled a response to an order for the production of documents relating to PFAS contamination at RAAF Base Williamtown and RAAF Base Richmond, agreed to on 4 December 2019;

(b) the response to the order did not include information in relation to RAAF Base Richmond and included incomplete information in relation to RAAF Base Williamtown; and

(c) despite the response stating that no livestock have been tested, reports have been made that cattle have been tested within the contamination zones of RAAF Base Williamtown and RAAF Base Richmond.

(2) That there be laid on the table by the Minister for Defence, by 10 am on 26 February 2020, the following documents:

(a) details of all blood testing on defence personnel and livestock which were taken from within the contamination zone of RAAF Base Richmond (including private land) within the last 24 months, including:

(i) the level of per- and poly-fluoroalkyl substances (PFAS), and

(ii) a copy of the test result for each test taken with all personal information redacted; and

(b) details of all blood testing on livestock which were taken from within the contamination zone of RAAF Base Williamtown and Williamtown Airport (including private land) within the last 24 months, including:

(i) the level of per- and poly-fluoroalkyl substances (PFAS), and

(ii) a copy of the test result for each test taken.

Senator Roberts to move on the next day of sitting:

(1) That the Senate notes that the Royal Commission into Financial Services made recommendations regarding voluntary codes of practice, including:

(a) recommendation 1.15 – that the Australian Securities and Investment Commission's (ASIC) power to approve codes of conduct extends to codes relating to all Australian Prudential Regulation Authority (APRA) regulated institutions and Australian credit licence holders; that industry codes of conduct approved by ASIC may include 'enforceable code provisions', which are provisions in respect of which a contravention will constitute a breach of the law;

(b) recommendation 1.16 – 2019 Banking Code, the Australian Banking Association and ASIC should take all necessary steps to have the provisions that govern the terms of the contract made or to be made between the bank and the customer or guarantor designated as 'enforceable code provisions'; and

(c) recommendation 4.9 – as referred to in recommendation 1.15, the law should be amended to provide for enforceable provisions of industry codes and for the establishment and imposition of mandatory industry codes.

(2) The Senate further notes that ASIC stated in their publication "ASIC update on implementation of Royal Commission recommendations" as follows:

(a) ASIC will commence work immediately with the banking industry on appropriate amendments to the Banking Code in relation to each of these recommendations; and
(b) ASIC will work with industry in anticipation of the Parliament legislating reforms in relation to codes and ASIC’s powers to provide for ‘enforceable code provisions’.

3. The response by the Minister for Finance (Senator Cormann) to a previous order for the production of documents (no. 332), agreed to by the Senate on 4 December 2019, included no suitable documents.

4. That there be laid on the table by the Minister representing the Treasurer by 5.00 pm on 24 February 2020 the following documents that relate to enforceable provisions of the Banking Code of Practice:

(a) all emails between the Treasury and any other party; and

(b) all draft or final documents, including but not limited to, internal memos, briefing documents, drafting guidelines and correspondence.

Senator McCarthy to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) the Aged Care Assessment Teams (ACAT) are teams of professionals that are based in hospitals across the country and are responsible for assessing which older Australians should receive government-funded care,

(ii) the Morrison Government has announced it wants to privatise the ACAT workforce from April 2021, when a tender will be put out for organisations to deliver this vital assessment,

(iii) the New South Wales (NSW) Liberal Minister for Health and Medical Research, Mr Brad Hazzard, has said that the Morrison Government’s decision to privatise these services lacks “logic” and that “NSW has major concerns”,

(iv) no consultation was undertaken by the Morrison Government to inform its NSW Liberal colleagues of the decision to privatise aged care assessment services, and

(v) there has also been criticism about the Morrison Government wanting to privatise assessment services by highly regarded experts across the aged care sector;

(b) supports the retention of ACATs as a publicly, independently provided service;

(c) opposes the privatisation of the ACAT workforce; and

(d) condemns the Morrison Government for its continued piecemeal approach to aged care policy.

Senator Ruston to move on the next day of sitting:

That—

(a) if the notice of motion proposing the disallowance of the Helicopter Aerial Application Endorsements Exemption 2019 standing in the name of the Chair of the Standing Committee on the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells) for two sitting days after today (13 February 2020) has not been resolved by 12.45 pm on 13 February 2020, the notice of motion shall be called on and considered at 3.30 pm that day; and

(b) if consideration of the motion is not concluded by 4 pm, the question on the unresolved motion shall then be put.

Senators Sheldon and Walsh to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) Dinner by Heston, the high-end restaurant fronted by Mr Heston Blumenthal, has been caught stealing up to $4.5 million from its own employees, these employees worked up to 25 unpaid hours each week, leaving many underpaid to the sum of $35,000 a year,

(ii) Dinner by Heston’s landlord, Crown Casino, aided in this endeavour by entering into byzantine corporate arrangements including interest-free loans, millions paid to the restaurant’s owners in licensing fees, and an annual rent for the restaurant of only $1,

(iv) this $4.5 million underpayment scandal joins Mr George Calombaris’ $7.8 million dollar underpayment scandal and Mr Neil Perry’s $10 million dollar underpayment scandal as yet another example of an alarming business model amongst elements of corporate Australia, and

(v) there is a wage theft crisis in Australia that must be addressed;

(b) supports real action on the underlying causes of these issues through the Economics References Committee inquiry, Unlawful underpayment of employees' remuneration, agreed on 13 November 2019; and

(c) commends the United Workers Union for their advocacy and hard work on behalf of these affected restaurant workers.

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


Senators McCarthy and Dodson to move on the next day of sitting:

That the Senate—
(a) notes that:
   (i) 12 years ago, on 13 February 2008, former Prime Minister Kevin Rudd, delivered the National Apology to the Stolen Generations in the Australian Parliament,
   (ii) the National Apology to the Stolen Generations came about as a recommendation from The National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families, entitled Bringing Them Home, tabled on 26 May 1997,
   (iii) the inquiry highlighted the suffering of Indigenous families under the Commonwealth, State and Territory Aboriginal protection and welfare laws and policies, and
   (iv) there is still significant work that needs to be done to address the impacts of dispossession, discrimination and trauma;
(b) acknowledges that an important step in healing our nation is the acknowledgement of truth; and
(c) as part of this healing calls on the Federal Government to commit to a process of truth telling about Australia's history.

Senator Siewert to move on the next day of sitting:
That the Senate—
(a) notes that the report from the National Children’s Commissioner, Children’s Rights Report 2019, highlighted some critical issues in the protection of children’s rights:
   (i) First Nations children experience significant inequalities in health, education, justice and child protection outcomes,
   (ii) there has been an increase in child deaths by suicide and hospitalisations for intentional self-harm,
   (iii) approximately 17% of children under the age of 15 live in poverty,
   (iv) there has been a 27% increase in reported substantiations of child abuse and neglect, and
   (v) the age of criminal responsibility is ten, which is low compared to other countries; and
(b) calls on the Commonwealth, state and territory governments to implement the important recommendations made in the report, including:
   (i) Australian Governments should urgently prioritise prevention and early intervention programs to reduce the number of children entering child protection systems and removing barriers to sustained reunification of children with their families by strengthening services and supports leading up to and post-reunification,
   (ii) the Australian Government should make the Transition to Independent Living Allowance for children available for all care leavers leaving home up to the age of 25,
   (iii) the Australian Government should develop a national poverty reduction plan that explicitly focuses on children, and
   (iv) Australian Governments should raise the minimum age of criminal responsibility to at least 14 years and abolish mandatory minimum sentencing laws that apply to children.

Senator Bilyk to move on the next day of sitting:
That the Senate—
(a) notes that yesterday, 11 February 2020, was Safer Internet Day (SID), an annual, worldwide event to promote a safer and better internet, where everyone is empowered to use technology responsibly, respectfully, critically and creatively;
(b) recognises that, while there are enormous benefits to the internet, going online also comes with risks including (but not limited to) cyberbullying, cyberstalking, trolling, malware, scams, and the theft of financial and personal information;
(c) expresses its support for the SID campaign’s aim to reach out to children and young people, parents and carers, teachers, educators and social workers, industry, decision makers and politicians to encourage everyone to play their part in creating a safer and better internet; and
(d) encourages:
   (i) all members and senators in the Australian Parliament to promote the messages of SID to their constituents along with helpful advice about how to protect themselves and those in their care from harm online; and
   (ii) the Australian Government, through its agencies – in particular the Office of the eSafety Commissioner – to provide the resources, educational materials and regulatory environment that helps all Australians to have safe, positive online experiences.

Senator Roberts to move on the next day of sitting:
(1) That the Senate notes that, on 10 February 2020, Senator Cormann stated that climate change is human induced.
(2) That there be laid on the table by the Leader of the Government in the Senate, by 10 am on 24 February 2020:
   (a) a list of titles of reports and publications which the Government relies upon for this belief; and
   (b) for each publication specify the page numbers on which are presented the evidence that carbon dioxide from human activity affects climate and needs to be cut.

Senator Hanson to move on the next day of sitting:
That the Senate—
(a) notes that the current hourly rate of full-time pay for an adult aged care worker ranges from $20.73 (level 1) to $25.18 (level 7), which does little to recognise the dedication, compassion and caring they provide to our older, often vulnerable, Australians;

(b) acknowledges that this low rate of remuneration in an industry which demands a high level of care as well as health management skills leads to the high turnover of staffing in aged care facilities; and

(c) calls on the Federal Government to immediately act to increase pay rates in the aged care sector to better reflect the important work undertaken.

Senator O’Neill to move on the next day of sitting:
That the time for the presentation of the report of the Parliamentary Joint Committee on Corporations and Financial Services on the regulation of auditing in Australia be extended to 1 September 2020.

Senator Waters to move on the next day of sitting:
That there be laid on the table by the Minister representing the Minister for Energy and Emissions Reduction (Senator Birmingham) by 3:30 pm on 24 February 2020, all Departmental advice relating to establishing a coal-fired generation plant in Collinsville, Queensland, including but not limited to:

(a) the suitability or otherwise of a new coal-fired power station in Queensland;

(b) current congestion issues in this part of the grid network; and

(c) any economic, greenhouse or environmental impacts of establishing the coal-fired power station.

Senators Wong, Waters, Lambie, Patrick and Hanson to move on the next day of sitting:
That—

(1) The Senate notes that:

(a) on 5 February 2020, the Senate ordered the Minister representing the Prime Minister, Senator Cormann, to table the final report provided by the Secretary of the Department of the Prime Minister and Cabinet, Mr Phillip Gaetjens, to the Prime Minister in relation to the application of the Statement of Ministerial Standards to the former Minister for Sport, the Honourable Senator McKenzie’s, award of funding under the Community Sport Infrastructure Program;

(b) on 6 February 2020, the Minister representing the Prime Minister tabled a letter making a public interest immunity claim grounded in the preservation of the confidentiality of cabinet deliberations,

(c) the document is a final report prepared outside of the Cabinet Room and has no capacity to reveal deliberations inside the Cabinet Room; and

(d) the Senate does not accept the public interest immunity claim made by the Minister representing the Prime Minister.

(2) Until the final report provided by the Secretary of the Department of the Prime Minister and Cabinet, Mr Phillip Gaetjens, to the Prime Minister in relation to the application of the Statement of Ministerial Standards to the former Minister for Sport, the Honourable Senator McKenzie’s, award of funding under the Community Sport Infrastructure Program, is tabled, or 6 March 2020, whichever is the earlier, Senator Cormann be prevented from:

(a) being asked or answering questions which may be put to ministers under standing order 72(1) where such questions are directed to the Minister representing the Prime Minister;

(b) representing the Prime Minister before a legislative and general purpose standing committee, including during consideration of estimates; and

(c) sitting at the seat at the table in the Senate chamber that is ordinarily reserved for the Leader of the Government in Senate.

Senator McAllister to move on the next day of sitting:
That the Senate—

(a) acknowledges:

(i) the devastating effect of drought on water supplies in Australian local communities, and

(ii) that the recent bushfire crisis has compounded water insecurity in affected areas;

(b) notes that:

(i) the Eurobodalla Shire Council’s 2016 proposal for a second water storage facility in the southern part of the shire would add 3,000 mega litres of water storage to the region,

(ii) the project has support from local and state governments, with the New South Wales (NSW) State Government committing $26.3 million in October 2019,

(iii) the Eurobodalla Shire Council has called for a $51 million commitment from the Government to build the dam, noting they will fund the rest of the $105 million project, and

(iv) all supporting parties should ensure the project is environmentally sound;

(c) recognises that:
(i) Australians and regional communities are rightly sceptical about the Government's track record on water infrastructure and drought policy,

(ii) in 2013, former Prime Minister Abbott said he would build 100 dams across Australia—three terms later and in its seventh year of power, the Government has failed to fulfil its promise,

(iii) Prime Minister Morrison was caught out for being loose with the truth in October 2019 when he claimed his government was contributing more investment in NSW dam infrastructure than they actually were,

(iv) more than two years after the announcement of the $2 billion National Water Infrastructure Facility, not a single dollar had been spent, and

(v) that the Eurobodalla community has been waiting for a response from the Government since October 2019 in relation to their water storage proposal; and

(d) calls on the Federal Government to urgently respond to the Eurobodalla Shire Council's request for funds for the Southern Water Supply Storage project.

Senator Whish-Wilson to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) urgent action is required to mitigate climate change,

(ii) the Intergovernmental Panel on Climate Change special report on Climate Change and Land, stated that, in the short term, leaving existing forests standing is the most effective way to manage forests to mitigate climate change, and

(iii) the plans by the Tasmanian Government to allow logging in the Tarkine in north-west Tasmania will result in an increase in carbon emissions; and

(b) calls on the Tasmanian Government to abandon its plans to allow logging in the Tarkine.

DOCUMENTS

Special Purpose Flights

Order for the Production of Documents

Senator WONG (South Australia—Leader of the Opposition in the Senate) (15:39): I move:

(1) That the Senate notes that:

(a) under the guidelines for the use of special purpose aircraft, the Minister for Defence is responsible for tabling the schedule of special purpose flights "...in June (for the six months ending the previous 31 December) and December (for the six months ending the previous 30 June);"

(b) regrettably, under the Abbott-Turnbull-Morrison Government, the schedule has routinely been tabled late, in one case over eight months late;

(c) the most recent schedule published at https://www.defence.gov.au/Publications/Parliament/ is for the six months ending 30 June 2017;

(d) consistent with the guidelines, previous governments tabled schedules on the last sitting day of June and December each year; and

(e) the most recently tabled schedule for the six months ending 31 December 2018 was not tabled until 28 August 2019.

(2) That there be laid on the table by the Minister for Defence, by no later than 9am on 13 February 2020, the schedule of special purpose flights for the period 1 January to 30 June 2019.

And I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator WONG: Tabling these schedules of special purpose flights has been a basic accountability measure since the then Senator Gorton brought the VIP flights affair to an end in 1967 by tabling papers whose existence had long been denied. But it is yet another accountability measure that the Abbott-Turnbull-Morrison government fails to take seriously. The guidelines for the use of special purpose aircraft state that the Minister for Defence is responsible for tabling the schedule of special purpose flights in June for the six months ending the previous 31 December and in December for the six months ending the previous 30 June. Under this government and under this minister, this schedule has routinely been tabled late. In fact, this government even went to the extent of hiding the guidelines. This schedule requested should have been tabled three months ago, on the last sitting day in December 2019. Frankly, the Senate should not consistently have to take action to enforce basic accountability from this government, but it continues to have to do so.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:41): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.
Senator DUNIAM: As per the longstanding convention, the schedule is tabled twice yearly by the government once data collection and verification activities have occurred. The schedule for special purpose flights for the period 1 January to 30 June 2019 will be tabled in accordance with the standard processes.

Question agreed to.

MOTIONS

National Smart Energy Summit

Senator McCARTHY (Northern Territory—Deputy Opposition Whip in the Senate) (15:42): At the request of Senator McAllister, I move:

That the Senate—

(a) notes the address of New South Wales Minister for Energy and Environment and Liberal Matt Kean MP on 10 December 2019 to the National Smart Energy Summit;

(b) endorses Minister Kean’s:

(i) acknowledgement that this summer’s "...bushfires have been caused by extreme weather events, high temperatures, the worst drought in living memory – the exact type of events scientists have been warning us about for decades that would be caused by climate change";

(ii) observation that "We cannot allow ideology and politics to get in the way of our clear path to secure our economic prosperity, let alone the health of our planet for generations of Australians", and

(iii) statement that "... taking action to reduce our emissions today is not about a cost that we are morally obliged to pay, it's about taking an economic opportunity that we would be negligent to miss";

(c) concurs with Minister Kean that "renewables today are the cheapest form of new generation"; and

(d) calls on Prime Minister Morrison to listen to Minister Kean and experts across all fields and take strong action to address climate change.

Question agreed to.

Murray-Darling Basin

Senator HANSON-YOUNG (South Australia) (15:42): I move:

That the Senate—

(a) notes that:

(i) environmental flows are critical to the health of the Murray-Darling Basin, which is home to more than 2 million people and more than 40 Aboriginal nations, and supports over 120 waterbird species and 46 native fish species,

(ii) the continued attack on environmental flows to the Murray-Darling Basin will threaten the overall sustainability of the river, which is needed to support people, plants and animals,

(iii) the river is a national asset, it does not belong to any one single State, and

(iv) the threats by some Basin states to pull out of the Murray-Darling Basin Plan is putting the future of the entire river system in jeopardy; and

(b) calls on the Federal Government to confirm its commitment to protect environmental flows as required under the Murray-Darling Basin Plan.

Senator McKENZIE (Victoria—Leader of the Nationals in the Senate) (15:42): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator McKENZIE: The coalition government supports this motion. There is no attack on environmental flows. Just as farmers across New South Wales and Queensland have been on zero allocation, so too is the environment. The heartbreaking truth is that we have towns right across the Murray-Darling Basin that are running out of water. The drought is ongoing despite recent rains, and without significant rainfall across all of our catchments we’ll be entering arrangements for critical human need in line with the bipartisan provisions of the Water Act. During this drought, the government won't resile from putting the needs of our communities first.

Question agreed to.

International Holocaust Remembrance Day

Senator DEAN SMITH (Western Australia—Government Whip in the Senate) (15:43): Before moving general business notice of motion No. 413, I ask that the names of Senators Chandler, Hughes, Kitching, O'Neill and Wong be added to the motion. I, and also on behalf of Senators Chandler, Hughes, Kitching, O'Neill and Wong, move:

That the Senate—
(a) notes that 27 January 2020 marked International Holocaust Remembrance Day, a day where we remember the atrocities committed by the Nazi regime and its collaborators, and reaffirm our promise to 'never forget' the 6 million Jews and 11 million others who were exterminated during the Holocaust;

(b) acknowledges the importance of International Holocaust Remembrance Day in honouring the memory of all Holocaust victims, and the ongoing efforts of the International Holocaust Remembrance Alliance to advance and promote Holocaust education to ensure the history and stories of its victims are passed on to successive generations;

(c) notes that Australia officially became the 33rd member of the International Holocaust Remembrance Alliance at the Mondorf-les-Bains Plenary meeting on 4 June 2019;

(d) notes this year's annual observance also marked the 75th anniversary of the liberation of Auschwitz, the largest and most notorious concentration camp operated by the Nazi regime, located approximately 60 km west of Krakow, Poland;

(e) further acknowledges that more than 1 million people were killed at the Auschwitz complex alone, including nearly 1 million Jews, and that on the day of liberation only 7,000 people were saved; and

(f) further notes that during the 1940s, tens of thousands of European Jews emigrated to Australia, and that Australia has the largest per-capita Holocaust survivor population outside Israel.

Question agreed to.

Palliative Care Tasmania

Senator BILYK (Tasmania) (15:44): I move:

That the Senate—

(a) notes that:

(i) Palliative Care Tasmania's (PCT) three-year $1 million funding agreement expires on 30 June 2020, and

(ii) most state and territory palliative care peak bodies receive recurrent government funding;

(b) recognises that:

(i) PCT provides valuable services to the palliative care sector and the broader community, including advocacy, policy advice, and community education and professional development delivered to over 4,000 Tasmanians a year,

(ii) these services:

(A) help educate Tasmanians on the importance of advance care planning, writing advance care directives and discussing future care wishes with family and close friends,

(B) lead to millions of dollars of savings in residential aged care and acute health care—conservatively, cost savings of $30 million a year are made through their work in residential aged care and cost savings of $25 million a year are made based on 10% of participants in their education programs understanding advance care planning and completing an advance care directive, and

(C) provide Tasmanians with life-limiting illness greater choice, control, comfort and dignity in their care, and help to ensure that thousands of Tasmanians can have a good death; and

(iii) should PCT not receive further funding, their services would either have to be provided directly by the Tasmanian Government at much greater cost or would be lost to the palliative care sector; and

(c) calls on the Tasmanian and Australian Governments to work together to come up with a plan to fund PCT which provides PCT with adequate funding and certainty to continue its core activities beyond 30 June 2020.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:44): I seek leave to make a short statement.

The PRESIDENT (15:44): Leave is granted for one minute.

Senator DUNIAM: The Australian government recognises that quality, accessible palliative care is a crucial component of the health system. The Commonwealth government is responsible for national leadership and strategy in the palliative care system and has provided $6 million over three years from 2017-18 to 2019-20 to the national peak body, Palliative Care Australia. State and territory governments are responsible for the funding and delivery of palliative care services as part of their hospital in-community service provision responsibilities. The ongoing funding for the Tasmanian state palliative peak body is, therefore, entirely a matter for the Tasmanian government.

Question agreed to.

Climate Change

Senator McCARTHY (Northern Territory—Deputy Opposition Whip in the Senate) (15:45): At the request of Senator McAllister, I move:

That the Senate—
(a) notes the address of New South Wales Minister for Energy and Environment and Liberal Matt Kean MP on 10 December 2019 to the National Smart Energy Summit;

(b) endorses Minister Kean’s:

(i) acknowledgement that this summer’s "...bushfires have been caused by extreme weather events, high temperatures, the worst drought in living memory – the exact type of events scientists have been warning us about for decades that would be caused by climate change",

(ii) observation that "We cannot allow ideology and politics to get in the way of our clear path to secure our economic prosperity, let alone the health of our planet for generations of Australians", and

(iii) statement that "...taking action to reduce our emissions today is not about a cost that we are morally obliged to pay, it's about taking an economic opportunity that we would be negligent to miss";

(c) concurs with Minister Kean that "renewables today are the cheapest form of new generation"; and

(d) calls on Prime Minister Morrison to listen to Minister Kean and experts across all fields and take strong action to address climate change.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:45): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:45): The government is committed to achieving our emissions reduction targets at home and contributing to global action. We are reducing Australia's emissions while also keeping our economy strong. Emissions are coming down and we are on track to meet and beat our targets. At the same time, we are putting downward pressure on electricity prices. Our national target is achievable, responsible and part of coordinated global action.

Senator ROBERTS (Queensland) (15:46): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator ROBERTS: One Nation will be opposing this motion. When we discuss matters claimed to be based on science, we insist upon empirical data within a scientific framework that logically proves causation. We look forward to senators and other MPs who engage in this climate debate providing empirical scientific evidence which logically proves causation.

Question agreed to.

Australian Renewable Energy Agency

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (15:47): I move:

That the Senate—

(a) notes that:

(i) the Morrison Government told the United Nations in Madrid that technology improvements are central to their plan to reduce Australia's emissions, and praised the work of the Australian Renewable Energy Agency (ARENA),

(ii) ARENA has driven the acceleration and uptake of home-grown emissions reductions technologies with $1 billion funding 478 projects, leveraging $2 of private investment for each dollar committed to generate a total $5 billion in projects, and

(iii) the evidence provided by ARENA during Senate estimates hearings indicate that they expect to run out of money by the middle of this year; ARENA has 60 expressions of interest and 94 full applications still before them; and

(b) calls on the Minister for Energy and Emissions Reduction, Mr Taylor, who has issued 32 media releases promoting the work of ARENA, to ensure that the Agency will receive more legislated funding in the 2020-21 budget and continue their important work in the fields of hydrogen, bioenergy and clean technologies that are central to our future prosperity and driving new employment in Australia's regions.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:47): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: Funding decisions are a matter for government and will be considered in due course.

Question agreed to.

National Aerial Firefighting Centre

Senator McCARTHY (Northern Territory—Deputy Opposition Whip in the Senate) (15:47): At the request of Senators Watt and Griff, I move:

That the Senate—
(a) notes:

(i) reports that, in December 2017, the National Aerial Firefighting Centre (NAFC) submitted a business case to the Government requesting a permanent increase in funding of $11 million to its annual budget,

(ii) evidence from the Department of Home Affairs that, as at 6 December 2019, the Government was still considering the business case, and

(iii) that when asked about the business case on 4 January 2020, the Commissioner of the New South Wales Rural Fire Service, Mr Shane Fitzsimmons, said that "We haven't seen a positive response to that business case"; and

(b) recognises that, given the Government's failure to respond to the NAFC business case for at least 2 years, more could have been done to ensure adequate aerial firefighting capability during the 2019 bushfire season.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:47): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: In 2008 the peak body of Australian fire chiefs presented a business case on behalf of the National Aerial Firefighting Centre, seeking an increase in government funding for aerial firefighting. In December 2018 the government provided a payment of $11 million to the centre, with an additional $11 million provided in December 2019. The government is committed to increased ongoing funding of $11.4 million in future years. Additionally, in January of 2020, the centre requested access to an additional large air tanker—the government immediately provided $20 million in funding for four large air tankers. Funding requested by the National Aerial Firefighting Centre has not only been met, but exceeded to ensure that aerial firefighting capabilities are well resourced.

Question agreed to.

Button Batteries

Senator MARIELLE SMITH (South Australia) (15:48): I move:

That the Senate—

(a) notes that:

(i) global estimates indicate more than 600 children have died from ingesting button batteries,

(ii) up to 20 children each week present to emergency departments after swallowing button batteries, and

(iii) two and a half years after the introduction of a voluntary industry code in Australia, a high level of unsafe button battery products remain available in the Australian market, and a meaningful decrease in the rate of button battery exposures or injuries is not yet apparent; and

(b) calls on the Federal Government to implement a mandatory code to protect children from being exposed to button batteries in Australia and to prevent the sale of dangerous products.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:49): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: In 2019, the former Assistant Treasurer published a safety warning notice warning customers of the risks that button batteries can pose to children. He also wrote to the ACCC requesting the regulatory impact assessment process required to support the development of future regulations such as mandatory standards be expedited. On 16 August 2019, the ACCC released an issues paper and intends to release its draft recommendations in early 2020 for public consultation. It will then provide a final recommendation to government in mid-2020.

Question agreed to.

Internet Content

Senator GRIFF (South Australia) (15:49): I move:

That the Senate—

(a) notes that 11 February 2019 is Safer Internet Day, a worldwide event that raises awareness about online safety and encourages everyone to help create a better internet;

(b) expresses concern that online dating sites provide a 'fertile landscape' for predators including cases where:

(i) paedophiles are using dating sites to find single women with children,

(ii) adolescent girls and boys are using dating sites and being targeted by paedophiles, and

(iii) women are being sexually assaulted by known sex offenders;

(c) acknowledges that sexual assault victims and their advocates are calling for better coordination between law enforcement and tech companies to stop sexual predators repeatedly using dating sites to lure victims;
(d) further notes that, in the United States, a congressional investigation is underway by the subcommittee on Economic and Consumer Policy of the Committee on Oversight and Reform into how the major dating site companies have allegedly allowed sex offenders to use their services; and

(e) calls on the Federal Government to engage with online dating sites, as a matter of urgency, to develop memorandums of understanding to facilitate easier access and information sharing between law enforcement agencies and dating sites.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:50): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: Consultations are currently underway on the government's proposal for a new online safety act, which will increase expectations on digital platforms to keep their users safe online. It would not be prudent to pre-empt the outcome of these consultations. The government is committed to protecting children from online child sexual abuse. That's why we have invested $70 million to establish the AFP-led Australian Centre to Counter Child Exploitation. The centre brings together capabilities from across the public and private sectors as well as civil society to drive a collaborative national response to countering online child exploitation.

Question agreed to.

Aged Care

Senator GRIFF (South Australia) (15:50): I move:

(a) notes that:
(i) Australia's aged care system receives over $21 billion of taxpayer money each year,
(ii) despite receiving large government subsidies, there is a significant lack of transparency in aged care, and
(iii) aged care providers are not required to publish details on how government subsidies are spent including on food, medical products, accommodation, staffing and staff training;

(b) recognises that the aged care sector requires robust financial transparency in order to make clear how much facilities actually spend on delivering care;

(c) acknowledges that families relying on the aged care sector to care for loved ones deserve access to information to assist them in making informed decisions about aged care for family members; and

(d) calls on the Federal Government to legislate for financial transparency in aged care, as a matter of urgency.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:51): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The Morrison government is investigating record amounts into the aged-care system. We've grown investment from $13.3 billion in 2012-13 to $21.4 billion in 2019-20, up to an estimated $25.4 billion in 2022-23. We recognise the need for robust financial transparency and access of senior Australians and their families to information to help them make informed choices and we have included some measures in this regard. The Royal Commission into Aged Care Quality and Safety is considering these and other matters and is due to report by 12 November 2020.

Question agreed to.

DOCUMENTS

Minister for Youth and Sport

Order for the Production of Documents

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (15:51): I, and also on behalf of Senators Rice and Farrell, move:

(1) That there be laid on the table by the Minister for Youth and Sport by no later than 9am on 13 February 2020:

(a) all communications between the Department of Health (the Department) and the Minister for Youth and Sport (the Minister) or the Minister's office in relation to the Community Sport Infrastructure – Female Facilities and Water Safety program (FFWSP);

(b) all communications between the Minister or the Minister's office and the Prime Minister or the office of the Prime Minister in relation to the FFWSP;

(c) all communications between the Minister and the Minister for Infrastructure, Transport and Regional Development in relation to the FFWSP;

(d) any incoming Ministerial brief prepared for the Minister in relation to the FFWSP;
(e) any guidelines or program arrangements applying to the FFWSP;
(f) any advice on the content of guidelines or program arrangements, or drafts of same, prepared by the Department for the Minister in relation to the FFWSP;
(g) any advice prepared by or for the Department for the Minister regarding the need for guidelines for the FFWSP;
(h) any advice prepared for the Minister regarding eligibility for the FFWSP or the process for determining the list of organisations invited to apply for funding;
(i) a list of all projects invited to seek funding under the FFWSP, and any documents pertaining to the basis on which they were selected; and
(j) a list of all projects funded under the FFWSP.

(2) In the event the Minister fails to table the documents requested in paragraph (1), the Senate requires the Minister to attend the Senate on 13 February 2020, prior to government business being called on, to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents requested in paragraph (1).

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

(4) Any motion under paragraph (3) may be debated for no longer than 30 minutes, shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes each.

Question agreed to.

Minister for Infrastructure, Transport and Regional Development
Order for the Production of Documents

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (15:52): I, and also on behalf of Senators Rice and Farrell, move:

(1) That there be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development by no later than 9am on 13 February 2020:

(a) all communications between the Department of Infrastructure, Transport and Regional Development (the Department) and the Minister for Infrastructure, Transport and Regional Development (the Minister) or the Minister's office in relation to the Community Sport Infrastructure – Female Facilities and Water Safety program (FFWSP);

(b) all communications between the Minister or Minister's office and the Prime Minister or the office of the Prime Minister in relation to the FFWSP;

(c) all communications between the Minister and the incoming Minister for Youth and Sports in relation to the FFWSP following the federal election;

(d) any advice prepared for the Department, the Minister or the Prime Minister regarding the need for guidelines for the FFWSP;

(e) any advice on the content of guidelines or program arrangements, or drafts of same, prepared by the Department for the Minister or Prime Minister in relation to the FFWSP;

(f) any advice prepared by or for the Department for the Minister or Prime Minister regarding eligibility for the FFWSP or the process for determining the list of organisations invited to apply for funding;

(g) a list of all projects invited to seek funding under the FFWSP, and documents pertaining to the basis on which they were selected; and

(h) a list of all projects funded under the FFWS Program.

(2) In the event the Minister fails to table the documents requested in paragraph (1), the Senate requires the Minister representing the Minister for Infrastructure, Transport and Regional Development in the Senate to attend the Senate at no later than 10am on 13 February 2020 to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents requested in paragraph (1).

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

(4) Any motion under paragraph (3) may be debated for no longer than 30 minutes shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes each.

Question agreed to.
Aged Care Assessment Teams (‘ACATs’) are teams of medical professionals which run clinical and psychological checks on older Australians who have applied for home or residential aged care,

(ii) based in hospitals across the country, ACATs are ultimately responsible for assessing which older Australians should receive government-funded care,

(iii) an ACAT team usually includes a nurse, plus another healthcare worker such as a physiotherapist, occupational therapist or social worker,

(iv) the Morrison Government has announced that it will privatise the ACAT workforce from April 2021, when a tender will be put out for organisations to deliver this vital assessment,

(v) on 14 January 2020, the chair of the Royal Commission into Aged Care Quality and Safety, the Honourable Gaetano Pagone QC, issued a statement saying the commission’s interim report “did not endorse the government’s stated position” on privatising the ACATs;

(b) supports the retention of ACATs as a publicly provided service; and

(c) commends the Health Services Union and other unions for their continued advocacy on behalf of working people in healthcare across Australia, in particular in the aged care sector.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:53): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government has not made a decision to privatise aged-care assessments. It's disappointing that claims to this effect are misleading the community and the parliament. The government made a commitment in the 2018-19 budget to streamline the assessment process of aged care by the integration of ACAT and RAS in line with the 2017 Tune review recommendation which stated that the government integrate regional assessment services with the aged-care assessment teams. The royal commission in its interim report stated:

The Government has announced that it will implement this recommendation and will integrate the two assessment workforces from 2020. The Royal Commission considers that this integration needs to be progressed urgently.

The government is committed to creating a better experience for senior Australians entering aged care, and our position has not changed. We're committed to ensuring that Australians seeking to enter aged care receive timely, consistent and high-quality needs assessments that they deserve.

The PRESIDENT: The question is that motion No. 414 be agreed to.

The Senate divided. [15:58]

(The President—Senator Ryan)

Ayes .................36
Noes .................32
Majority .............4

AYES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallagher, KR
Griff, S
Hanson-Young, SC
Lines, S
McCarthy, M (teller)
O'Neill, D
Polley, H
Rice, J
Sheldon, A
Smith, M
Sterle, G
Waters, LJ
Whish-Wilson, PS

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Green, N
Hanson, P
Lambie, J
McAllister, J
McKim, NJ
Patrick, RL
Pratt, LC
Roberts, M
Siewert, R
Steele-John, J
Walsh, J
Watt, M
Wong, P

NOES

Abetz, E
Askew, W
Brockman, S
Cash, MC

Antic, A
Bragg, A J
Canavan, MJ
Chandler, C
Senator HANSON (Queensland) (16:00): I move:

That the Senate—

(a) notes that building new high-efficiency low-emission coal fired power stations will create jobs, lower power prices, increase competition and increase reliability in the energy system; and

(b) supports projects, like the Collinsville clean coal-fired power project, which will provide stable reliable baseload power and help lower power prices.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:01): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government is supporting new electricity generation projects in North and Central Queensland which will drive down power prices, improve reliability and support a stronger economy. Our approach to energy technology is neutral, drawing on coal, gas and renewable energy sources. At the last election we committed $10 million to address supply and affordability issues for energy-intensive and trade-exposed customers in North and Central Queensland. Industries like aluminium smelting and refining, and cement, sugar and copper processing all rely on low-cost, reliable energy and employ tens of thousands of Queenslanders. Part of our plan includes a commitment to a number of feasibility studies for new generation projects. Those projects will need to stack up and make commercial sense to get private sector investment and necessary state government approvals. We won’t stand in the way of a private company that wants to build a new power station if it has all of the relevant approvals.


The PRESIDENT: Leave is granted for one minute.

Senator GALLAGHER: The Collinsville coal-fired power project is one that will never happen. The Prime Minister knows it, the Liberals know it and Australia knows it. No coal-fired power stations have been built in Australia since 2009. This one won’t be built either. As former Prime Minister Turnbull said yesterday, those people who are advocating that the government should fund coal-fired power are basically making the case for higher emissions and higher energy prices. Labor supports a stable energy policy that delivers lower power prices, lower emissions and more jobs, not imaginary projects that will never happen. As such, Labor won’t be supporting this motion.

The PRESIDENT: The question is that motion No. 419 be agreed to.

The Senate divided. [16:07]

(The President—Senator Ryan)

Ayes ......................33
Noes ......................33
Majority .................0
AYES

Abetz, E
Askew, W
Brockman, S
Cash, MC
Colbeck, R
Duniam, J
Fierravanti-Wells, C
Henderson, SM
McDonald, S
McKenzie, B
McMahon, S
Molan, AJ
O'Sullivan, MA
Reynolds, L
Ruston, A
Scarr, P
Smith, DA (teller)
Van, D

Antic, A
Bragg, AJ
Canavan, MJ
Chandler, C
Davey, P
Fawcett, DJ
Hanson, P
Hume, J
McGrath, J
McLachlan, A
Molan, AJ
Rennick, G
Roberts, M
Ryan, SM
Seselja, Z
Stoker, AJ

NOES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallagher, KR
Griff, S
Lambie, J
McCarty, M (teller)
O'Neill, D
Polley, H
Rice, J
Siewert, R
Steele-John, J
Walsh, J
Watt, M
Wong, P

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Green, N
Hanson-Young, SC
Lines, S
McKim, NJ
Patrick, RL
Pratt, LC
Sheldon, A
Smith, M
Sterle, G
Waters, LJ
Whish-Wilson, PS

PAIRS

Birmingham, SJ
Cormann, M
Hughes, H
Paterson, J
Payne, MA

Keneally, KK
Gallacher, AM
McAllister, J
Kitching, K
Urquhart, AE

Question negatived.

Middle East

Senator DI NATALE (Victoria) (16:09): I ask that notice of motion No. 421, standing in my name for today, relating to the peace proposal for Israel and Palestine, be taken as a formal motion.

The PRESIDENT: Is there any objection to this motion being taken as formal? There is, so formality has been denied.

Senator DI NATALE: In lieu of a suspension, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DI NATALE: It is again deeply disappointing that the government has refused to consider this important policy motion. I shouldn't be surprised, because this is the mob that wanted to relocate the Australian embassy to Jerusalem in a desperate bid to chase a few votes for a by-election victory. That backfired and backfired spectacularly.

This is not a peace proposal; this is anything but. It's not worth the paper it's written on. It's a direct copy-and-paste of the PR manual of the Israeli Prime Minister, the man who is up on corruption charges. It reflects all of the Israeli government's arse. It rewards the theft of Palestinian land by rewarding illegal settlement activity. In this
proposal, any Palestinian self-determination is contingent upon so many unrealistic demands. Australia should speak up against Trump's unfair and damaging plan, which is an enemy to—(Time expired)

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (16:11): I seek leave to make a short statement.

**The PRESIDENT:** Leave is granted for one minute.

**Senator WONG:** I thank the Senate. Labor notes that the US government released its vision for peace for the Israel-Palestinian conflict on 20 January 2020, and we acknowledge that this initiative declares support for an independent, sovereign state of Palestine. However, the initiative predetermines a number of final-status issues, which weaken the viability of any future Palestinian state. Whilst Israeli leaders support the plan, Palestinian leaders have rejected it. The reality of a peace plan is that if only one side of the conflict supports it there can be no peace.

Labor also acknowledges concerns that the initiative may pave the way for Israeli annexation, which risks further regional destabilisation. We can continue to support a just and durable two-state solution to the conflict and encourage both parties to pursue direct negotiations to that end. Furthermore, we call on all parties to refrain from actions that hamper peaceful outcomes for both the Israeli and Palestinian peoples.

**Nuclear Energy**

**Senator HANSON-YOUNG** (South Australia) (16:12): I move:

That the Senate:

(a) affirms its commitment to a complete moratorium on nuclear energy, as expressed in the Australian Radiation Protection and Nuclear Safety Act 1998 and the Environment Protection and Biodiversity Conservation Act 1999;

(b) notes the devastating and lasting impacts of the nuclear disasters in Fukushima, Chernobyl and Three Mile Island; and

(c) call on all Ministers to commit to Australia being a nuclear-free zone.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:12): I seek leave to make a short statement.

**The PRESIDENT:** Leave is granted for one minute.

**Senator DUNIAM:** We have a longstanding moratorium on nuclear energy in Australia. The government has no plans to change that. Although Australia does not generate electricity from nuclear fuel sources, we are the world's third-largest producer of uranium. The government supports the sustainable development and responsible use of this important energy resource. Australia has benefited enormously from nuclear research activities and production of nuclear medicine over the last 70 years. Each month, ANSTO safely ships 2,000 packages containing medical radioisotopes and other radioactive materials, including more than 10,000 doses of potentially life-saving nuclear medicines a week, across Australia and the region.


**The PRESIDENT:** Leave is granted for one minute.

**Senator GALLAGHER:** As this motion only refers to nuclear power and does not call for the closure of other nuclear activities, such as the important work of the Lucas Heights facility, Labor will support the motion.

**The PRESIDENT:** The question is that motion No. 420 be agreed to.

The Senate divided. [16:15]

(The President—Senator Ryan)

Ayes .................. 29
Noes .................. 35
Majority.............. 6

AYES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallagher, KR
Hanson-Young, SC
McCarthy, M (teller)
O'Neill, D
Pratt, LC

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Green, N
Lines, S
McKim, NJ
Polley, H
Rice, J
AYES

Sheldon, A
Smith, M
Sterle, G
Waters, LJ
Whish-Wilson, PS

Siewert, R
Steele-John, J
Walsh, J
Watt, M

NOES

Abetz, E
Askew, W
Canavan, MJ
Chandler, C
Davey, P
Fawcett, DJ
Griff, S
Henderson, SM
Lambie, J
McGrath, J
McLachlan, A
Molan, AJ
Patrick, RL
Reynolds, L
Ruston, A
Scarr, P
Smith, DA (teller)
Van, D

Antic, A
Bragg, A J
Cash, MC
Colbeck, R
Duniam, J
Fierravanti-Wells, C
Hanson, P
Hume, J
McDonald, S
McKenzie, B
McMahon, S
O’Sullivan, MA
Rennick, G
Roberts, M
Ryan, SM
Seselja, Z
Stoker, AJ

PAIRS

Gallacher, AM
Keneally, KK
Kitching, K
McAllister, J
Urquhart, AE
Wong, P

Cormann, M
Birmingham, SJ
Paterson, J
Hughes, H
Payne, MA
Brockman, S

Question negatived.

Cashless Debit Card

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:18): I move:

That the Senate—

(a) notes that the Government is in discussions with the big four banks, major retailers and EFTPOS around a possible national rollout of the cashless debit card (CDC);

(b) recognises that compulsory income management disadvantages people on low incomes by limiting their ability to shop around and make savings where purchases can be made through cash;

(c) acknowledges that rolling out compulsory income management to people on income support payments would remove the choice and control they have over the financial products and services they use;

(d) further notes that the Australian National Audit Office found that there was no evidence that there has been a reduction in social harm following the introduction of the CDC;

(e) urges the big four banks, EFTPOS and major retailers not to facilitate any national rollout of compulsory income management, including the CDC; and

(f) calls on the Federal Government to be honest and transparent about its plans to rollout compulsory income management to income support recipients across Australia.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:18): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The cashless debit card looks and operates like a standard debit card and supports a range of flexible payment options, including online transfers, BPAY, most online shopping and recurring deductions. The only time the card cannot be used is for the purchase of alcohol, gambling products, some gift cards or to withdraw cash. The government is committed to the continuous improvement of the cashless debit card so people can have access to the most current technology and features and continue to use it as a financial budgeting tool.
Any discussions with banks and retailers will focus on improving users' experience and providing a choice to participants.

The PRESIDENT: The question is that motion No. 423 be agreed to.

The Senate divided. [16:19]

(The President—Senator Ryan)

AYES

Ayres, T  
Bilyk, CL

Brown, CL  
Carr, KJ

Chisholm, A  
Ciccone, R

Di Natale, R  
Dodson, P

Farrell, D  
Faruqi, M

Gallagher, KR  
Green, N

Hanson-Young, SC  
Lines, S

McCarthy, M (teller)  
McKim, NJ

O’Neill, D  
Policy, H

Pratt, LC  
Rice, J

Sheldon, A  
Siewert, R

Smith, M  
Steele-John, J

Sterle, G  
Walsh, J

Waters, LJ  
Watt, M

NOES

Abetz, E  
Antic, A

Askew, W  
Bragg, A J

Canavan, MJ  
Cash, MC

Chandler, C  
Colbeck, R

Davey, P  
Duniam, J

Fawcett, DJ  
Fierravanti-Wells, C

Hanson, P  
Henderson, SM

Hume, J  
Lambie, J

McDonald, S  
McGrath, J

McKenzie, B  
McLachlan, A

McMahon, S  
Molan, AJ

O’Sullivan, MA  
Rennick, G

Reynolds, L  
Roberts, M

Ruston, A  
Ryan, SM

Scarr, P  
Seselja, Z

Smith, DA (teller)  
Stoker, AJ

Van, D  

PAIRS

Gallacher, AM  
Cormann, M

Keneally, KK  
Birmingham, SJ

Kitching, K  
Paterson, J

McAllister, J  
Hughes, H

Urquhart, AE  
Payne, MA

Wong, P  
Brockman, S

Question negatived.

Commonwealth Integrity Commission

Senator McCARTHY (Northern Territory—Deputy Opposition Whip in the Senate) (16:21): Before asking that motion No. 424 be taken as formal, I wish to inform the chamber that Senator Waters will also sponsor the motion. At the request of Senator Watt and Senator Waters, I move:

That the Senate—

(a) notes:

(i) that the Morrison Government committed to implement a Commonwealth Integrity Commission (CIC) on 13 December 2018,
(ii) that it has been 424 days since that commitment and the Morrison Government has still failed to introduce legislation to establish the body, and

(iii) reports that the Member for Wide Bay, Mr Llew O'Brien, has called for the proposed federal anti-corruption body to be given "more strenuous, stronger" powers;

(b) calls on the Attorney-General, Mr Porter, to revise his proposed anti-corruption commission to give it the powers, independence and transparency it needs to effectively combat corruption in the federal sphere; and

(c) calls on the Federal Government to introduce legislation on the CIC as a matter of priority.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:22): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government is committed to introducing a Commonwealth integrity commission that has the powers and resources it needs to be effective, and will soon release an exposure draft of legislation to establish the CIC for public consultation. The Labor Party, by their own admission, have said that reform of this magnitude is complex and would require extensive consultation, saying that the development of the legislation should take 12 months after the election. But, unlike Labor's seven basic design principles for an integrity commission, the government's design is comprehensive. We have also committed nearly double the amount of funding that Labor were prepared to commit to the CIC. The government has taken the time to get this right.

The PRESIDENT: The question is that motion No. 424 be agreed to.

The Senate divided. [16:24]

(The President—Senator Ryan)

Ayes ...................... 34
Noes ...................... 30
Majority ............... 4

AYES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallagher, KR
Griff, S
Hanson-Young, SC
Lines, S
McKim, NJ
Patrick, RL
Pratt, LC
Roberts, M
Siewert, R
Steele-John, J
Walsh, J
Watt, M

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Green, N
Hanson, P
Lambie, J
McCarthy, M (teller)
O’Neill, D
Polley, H
Rice, J
Shelton, A
Smith, M
Sterle, G
Waters, LJ
Whish-Wilson, PS

NOES

Abetz, E
Askew, W
Canavan, MJ
Chandler, C
Davey, P
Fawcett, DJ
Henderson, SM
McDonald, S
McKenzie, B
McMahon, S
O’Sullivan, MA
Reynolds, L
Ryan, SM
Seselja, Z
Stoker, AJ

Antic, A
Bragg, AJ
Cash, MC
Colbeck, R
Duniam, J
Fierravanti-Wells, C
Hume, J
McGrath, J
McLachlan, A
Molan, AJ
Rennick, G
Ruston, A
Scarr, P
Smith, DA (teller)
Van, D
Human Rights: Kashmir

Senator FARUQI (New South Wales) (16:26): I ask that general business notice of motion No. 425 standing in my name for today, relating to human rights in Kashmir, be taken as a formal motion.

The PRESIDENT: Is there any objection to this motion being taken as formal? There is. Formality has been denied.

Senator FARUQI: In lieu of suspending standing orders, I seek leave to make a one-minute statement.

The PRESIDENT: Leave is granted for one minute.

Senator FARUQI: Millions of Kashmiris are still under undeclared curfew. Free speech is being suppressed, with an internet blackout still in place, communications being monitored and journalists being intimidated. The human rights situation in Kashmir has drawn comparisons with Palestine. Kashmiris were not allowed to determine their fate when the British drew their arbitrary borders and have not been allowed to do so since. Self-interest and nationalistic rhetoric will never deliver justice to the people of Kashmir, who have suffered enough. Self-determination by the Kashmiri people is the only answer. The Australian government must use all diplomatic means at its disposal to call on the Indian government to remove troops, release political prisoners, lift the curfew and allow freedom of movement, communication, speech and assembly to the people of Kashmir.

The PRESIDENT: That concludes the discovery of formal business.

MATTERS OF PUBLIC IMPORTANCE

Australian Bushfires: Small Business

The ACTING DEPUTY PRESIDENT (Senator Brockman) (16:27): I inform the Senate that, at 8.30 am today, three proposals were received in accordance with standing order 75. The question of which proposal would be submitted to the Senate was determined by lot. As a result, I inform the Senate that the following letter has been received from Senator Gallagher:

Ensuring small businesses affected by this summer's catastrophic bushfires get the assistance they need immediately. Is the proposal supported?

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

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

Senator WALSH (Victoria) (16:28): I thank Senator Gallagher for raising this really important issue for discussion in the Senate. This summer has been one of shock, sadness and loss around the country. For those living across regional areas that have been impacted by bushfires, the consequences have been absolutely tragic. People have lost their lives. They've lost the lives of local firefighters and residents. They've lost homes. Over a billion animals have been killed or wounded, or have lost their habitats. Large areas of the country have been covered in toxic smoke. We've all endured the extreme heat.

We've also seen farms and small businesses in fire-affected areas put under extreme stress. Many of these communities are now looking at how, after the tragic summer, they can move forward. They're looking at how they can actually start to rebuild. And one of the major roadblocks to the recovery, to the rebuilding, is the challenge faced by many of the businesses that help sustain those communities. These are businesses that provide important jobs and also provide important services in those devastated communities in the bushfire zones. These businesses often rely on the tourism that they get during the summer months, during this time of the year. But, as we all know, the fires have kept that crucial summer business away. I have friends who live in Bright, in the Alpine National Park area of Victoria, and they are experiencing these challenges. The bushfires have kept so many tourists away from that area. My friends run a business and they rely on the summer tourists to keep their
bike rental and wine business running. At the moment, they're left wondering exactly how they're going to make up that shortfall in their income.

Of course, there are lots of stories like this across those devastated communities. I think of Michael Li, whose story was featured by SBS. He is a motel owner from Lakes Entrance in Victoria. Normally during the months of January and February his motel is fully booked with guests who have come not just from around Australia but from all over the world. These people have travelled to experience the amazing things that we have on offer in eastern Victoria: the amazing wildlife, the scenery, the food and the wine that we're so well known for. But, when news of the bushfires spread, almost all of Michael's guests cancelled their bookings. Despite this challenge, Mr Li did an incredible thing. He opened his motel up to the volunteer firefighters who were working so hard to put these bushfires out. He offered free accommodation to the emergency services and also to those who had been evacuated from their communities. Businesses like Mr Li's, and others that are struggling to survive, need our help. On top of the bushfires, we have the coronavirus travel ban. That has created a double whammy for those tourist-reliant communities, with the loss of even more business coming into the state. Right now many businesses are wondering where the help is going to come from.

It is incredibly important that the government gets support to these fire affected communities and these businesses fast. These businesses need help now. We absolutely welcome the government's announcement of support and help, in the form of grants and concessional loans, for impacted businesses. The calls from the business community to provide those funds have received support from the government, but the government does need to go further. There needs to be a case management approach for the people who need help, a case manager who can take into account the unique circumstances of a business and help them cut the red tape to access payments faster. There also needs to be continuous and ongoing consultation with business over the response, and support provided now and into the future. We want to see a business task force set up to provide advice to government from those businesses on the ground so government can understand what is actually happening in businesses right now on the ground.

The real test of all the commitments that have been made, and all the assistance that has been announced by the government, is in the implementation. The real test is whether it actually gets out into the communities that need it. From the feedback that we've been getting from businesses in affected areas it does sound like, despite best intentions, the money is just not flowing fast enough into those communities that need it the most right now. Again, this is the critical time for these businesses. Many of them do 50, 60, 70 per cent of their annual turnover in the holiday season during December and January, and they have just lost that amount of their trade, so it's incredibly challenging for them to see how they can continue forward over the rest of the year. A lot of these businesses have reached the end of January and into February and just haven't had enough money to pay their bills. They need to be able to access the funds that have been made available right now, without delay. They cannot wait for months. If they can't access those funds then they face the real risk of going out of business.

Unfortunately, we're hearing story after story of businesses that are being held back from accessing the support that's on offer because of the red tape that appears to be involved in making an application. We're hearing about business owners who are filling out 15 or 20 pages of forms and then being told that the program application has changed and they need to start all over again. We're also concerned about businesses that need a cash injection but are concerned about taking the government loans because it will put them into more debt.

The government also needs to remember that it's not just businesses that were directly in the path of the bushfires that need help, that need assistance, that have been impacted this summer. In my home state of Victoria I've spoken to businesses that were far away from the fires but have also seen a dramatic reduction in the tourism and trade they're doing, because these fires have scared so many people away from large parts of regional Victoria. Right now if your business hasn't been directly impacted by the fire then there isn't a lot of support available to you, so I'm really worried that there are still many small businesses out there, some of which we're yet to hear from, that are falling between the cracks of the support currently on offer. I encourage the government to find a solution to that problem, because many of these businesses really can't wait too long. Business is putting forward lots of innovative ideas to help support them through this crisis, and we all need to listen to those ideas.

Of course, in the long term, these communities, these businesses, need action on the underlying causes of the bushfires this summer, on the underlying causes of the longer, hotter and drier fire seasons that we're experiencing in Australia. They need action on climate change. It's time that we confronted the reality that our climate is warming and it's human activity that is driving it, because the science is in and it has been in for a long time. It's time that the government listened and took unified action to cut carbon pollution and invest in renewables, because if we actually care about the future of these businesses and the communities that they support then we in this place absolutely need to be committed to real and demonstrable action on climate change.
So it is concerning that, over the last two weeks that we've been back in parliament, back in Canberra, the
government has been more focused on its internal divisions than on solving the big issues facing the communities
that I've been talking about. The National Party spent the day that the parliament had dedicated to paying tribute to
our brave firefighters—and to honouring those that we lost in the bushfires—fighting over their leadership, and
that was absolutely shameful. It pulls the focus away from the real issue, which is getting real help to those
communities. (Time expired)

Senator HUGHES (New South Wales) (16:39): As we all know, the devastating events over summer have
had a catastrophic impact on regional Australia. If ever there was a time for the entire nation to rise as one and
help each other, it is now, and it will be for some time to come. Before the bushfires arrived to take lives, destroy
homes and ruin livelihoods, regional Australia was already suffering under the crushing weight of what seemed to
be a never-ending drought. For so long, the downpours that we've witnessed in recent days were merely figments
of tortured imaginations as farmers and land managers waited, hoped and prayed for year after dusty year. Of
course, as we've come to expect in this often harsh land, Mother Nature delivered on those prayers but not without
packing a sickening punch. Regional Australians have been suddenly left to deal with flash flooding, the latest
insult added to so much injury.

The extent to which Australians have opened their hearts and wallets to help those directly impacted by the
bushfires proves more than any doubt that we are a compassionate nation, quick to sympathise and empathise with
those plunged into despair, loss and ongoing hardship. It's that belief in the intrinsic generosity of Australians that
emboldened me to launch the Go Country for Christmas campaign last year. First, it was Go Country for
Christmas, an appeal to encourage Australians to support regional businesses as they struggled to overcome the
horrible economic impacts of the drought. The faith that Australians would rally around each other was reinforced
by the way in which Go Country was embraced sincerely as a bipartisan initiative. For all our political differences,
we share the need to think outside the compact worlds of metropolitan areas and reassure the 10 million regional
Australians that they will never be forgotten. I have been delighted and indeed inspired by the support of 42
colleagues across the political spectrum. A gentleman got in touch recently via Twitter to comment on the
increased volume of packages that had gone through Australia Post. One business had an order of 40 jars of
mayonnaise in one go.

But one message that I received just before Christmas was particularly humbling—to know that we had literally
helped keep the doors of a business open. Louisa Morris runs a small sole trading business located in Wahgunyah
in north-east Victoria, manufacturing preserves and cakes. She uses ingredients that are available locally,
including those from other Go Country registered businesses, buying direct from the grower or manufacturer. This
is what she said:

I grew up on an irrigation property between Berrigan & Tocumwal NSW. I'm a single parent to three children, two of whom
are on the autism spectrum. What the campaign has meant for my business has been great sales, compared to this time last
year and the confidence with this cash flow to keep trading into 2020. I'm very grateful for the wonderful support that the
Australian public and a few overseas customers as well, have given me and my family.

She continued:

My business was in the process of winding up after 22 years of trading. The sales from this campaign have been amazing for
my little business. I have the confidence to keep trading.

It's still not to late support small businesses in rural Australia. These businesses are run by families who are seeing
tougher times than most, and choosing to do business with them can make the world of difference to that small
business and to that family.

But there's help that we can provide every day. By buying Australian at the supermarket, whether it's fish, milk
or dairy, we can all make a difference. If you're a tradie looking for a new twin cab, why not head to Bathurst,
Wagga or Tamworth, where I'm sure the local dealerships will be ready to do you a great deal? The next time
you're stocking the cellar, remember that Australian wines are considered to be amongst the finest in the world.
Think of Mudgee, Senator O'Farrell's Clare Valley Riesling, the Hunter, the Yarra or Margaret River. Think of the
difference you'll be making to so many lives.

CHAMBER
Go Country began as a way to help businesses by purchasing Christmas presents from retailers outside the cities, but I'm proud to announce that Go Country is here to stay, 24/7, every day. It's with great pride that I announce we're about to launch a new website, Go Country for Anything. With the same support enjoyed by Go Country for Christmas, we can all go to the next level.

It's time to start having a closer look at all our labels, and to remind ourselves of the debt we all owe to decades of thankless toil by regional Australians who built the vertebrae for the backbone of this nation's economy. We've got to remember that cheaper is not always best and remind ourselves to save in the long term by banking on the enduring quality of Australian products. Regional businesses are our quiet achievers, but their achievements have been monumental in making Australia great. Now, more than ever, is the time to show our deep gratitude and to keep expressing it as regional Australians try to get back on their feet.

As a young mother I worked with my family to manage farms in Moree, and the day-to-day suffering of those stricken by the drought will have a profound and lifelong impact on me. I've seen the pain and I've felt the pain. I've seen the tears and shed my own. My own family was living and breathing it, choking on the same red dust. In recent days, plenty of friends have been breathless in telling me that their youngest children are seeing grass for the first time, and the spectacle of the creek running for the first time in a decade is a sight to rival Sydney Harbour itself for its beauty. Such has been the relief, but any veterans of the land will have that respite instantly tempered by the real and thoroughly justifiable fear of the next challenge. That's why we all have a role to play in helping to provide the peace of mind that has eluded our country cousins for so long.

Apart from the regeneration of the bush that will follow the fires, the entire nation can renew its resolve to help one another. Go Country strikes from the heart of our fabled national spirit, and it gives me great pride to know that everyone in this parliament will promote this campaign whenever and wherever they can.

Senator FARUQI (New South Wales) (16:46): The bushfire crisis has drawn unthinkable devastation onto our communities, our environment, our animals and our country—a crisis that we will, unfortunately, remember for years to come. Lives and livelihoods have been lost, along with homes, businesses and properties. It has been a tragic time, and it is hard to imagine the stress that small businesses in affected communities have also come under.

Summer is normally the busiest time of the year for many small businesses in New South Wales, especially in the regional areas. But many are struggling to stay afloat and to make any income at all in the aftermath of these devastating bushfires. In my home state of New South Wales, where fires have been burning the longest, the crisis has had a devastating impact on local economies, and hence local communities. Small businesses in affected areas are at the brink. Many are unsure whether their businesses will survive into the next year.

I met producers from Cobargo on the New South Wales South Coast recently, where bushfires have created carnage. Cobargo is now best known as the town where locals refused to shake Prime Minister Scott Morrison's hand—and rightly so. It was heartbreaking to hear that the producers had lost almost all of their growing capacity on their farm in the wake of these bushfires. They stand to lose the farm, but they do not qualify for any assistance in the current offering from the government. They're not asking for a blank cheque but for support to get back on their feet. And they should be provided with that support.

This must be a serious wake-up call for this government not only to do everything they can to help people get back on their feet but also to tackle the climate crisis. Communities across Australia, from city to country and from every corner, have pitched in. We have seen the spirit of our community rise and overcome the devastation and tragedy that people in the country have suffered. Perhaps it is impossible to ever know the true cost of the bushfires, but we know that people across the nation have rolled up their sleeves and got to work. And they deserve all the help they can get. Now it is on the decision-makers to step up and do their job. The government must commit to serious action on the climate crisis. Without this, we risk further exposing communities and local economies to future disasters of unprecedented severity.

We have all the evidence. We have been warned by experts over and over for decades. With its inaction on climate, the government is leaving all of us exposed to a dreadful future, where more extreme weather events will become more common.

Senator CAROL BROWN (Tasmania) (16:49): I rise to speak in support of the matter of public importance raised by Senator Gallagher, on ensuring that small businesses affected by this summer's catastrophic bushfires get the assistance they need immediately.

On January 19 the government announced with great fanfare their package to assist the tourism sector, given the severe impact of the bushfires. The following day, 20 January, again with great fanfare, their assistance package for small business was announced. For a while there was an announcement a day released by the government. Unfortunately, that appears to be all there was—announcements. There was lots of spin but very
little substance and actual help for struggling small businesses, particularly those regional tourism operators whose businesses face closure unless they get help. By January 23, small businesses on Kangaroo Island, small businesses on the South Coast of New South Wales and small businesses in Gippsland were letting us know that the government's assistance package wasn't all that it claimed to be. Many of these small businesses and regional tourism operators are located in regions that have been struggling to deal with the impacts of the fires since last October and November. Holiday-makers and visitors have been staying away from regional communities, many of which have not been directly affected by the fires. It is not just the fires that have kept people away. The safety warnings, road closures and smoke haze have also kept people away.

Small businesses in fire affected areas need financial assistance now. They don't need a complicated assessment process for concessional loans, loans for which very few businesses qualify, and, even if they do, they are piling debt upon debt, because these businesses have lost a substantial amount of their revenue. Many businesses face immediate closure unless the government acts. Regional communities rely on the cash flow from small businesses to generate and maintain local employment. When no-one comes to town that cash flow dries up. Tourism markets in the regions are closely intertwined. If one business suffers it can quickly have a knock-on effect and impact the entire region. The government doesn't seem to have been aware of this when it was developing its assistance package.

Senator McKenzie: Ha, ha! Bless you, Senator Brown! Bless you.

Senator CAROL BROWN: Senator McKenzie has a bit of form here. She obviously hasn't been listening or talking to the people who have been going around Parliament House this week telling everybody—

Senator McKenzie: I was on the fireground at the time.

Senator CAROL BROWN: Well you should know, then! You should know that these packages are not doing anything that you're trying to pretend is happening. The people have been here, going around and talking to parliamentarians, pleading with them, telling them that what is being offered, whether it is with good intentions or not, is not working. Many of these people have lost 100 per cent of their income. Others have lost up to 80 per cent of their income. People have lost jobs because there isn't that income. That's what's happening. They have said that the loans that are on offer will not be able to help them. The reason why that is is quite simple. If you're offering loans to people they are just piling on debt, because there's no revenue to pay off the debt. Labor believes that is not right. It's okay to come in here and say that you've been talking to them, but you obviously haven't been listening.

What Labor has been saying to this government is that it has to listen to the people who are affected, listen to the communities that are affected and make sure that the assistance packages actually work, because they're not at the moment. The money is not getting through. We know that. People and communities are telling us that. It's really not very hard to actually get in there and fix up the way that you've put forward this assistance and add more, because, quite frankly, if there's not an immediate help then— (Time expired)

Senator McKENZIE (Victoria—Leader of the Nationals in the Senate) (16:54): I welcome the opportunity to stand in the Senate this week, after the horrific start to 2020 that so many regional communities experienced as a result of the bushfire season—and we know it's really only the start of the season; this will be going for more months to come—and speak about the resilience of regional Australians. I welcome the opportunity to speak about the recovery effort that our government, alongside state and local governments, has been delivering in the Adelaide Hills; on Kangaroo Island; in Corryong, Tallangatta and Cudgegwa, in my home state of Victoria; and down in Gippsland, where I was able to visit with the community in Omeo and meet some bushfire-affected farmers a few weeks ago. There's been an absolute effort in Mallacoota in East Gippsland, a fabulous holiday destination for so many regional Victorians over summer, but also on the South Coast of New South Wales. I also visited, with the member for Cowper, Pat Conaghan, his community—the people of Kempsey and the like—who experienced fires, along with the people of Port Macquarie, prior to Christmas.

This is something that regional communities have been dealing with for a long time. Because we on this side of politics understand these communities, live in these communities, raise our children in regional Australia, to be lectured by the sanctimonious, self-righteous Left—the Labor Party and, I might add, the Greens—on how best to assist small businesses and regional communities in the urgent response phase and the recovery phase, which will go on for many years, really is beyond the pale. Our government have been supporting families, farmers and small-business owners through a $2 billion bushfire recovery fund, which we are rolling out in response to ongoing demands as they arrive. This is a comprehensive program of assistance, not just loans. There are grants available, there are financial counsellors available—I'm going to run through all the assistance our government is providing for small-business owners out in regional communities. We're not responding to people who have turned up to Parliament House this week and are choosing to speak to certain senators about the issues; we're
responding on the ground in response to direct advocacy of people in that moment. That's what we were doing in January. That's what our MPs were doing in these bushfire-affected communities prior to Christmas. Our response is very much grounded in the lived experience of small-business owners. Payments have been going out the door straight to those who are in need of financial support right now: our farmers, our fishers, our foresters. There have been very quick disaster recovery payments for them, with urgent assistance required to rebuild, to re-fence, to get that second generator.

We've also got a whole suite of initiatives for small businesses. As at 4 February, we have 3.6 million taxpayers affected by the bushfires. That's around 60,000 businesses who lodge monthly activity statements. We're giving them assistance so that they don't need to do that. When you're struggling with the fact that your community has gone through catastrophic bushfires, sending in your monthly BAS statement is the last thing you need to be worried about. So we've made sure that they can defer lodging those statements until 28 May so they can concentrate on much more pressing issues. All disaster and relief payments made to businesses impacted by bushfires will be free from tax. Eligible businesses—that is, those businesses that have suffered significant asset loss or a significant loss in revenue—are able to access loans of up to half a million dollars. That recognises the small businesses on the South Coast of New South Wales, which haven't had the flood of tourists out of Sydney and Canberra that they usually would enjoy during the summer season, as well as those along the east coast of my home state of Victoria—Mallacoota and the like. Our assistance recognises their loss of revenue.

We're also recognising that some small businesses have been directly affected by the fires themselves. I was able to meet with Kim and Sam, IGA owners who were affected in the small town of Batlow. There is a fabulous cider festival there in a couple of months. I recommend that everyone gets out there and supports that community. But, given that Batlow was cut off for so many days—indeed, for a couple of weeks—because of falling trees and the like, and the risk of ongoing fire, when we were there that IGA was actually unpacking a 10-door freezer worth of stock. They only had one generator to keep the other 10 doors going. They were going through significant loss of stock and significant loss of revenue, and that is a problem.

I know that Australian's significant generosity has been great, but, as always, we in the National and Liberal parties support buying local. I want to correct something that Senator Brown was insinuating about our government's response in terms of giving these loans to small businesses. These loans are interest-free for two years. Next season, the tourists will be back. Australians will be back in small businesses—retailers and tourism operators—out in our regional communities, so they're looking at one year's loss of revenue. These loans are exactly the type of tool that won't increase their loan burden and their repayment burden, but will actually help them with the cash flow problem that they have over the next 12 months. It's an appropriate response. Small businesses can phone 1800413828 right now and receive up-to-date and comprehensive information on a range of support that our government has for them.

Bear in mind that the response to the bushfires from the federal government, as comprehensive as it's been, and ongoing into the recovery-and-rebuild phase, has to be complemented by our partners in this, which are the state governments. So there is also a range of state government initiatives supporting regional tourism areas.

We in the National Party know that family and small businesses are the backbone of our regional communities right across the country. We understand that because they are our butchers, our bakers and our farmers, our fishers and foresters. We are standing by them through this entire phase. I met Sue and Paul from Colac Colac, just out of Corryong. That caravan park is usually full of people right now. Unfortunately, because of the bushfire it's not. Bookings have been cancelled. We know the impact the bushfires are having on our tourism industry, and we've recognised that. That is why we're encouraging people to get out of the city, to come out to our communities and to support our regional tourism operators. The Empty Esky campaign—what a fantastic campaign! I'd encourage so many Australians to take advantage of that.

But we're also standing by small businesses, with real and practical support that will make a difference to them. That's because we on this side of the chamber believe that regional Australia has a very bright future. We know that these small businesses are the backbone of our regions. We know that bushfires are a part of what happens in our communities. We know that that's what happens. Rather than rail that if we shut down every coal-fired power station in this country that somehow there would never be another bushfire, we know that is an absolute crock of rubbish!

Senator Whish-Wilson interjecting—

Senator McKENZIE: It's an absolute crock of rubbish! I would like to know what the Greens' and the Labor Party's views are on hazard reduction burning and on how we manage the fuel load in our state and national parks. What are they actually going to do about that? Why, in my home state of Victoria, does the state Premier refuse—refuse!—to ensure the recommendations after the travesty that my state went through on Black Saturday; he
doesn't have the guts to stand up against the left-wing green mafia in Melbourne and do the right thing by regional Victorians and manage the loads. He should manage the fuel-reduction burning.

Tony Burke threw the mountain cattlemen out. The mountain cattlemen said that the Labor guys were just pandering to their Greens mates. They're locking everything up and throwing away the key. And look what happens! It burns down—eight years on, absolutely nothing has changed. As we respond as state and federal governments to the catastrophic events of this summer, yes, we're there with real relief, but the rubber will hit the road if we change the way we do business in managing our natural resources.

The ACTING DEPUTY PRESIDENT (Senator Kitching): Before you begin, Senator Hanson-Young, I would remind the chamber that interjections are disorderly.

Senator HANSON-YOUNG (South Australia) (17:05): I rise to contribute to today's discussion in relation to the impact that the terrible fires have had on parts of rural and regional Australia. Only on the weekend, I was in East Gippsland visiting my family's property, which was ravaged by fire over the New Year's Eve period. I was walking through that region, looking at the absolute destruction that these intense fires have caused in areas that had never burnt before—rainforest areas and deep, wet gullies, where the fires rippled through and have destroyed everything in their path. The rivers, the streams and the creeks are now suffering as a result. Of course, while rain is welcome, the heavy rain has done much damage to the areas that were left naked after the fires destroyed everything on top of the soil. Ash is running into the streams and creeks, polluting those creeks and rivers and creating even more damage. It is just a travesty.

I must say that, as my five-year-old niece and I were walking through my parents' backyard and saw the charred forest and hillside, there were some ferns that had started to sprout back, and she said, 'Sarah, isn't it so good to see nature growing back again?' She's absolutely right, and I think that emphasises the desire for rural and regional Australia to get back on its feet. These towns and communities, who have been so devastated, want to rebuild, to have signs of hope and to invest again in what they do. Often, that is showcasing Australia's beautiful environment and land, not just to us as Australians but to our overseas visitors as well.

Of course, in the midst of these fires, where was the Prime Minister? He'd bugged off on holidays to Hawaii. While Australians battled the flames, the destruction and the horror, the Prime Minister was up drinking some cocktails and having his feet up on the beach. Australians felt abandoned by the Prime Minister in that moment. They felt ashamed that our leadership was missing in action and they felt angry that the Prime Minister had turned his back on them.

Of course, what we've seen since is a game of catch-up from this government, with announcements of money but very little real support getting on the ground. I was in the Blue Mountains the weekend before parliament resumed, last fortnight, to talk to locals there. They are furious that the money is just not getting to the areas where it is needed. The local council in that area's been given only $1 million, despite having the horror fires and the destruction since September. Local businesses are crying out for support, and they don't want to go into more debt to battle through this next six-month period. They don't want to have to face paying double BAS come May. They want the support they need to get back up on their feet. While those ferns are sprouting, and the children and the communities can see that there is hope in these areas, what is the Prime Minister doing? All he's doing at the moment is paying lip service, making it harder and offering false hope.

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (17:09): I am delighted to stand up here today and speak in support, I guess, of the large number of Victorian small businesses, especially those in regional Victoria, that have been affected by the devastating bushfires over the last couple of months. Small businesses are often the lifeblood of our rural and regional communities, and many small businesses in my home state are doing it tough right now. North-eastern Victoria has suffered enormously, especially in the months of December and January, and some 1.2 million hectares of my home state have been burnt. Hundreds of homes have been reduced to ashes, and many small businesses have experienced a loss of property, assets and plants. This loss has been very difficult—very difficult indeed—and many small businesses that have been lucky enough to escape the full force of the flames now face the difficulty of reduced customer numbers.

One great example is the Milawa Cheese Company. Even though the Milawa Cheese Company was not directly impacted by the bushfires, that doesn't mean that this business hasn't been impacted by the bushfires as a result of reduced customer numbers through the front doors. For my colleagues who are not familiar with Milawa cheese, it is some of the finest cheese you will ever find in Australia. January and February are usually Milawa's busiest trading time of the year. But as you can imagine, visitors have stayed away. Time and time again we will find many examples, as we have heard from previous senators and no doubt we will hear from senators to come, of businesses that are really struggling. The Milawa Cheese Company has not enjoyed the sales it might have. In fact, locals in that community have reported around a 90 per cent drop in tourism. A 90 per cent drop is something
that local businesses cannot recover from. A 90 per cent drop in tourism is absolutely extraordinary and will put some small businesses up against a wall. Not only will they lose direct sales as they experience difficulty over the coming months but it will also have an impact on the supply chain all the way, in the case of Milawa Cheese, to the dairy farm gate. There was one small business representative quoted online as saying:

… we are definitely feeling the indirect costs of the absolute loss of tourism at this, our normally busiest time of year. Whilst so many have lost so much more, this is going to have so many long term implications for the local tourism, accommodation and agriculture businesses, even the milk we are getting is telling the tale.

I'm happy to say that companies like Milawa cheese have made the best of the situation. In fact, Milawa is sending its cheese stocks to markets and offering its cheese free in many hampers.

In another example in south-east Victoria, Bruthen is a town that felt the full force of the bushfires. You will find many fantastic local businesses in Bruthen—in particular, Bullant Brewery. Business at Bullant is down 80 per cent compared with last year. However, the beers are still cold and the food is still hot; everything is ready to go. What's the only thing sadder than a pub with no beer? It is a pub with no customers.

These are just two examples of small businesses trying to make the best of a very bad situation. There are hundreds more stories like these from the bushfire-hit regions of Victoria of small business owners trying to pick up the pieces, get back on track, keep paying their employees and keep putting food on the family's table. While we have seen the very worst during this crisis, we have also seen some of the very best. Australians are rallying to support those businesses affected by the fires with movements like 'Empty Esky' and 'Spend With Them'.

Many small businesses have lost their livelihoods through the indirect consequences of fires, such as the blow to tourism during which is usually the busiest time of the year. They continue to face economic uncertainty while they rebuild. The lack of visitors during which is normally a very busy time of the year has had a worse impact on many small businesses than the global financial crisis. While the community rallies behind those affected, government must also step up to ensure these businesses are being supported without delay. The process for businesses to access relief grants and loans promised by this government must be simple and expedient.

Unfortunately, we have heard many businesses crying out for support, as they face obstacles accessing these relief loans promised by the government as part of their small-business bushfire package. The government announced that eligible small businesses can access loans of up to $500,000 if they have suffered significant asset loss or a significant loss of revenue. Labor is concerned that the government's promised package may not be getting to businesses that need it most. Clarity around who is eligible and around the processes for applying for financial assistance is needed urgently. Many businesses across fire affected areas are facing closure if they don't get help right now. Many rely on the summer season to get through for the rest of the year, but that season is almost complete. While we welcome the assistance and the package that was announced by government, we must reiterate how imperative it is that small businesses receive funds to stem a cash-flow crisis.

While some grants and loans assistance processes have started in the last couple of weeks, it is important to note that these bushfires started back in September last year. Businesses need assistance as soon as possible. On the government's very own website, full details for small-business recovery grants and loans in Victoria are not yet available, and this is really unacceptable. 'Coming soon' does not help these businesses. The website also states that there are only 10 financial counselling staff to assist small-business owners, but almost 200,000 businesses have been affected. These businesses need assistance, they should get it from the federal government and they should get it as soon as possible. They can't afford to wait for next month, nor can they wait until the next budget. It has to happen right now. While Australians spend with them, businesses in these communities need to know that this government stands with them.

**Senator MOLAN** (New South Wales) (17:16): We're here today to talk about the vexed subject of support to small business, covering not only what we traditionally know as small business but also agricultural business—many farms being small businesses, many being big businesses. I would just make a comment to Senator Ciccone, who at least spoke—and, to his credit, spoke well—about small businesses. We understand the extraordinary impact these fires have had on businesses, on individuals, and we can mourn the deaths that have occurred within these fires: 33 deaths, including a vast range of people.

But one of the factors that I noticed, listening to the senator speak, was that the New South Wales government very quickly came to terms in detail with the proposition put by the federal government in relation to agricultural packages, small-business packages and many others. I don't know for certain, Senator, but I suspect that the state government who is responsible for delivering the package in Victoria has not yet agreed to the terms. Certainly South Australia and New South Wales agreed to them last week, and the money is flowing out. I think that's a very important thing. The problem, if it's not being delivered in Victoria—I can say this as a New South Wales senator—may be the fact that the state government has yet to agree to the terms and conditions.
My exposure over many years to disasters of this nature has been essentially through the activity of the disaster, whether it be famine, fire, earthquake or tsunami, inside or outside Australia. I've seen up close the tragedy of these bushfires that we all speak about now. I've seen natural disasters and the unnatural disaster of war. I spent 19 days from Christmas Eve travelling around the fire areas, providing support to people and reporting back to our organisation on how to help small businesses, individuals, large businesses, councils and many other people. That's a manifestation of the assistance that we have provided to everyone in these areas.

Senator Hanson-Young forgot the nature of the MPI and merely stepped back into nowhere to criticise Hawaii travels. She forgets that there are three sources of fire. As a rural bush firefighter, as someone who fought these fires for six days and travelled around the firegrounds, I'm fully aware that the source of any fire is fuel. In this case, in many, many areas the fuel load was extraordinarily heavy. The second source of these fires was the availability of oxygen. Because it was hot and dry weather, the source of oxygen was there. The third was the source of ignition. That ignition was certainly there for many, many reasons. What makes small business and everyone else vulnerable is the fact we now live in the bush to an extent that we have never lived in the bush before.

This government is helping small business. It's put out agricultural packages. It's put out small-business packages. It's put out tourism packages. It's put $100 million into clean-up packages, $58 million into support for families, $100 million into smaller business agricultural grants of up to $75,000, $15 million into additional funding for the Rural Financial Counselling Service and $50 million into supporting immediate work to protect wildlife long term. We won't be lectured by Labor or the Greens on this issue. We help small business, and we have traditionally, and we were supported by the voting population in the last election.

Senator WHISH-WILSON (Tasmania) (17:21): Senator Molan knows, probably better than anyone in this chamber, that the most important job of any government is to protect its citizens. This government has failed dismally with this summer's crisis. I'm very glad the Labor Party has brought before us today this discussion on the economic costs of climate inaction. It's not a discussion we often have, especially with this mob on the government side of the chamber. We tend to talk a lot about the impacts of climate inaction on our environment, ecosystems and communities but we very rarely talk about the impact on the economy.

Small businesses in the coastal regions of Victoria and New South Wales and on Kangaroo Island are reeling in the aftermath of these fires. It's not just small businesses in the directly affected regions; I had feedback in Tasmania, both on the east coast and the west coast, in the last week of January that people's businesses, bookings and sales of products had been impacted by these fires as well. It's okay for Senator Birmingham to stand up in question time today to say, 'We've just allocated $76 million to a tourism fund,' but the government have just been caught out spending $150 million on their own private slush fund—straight-up corruption. It is straight-up criminal activity promoting the government's own self-interests, their personal interests and their political interests. How do Australians feel about that? There's also another slush fund we've found out about. That is money we could be spending on our fire-affected communities.

I'm glad we're having this discussion about the economic costs of climate change. The crisis this summer is already predicted to exceed $100 billion in cost terms. Add to that the floods we've seen in recent days from extreme weather events—a new record broken in Sydney for the highest rainfall in a short period of time—the hailstorms here in Canberra and the health effects from smoke inhalation. This cost to the economy—to small businesses, to individuals, to our GDP, to our surplus; however you want to frame it up—is ultimately going to be catastrophic as well. I say to all those people out there who know climate deniers—I know some, especially in this chamber. One just spoke before he left. He said he 'doesn't like to listen to the evidence'—that is a quote directly from Q&A. I say to them: talk to them about the economic cost. A lot of Liberal voters understand economics, the government's own self-interests, their personal interests and their political interests. How do Australians feel about that? There's also another slush fund we've found out about. That is money we could be spending on our fire-affected communities.

The ACTING DEPUTY PRESIDENT (Senator Kitching): I do note that there are approximately five minutes remaining for the matter of public importance. Is there any senator who wishes to speak? Senator Whish-Wilson.

Senator WHISH-WILSON: I will if no-one else is on their feet. We saw this government when they were elected in 2013. Mr Tony Abbott, in one of the most ruthless and cynical political campaigns in this country's history, tore up all the parliamentary work that this parliament has legislated on clean energy, on transitioning our economy and on reducing our emissions. It was on the basis of one slogan: 'Axe the tax'—the cost of living, the cost of taking action on climate.

I ask Australians and especially small businesses out there who are suffering: what is the cost of inaction? If you listen to the best available science—and I know Senator Molan and others on that side don't want to listen to
that science—we're on track for much worse in the future of this country if we don't reign in emissions and we don't show global leadership. This summer has to demonstrate to us that we are one of the most vulnerable countries in the world to extreme weather events from a changing climate, from a climate crisis. Australia stands to lose so much if we don't act.

While we have these unprecedented fires and we have these devastating impacts on small businesses in our communities, what do we get from this parliament? Today we got some stupid, hysterical debate in the other place about funding a coal-fired power station—government funding, taxpayers funding a coal-fired power station. On one hand this government wants to put in money to prop up a dying coal industry with its stranded assets for its own short-term, cynical political purposes, and on the other hand they take $76 million of taxpayers' money and give it to small businesses who have lost their livelihoods from these catastrophic fires, from these extreme weather events. The hypocrisy in this is actually sickening.

Australians want to see both chambers of their parliament, the House and the Senate, come together, put their political differences aside and act on climate change. While we can be kind and give public funds to small businesses, to farmers and to individual communities—while we can donate personally through philanthropy—the kindest and most honourable thing we can do, the highest possible honour we can give our fireys, those who lost their lives and those who have been impacted, is actually taking the threat of climate change seriously and mitigating the risks, doing what is essential. If we want to make sure that we don't see more disasters, more crises, more sadness, more heartbreak in future summers of this country in places like the east coast of Australia, in Western Australia, in South Australia, in Tasmania and, indeed, in the Northern Territory, we need to do something.

I am bitterly disappointed that in this week that we've been back to parliament, we're back to the same old tricks, the same old debates, talking about how we can prop up coal-fired power stations, rubbing our hands together gleefully about new coalmines, pushing ahead with offshore oil and gas development, fracking, and seismic blasting in Lake Macquarie in New South Wales. When is it going to end? When are we going to wake up and realise that we're at this time in history where we need to take strong, decisive action? We need to take radical action to curb emissions. We need to take the strongest possible action to act on climate change.

We have no time left. The time to transition to gas, to go to the middle ground, was 20 or 30 years ago. So I say acting on climate is the best thing we can do for small businesses and our communities around this country.

The ACTING DEPUTY PRESIDENT: The time for the discussion has expired.

DOCUMENTS
Consideration

The following documents were considered:
Documents presented by the President
1 Australian bushfires—Extract from the proceedings of the Rajya Sabha, India, dated 3 February 2020.
Government documents
2 Advance to the Finance Minister—Report on advances provided under the annual Appropriation Acts for 2018-19.
Responses to Senate resolutions
4 Rural Hardship Education Fund—Resolution of 17 October 2019—Letter to the President of the Senate from the Minister for Education (Mr Tehan), dated 7 February 2020.

COMMITTEES
Rural and Regional Affairs and Transport Legislation Committee

Additional Information

Senator DAVEY (New South Wales—Nationals Whip in the Senate) (17:31): On behalf of the Chair of the Rural and Regional Affairs and Transport Legislation Committee I present additional information received by the committee on its inquiry into the Farm Household Support Amendment (Relief Measures) Bill (No. 1) 2019.

Community Affairs References Committee
Report

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:32): I present the interim report of the Community Affairs References Committee on Centrelink's compliance program, and I move:

That the recommendation of the report be adopted.
The Community Affairs References Committee has decided to table this interim report because, in the course of a hearing on 16 December—specifically into what had happened with robodebt and the fact the government had suspended the operation of aspects of the robodebt program—a claim for public interest immunity was received. The committee considered this particular matter. The claim for public interest immunity was then claimed at the hearing and the minister subsequently wrote to us on 24 January. On 24 January we received correspondence from the Hon. Stuart Robert MP, Minister for Government Services, concerning questions taken on notice at that particular hearing. It related to legal advice sought and received in relation to the compliance program. This was, as I think the chamber will understand, very, very important to the process that we are going into to look at the compliance program and its impacts.

The minister set out a claim for public interest immunity in relation to the confidential legal advice and the details surrounding any such advice, including the frequency at which the advice had been sought, the source of any such advice and the dates it may have been provided. This is very important advice, because we need to know when the government sought advice, how many times they did and how long they had known that, in fact, it wasn't legal—that some of these debts weren't legally raised. This is very important information to the community.

The committee considers that the correspondence outlining the minister's claim, which appears to be made on the grounds of legal professional privilege and prejudice to legal proceedings, does not sufficiently justify that the provision of this information to the committee could cause harm to the public interest. The Senate has rejected government claims that there is a longstanding practice of not disclosing legal advice. Legal advice to the Commonwealth government is often disclosed by the government itself, and we referenced that in our report. The committee notes that the minister's claim that disclosure of the information may materially affect the Commonwealth's position in the proceedings of a class action currently before the federal government. However, the committee is not satisfied that the minister's correspondence explains the specific harm to the public interest that could result.

The committee also notes that the minister's correspondence does not conform with the requirements of public interest immunity claims under procedural order 10(4), as it fails to address whether the perceived harm to the public interest could result only from the publication of the information, or could result equally, or in part, from in-camera disclosure to the committee. As a result, the committee has resolved that the minister's claim for public interest immunity does not specifically justify withholding the information requested by the committee.

The committee considers that the requested information is vital evidence for the inquiry into Centrelink's compliance program as it goes to the legal foundation of the program and its administration. We—and I—are deeply concerned to ensure that we get access to this information in order for us to understand the basis on which this robodebt program is claimed. At the hearing on the 16th, it was extremely difficult to get the information that we required and an understanding of what was going on.

It became very clear that the government was still in the process of working out what it was going to be doing with the robodebt program, with the debts that have now been frozen and the extent to which it applies. It's not as simple as just saying, 'It applies to all debts that were based on the averaging process,' because some debts have both averaging and people have been able to provide payslips for certain areas. So we understand that it's an extremely complex issue here. But the community has a right to know, given also that last week the committee released the email trail of correspondence from the ATO about garnisheeing these debts under the online compliance program. Those are available on our website and they go through the correspondence to the ATO about the fact that it does not appear these debts due to the Commonwealth. In other words, they're not legally valid. This is very important information that we released on the committee website last week as well.

We need to understand when the government first knew about these particular debts, when they acted and under what circumstances they received that legal advice. So that's why I've moved that the recommendation contained in the report be adopted:

The committee recommends that the Senate adopt the following resolution requiring the production of documents: …

We're requiring that, and we hope that this resolution is passed. It requires:

That there be laid on the table by the Minister representing the Minister for Government Services no later than 10 am on 24 February 2020, responses to all questions placed on notice by Senators Siewert and O'Neill relating to legal advice and Centrelink's compliance program.

I won't go through the documented list, but there's a list of specific requests that have been made so that the committee can get access to the information it needs to complete its inquiry into Centrelink's compliance program.

This is of vital interest to the committee but it's also, importantly, of vital, vital interest to the community in Australia, because people are watching this inquiry and watching what's going on with robodebt very closely,
because it affects so many of them so deeply and personally. People don't know what's going on. They don't know if they're going to have to pay their debt. They don't know if they're going to get the money they've already paid repaid. It is a big mess and it is the responsibility of government to help—they made the mess! We need to make sure it's now sorted out as a matter of urgency. This legal advice will help us in our deliberations.

**Senator McCarthy** (Northern Territory—Deputy Opposition Whip in the Senate) (17:39): I'd like to take this opportunity to speak to the Senate Community Affairs References Committee report entitled *Centrelink's Compliance Program Interim Report*. This interim report has been delivered to expose the ongoing cover-up of the robodebt scandal by this government. It informs the Senate of an assertion made by the Minister for Government Services for a claim of public interest immunity on grounds of legal professional privilege set out in a letter sent to the committee on 24 January. The committee voted to make this letter public because it grossly mischaracterises the mechanism of public interest immunity and represents the continuing prerogative of the Liberals to avoid scrutiny, shirk responsibility and cover up their unlawful ideological motivated war waged on social security recipients.

The committee also resolved to make public answers to questions on notice, including an email exchange between departmental council which proves that this government knows the robodebt scheme was illegal. These prove government knowledge of robodebt's illegality. It is impossible that the Morrison government could not be aware their robodebt scheme is illegal because the Federal Court last year handed down orders from the government in the matter of Amato, conceding there was no legal basis in the Social Security Act for income averaging to be used as the sole proof to raise a debt. The government also know it is illegal because, in a knee-jerk response to these developments, last year they pulled the plug on the use of averaging and froze debts already tainted by the algorithm. Although Minister Stuart Robert would have you call it a 'refinement' of the scheme. Removing averaging as the sole proof point effectively ended robodebt as we know it, and it's a clear concession they were caught red-handed targeting vulnerable Australians without legal mandate.

In response to the report findings, Labor is calling on this government to come clean that a mistake was made, and admit it acted unlawfully, apologise to those affected by this harsh and inaccurate program, pay back the money to people from whom it unjustly enriched itself and detail the program for repayment.

The committee report also recommends that the Senate adopt the following resolution requiring the production of documents: that there be laid on the table by the Minister representing the Minister for Government Services no later than 10 am on 24 February 2020 responses to all questions placed on notice by my colleague Senator O'Neill and also by Senator Siewert relating to legal advice and Centrelink's compliance program. This includes but is not limited to questions about meetings and/or briefings between the minister and Services Australia in relation to the current legal proceedings regarding Centrelink's compliance program; frequency and dates of legal advice obtained by Services Australia from the Solicitor-General, the Australian Government Solicitor, departmental lawyers and external counsel and all solicitors in relation to any aspect of the compliance program; specifically, whether a debt or debt components are able to be founded on extrapolations from Australian Taxation Office records; legal advice about the lawfulness of debt or debt components solely based on the extrapolations from Australian Taxation Office records; legal advice in relation to liability for the death of any Australian who received a debt notice under the compliance program; and the cost of legal advice in relation to the compliance program.

These documents must be made available so the Australian public can learn the truth about the robodebt scandal, which has so far inflicted untold harm on struggling Australians, including 2,000 people dying after receiving a robodebt notice. It also includes taking money from 73 estates of people who had died, totalling $225,000; a systemic culture of cover-up with Centrelink never appealing judgements at AAT level 2 where the reasons for a decisions are public; taking up to 553 days to settle a decision at the tribunal and allegedly intimidating robodebt victims out of appealing their cases; using a company owned by debt collection agency Panthera, which was pursued by the ACCC, for unduly harassing consumers over electricity and phone company debts they did not owe; targeting disability support pensioners with robodebts to the value of $7.7 million throughout 2018-19, up from $2.3 million in 2017-18, an increase of 230 per cent; and considering a proposal to expand the scheme to pensioners and people with vulnerability indicators to fill a $600 million shortfall in the government's surplus savings target.

The government clearly knows the scheme was illegal, so why does it continue to spend taxpayers' money fighting litigation against Gordon Legal in the Federal Court? The matter of Amato had interest applied to the repayment of her illegally recouped debt. How much will the government run up the interest bill on the thousands of other robodebts while they try and run out the clock on the class action? Australians have had enough of mopping up the Liberals' mistakes. They should just admit they were wrong, pay the money back to people and apologise.
Senator ASKEW (Tasmania) (17:46): As Deputy Chair of the Community Affairs References Committee, I rise to make a brief contribution to this interim committee report. The government senators on the Community Affairs References Committee, Senator Hughes and I, do not support the Senate Community Affairs References Committee interim report into Centrelink’s compliance program as presented by the Australian Labor Party and Australian Greens senators.

It has been the longstanding practice of successive Australian governments of both political persuasions not to disclose the fact or content of privileged legal advice. In fact, a former ministerial colleague of many on the committee in the Rudd-Gillard-Rudd government back in 2011, Senator Joe Ludwig, told Senate estimates that he would refuse to provide the Labor government’s legal advice for the exact same reason:

… can I say that it has been a longstanding practice of both this government and successive governments not to disclose the content of advice.

Similarly, this practice has previously been outlined by another Labor luminary and former Hawke-Keating government Attorney-General, the Hon. Gareth Evans QC, who told the Senate in 1995:

Nor is it the practice or has it been the practice over the years for any government to make available legal advice from its legal advisers made in the course of the normal decision making process of government, for good practical reasons associated with good government and also as a matter of fundamental principle.

Finally, the Hon. Philip Ruddock MP stated to the House of Representatives in 2004:

It is not the practice of the Attorney to comment on matters of legal advice to the Government. Any advice given, if it is given, is given to the Government.

Questions that go to the timing of legal advice, the amount of legal advice, and issues the government may have sought legal advice on are appropriately matters for the subject of a public interest immunity claim. As the Attorney-General has stated publicly: ‘The government frequently obtains legal advice. However, the content of that advice is privileged and not the government’s practice to discuss any legal advice that may or may not have been received.’ As the Senate is also aware, aspects of the income compliance program are currently before the Federal Court, including through a class action that was filed on 19 November 2019. Even the lawyers for the class action agree that government’s legal advice is privileged, telling the ABC last week: ‘As I understand the law, they are still entitled to client privilege and to prevent this unless they take a different position in court from being educed in the legal proceedings.’ The government will not be releasing the legal advice and will let the court process proceed without political interference.

Senator O’NEILL (New South Wales) (17:49): I rise to make a contribution to this important tabling of a very significant report. It’s only short, but it goes to the very heart of what’s really wrong with this government. The debate is about two things. It’s about robodebt and the reports about that, because that’s a substantive issue. It’s about a government that is absolutely dedicated to covering its dodgy tracks.

With respect to Senator Askew, who is a hard worker for the people of Tasmania, she’s been sent in here to put out a claim that governments don’t release legal information. Australian people, all 900,000 of them who got letters, have a public interest in what’s going on here. The government, when they make a public interest immunity claim, are saying that it’s not in the public interest that this should come out. It matters to 900,000 Australians who got a letter, many of whom just paid without question because they were confident that no government of any integrity would do the sort of thing we have seen this government do. It’s now being considered by the legal fraternity to be an illegal action without basis. The averaging that this government has undertaken is obscene, and the consequences are devastating.

Let’s be clear: Minister Robert refuses to release this legal advice so he can continue his disgraceful scheme. He says—and Senator Askew is trying to argue—that Australian governments have no precedent in releasing legal advice. That’s plain wrong. It’s utterly, utterly wrong. In 2011, Prime Minister Julia Gillard released the Solicitor-General’s advice on offshore processing. In 2007, immigration minister Kevin Andrews released advice in relation to Dr Haneef’s visa cancellation. The current Attorney-General, Christian Porter, released advice on the eligibility of Mr Dutton in 2018. So it does not pass the pub test. This is a cover-up of a gross failure of governance by the Liberal-National government. And they’re now trying to protect their own skin.

We know that these robodebt notices have led to people suffering all kinds of trauma and ignominy. They have been barred from travelling. People have been hounded outside by debt collectors. People have had their tax returns garnished. People have had their loan applications rejected. And that is just the tip of the iceberg. I recall reading the heartbreaking tragedy of a Melbourne musician and florist by the name of Rhys Cauzzo, who said the aggressive debt collection of $18,000 by Centrelink—a letter arriving from the government saying, ‘You owe us $18,000’—nearly pushed him over the edge. That’s what he said. Sadly, Rhys did take that fatal step: he suicided in 2016. What an appalling and utterly preventable loss of life—by a heavy-handed, hard-hearted government
that, even in the light of that kind of evidence, continues to want to hide the truth from the Australian people whom it has so cruelly attacked.

Government should be about the empowerment of the citizen—support and enablement—not taking every opportunity you can to shove people down. Government should be about ensuring the dignity of ordinary Australians, not robbing them of their innocence, not hounding them with fake and false debts which you had no authority to establish in the first place. It's very important that the legal advice that this government got is actually made known to the public so that this matter can be resolved and this government can be called to account.

At the end of last year, when Senator Siewert and I asked questions, to give a sense of the scale of this problem, I asked: 'What's happening in the department about finding out about these debts? What's going on with robodebts?' And after they had received the advice, after the court case had come down and they had to concede that something might be going wrong, the department, which consists of 1,500 hardworking Australian people, was carved apart; and half of that workforce that should be out looking after Australians—750 people—was allocated the task of trying to clean up the government's robodebt mess. No wonder they want to hide the documents. No wonder they want to use any trick they can to try and pull the wool over Australians eyes. Well, 900,000 Australians have seen what this government's like and 900,000 Australians deserve to see the evidence of the legal advice that they receive. This government needs to be held to account for a shameful episode of exploitation of Australian people.

Question agreed to.

DOCUMENTS

Community Sports Infrastructure Grants Program

Order for the Production of Documents

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (17:55): I table documents relating to order for the production of documents concerning the Community Sports Infrastructure Grants Program.

COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Faruqi) (17:56): The President has received letters requesting changes in the membership of various committees.

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (17:56): I move:

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

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—
Discharged—Senator Stoker
Appointed—Senator Scarr

Community Affairs Legislation Committee—
Discharged—Senator Hughes
Appointed—Senator McLachlan
Participating member: Senator Hughes

Community Affairs References Committee—
Appointed—Participating member: Senator McLachlan

Economics Legislation Committee—
Appointed—Participating member: Senator McLachlan

Economics References Committee—
Appointed—Participating member: Senator McLachlan

Environment and Communications Legislation Committee—
Appointed—Participating member: Senator McLachlan

Environment and Communications References Committee—
Appointed—Participating member: Senator McLachlan

Finance and Public Administration Legislation Committee—
Appointed—Participating member: Senator McLachlan

Finance and Public Administration References Committee—

CHAMBER
Appointed—Participating member: Senator McLachlan
Foreign Affairs, Defence and Trade Legislation Committee—
Appointed—Participating member: Senator McLachlan
Foreign Affairs Defence and Trade References Committee—
Appointed—Participating member: Senator McLachlan
Human Rights—Joint Statutory Committee—
Discharged—Senator Chandler
Appointed—Senator McLachlan
Legal and Constitutional Affairs Legislation Committee—
Appointed—Participating member: Senator McLachlan
Legal and Constitutional Affairs References Committee—
Appointed—Participating member: Senator McLachlan
Rural and Regional Affairs and Transport Legislation Committee—
Discharged—Senator Gallacher
Participating member: Senator Sheldon
Appointed—Senator Sheldon
Participating members: Senators Gallacher and McLachlan
Rural and Regional Affairs and Transport References Committee—
Discharged—Senator Gallacher
Participating member: Senator Sheldon
Appointed—Senator Sheldon
Participating members: Senators Gallacher and McLachlan.

Question agreed to.

BILLS

Student Identifiers Amendment (Enhanced Student Permissions) Bill 2019

First Reading

Bill received from the House of Representatives.

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (17:56): I move:
That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Second Reading

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (17:57): I move:
That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

The Student Identifiers Amendment (Enhanced Student Permissions) Bill 2019 (the Bill) expands the range of entities that may request access to an individual’s authenticated vocational education and training (VET) transcript. It also: creates a civil penalty and infringement notice regime, clarifies the Student Identifiers Registrar’s power to grant an exemption to the requirement to hold a student identifier and clarifies spending powers associated with the Student Identifiers Special Account.

Third-party access to authenticated VET transcripts

The nature of work in Australia is changing. Australia’s capacity to grow, compete and thrive in a global economy has become more dependent on employers and all individuals, regardless of background or circumstance, being able to access and use the right skills at the right time.

The Australian Government is strengthening our VET system to be a modern, flexible and trusted sector that provides an excellent standard of education and training. A strong vocational education and training sector is critical to our economy and to helping prepare Australians for the workforce opportunities of today and the future.
This Bill supports transparency for employers looking to verify VET their employees or potential employees have undertaken.

An authenticated VET transcript includes information about any VET courses, modules or units of competency undertaken by an individual after 1 January 2015.

Since the activation of authenticated VET transcripts, employers, employment individuals with a student identifier can access their national training record in the form of an authenticated VET transcript through the student identifiers transcript service. The student identifier helps students to keep track of the skills they have acquired and to share that information with employers. Over 1.3 million training participants have accessed their transcripts since the service became available in May 2017. Industry has indicated that combining an individual's VET information into one document has saved time for businesses.

Although individuals set access controls at present, they can only give access to a registered training organisation or a VET-related body.

The Bill enables this student-controlled access to transcripts to be extended to businesses, recruitment agencies, licensing bodies, and other third parties.

This change provides confidence to industry on the authenticity of VET qualifications and reduces regulatory burden for the individual and third parties. For instance, streamlining recruitment processes and reducing the costs to businesses, small, medium and large, and other bodies that rely on individuals having the right credentials.

These arrangements also reduce the risk of individuals tampering with their transcript before providing it to an employer.

While the amendments proposed by the Bill will enable a broader range of entities to request access to an individual's authenticated VET transcript, individuals' privacy will remain protected. In particular, individuals will retain the authority to set the access controls for their stored authenticated VET transcript. This includes setting the period that an authenticated transcript can be viewed as well as the removal of access to their stored authenticated VET transcript at any time.

A Privacy Impact Assessment was conducted for this initiative. All recommendations have been agreed to and are being implemented.

Civil penalty provisions

The Bill introduces a civil penalty regime to protect the integrity of the student identifiers initiative and to act as a deterrent to fraudulent behaviours in the sector, relating to authenticated VET transcripts and student identifiers.

The amendments will enable the Student Identifiers Registrar to commence civil penalty proceedings or to issue infringement notices in respect of:

- knowingly applying for more than one student identifier
- applying for a student identifier on behalf of an individual without their authorisation
- altering authenticated VET transcripts and extracts of authenticated VET transcripts and
- making a false document purporting to be an authenticated VET transcript or extract.

An accessible, high quality VET sector that is responsive to industry needs will give Australians the chance to succeed, to build a career and fulfilling life for themselves and their families.

Exemptions given by the Student Identifiers Registrar

An estimated 4 million Australians build and enhance their skills by undertaking vocational education and training every year. All individuals undertaking nationally recognised training need to have a student identifier issued by the Student Identifiers Registrar. This includes individuals enrolled in a VET course while completing their secondary school studies. Over 10 million student identifiers have now been created.

The Bill makes it clear the Student Identifiers Registrar has the power to determine, by exemption, whether a VET qualification or VET statement of attainment can be issued by a registered training organisation, to an individual who does not have a student identifier.

To ensure they do not unknowingly miss out on the benefits of having a student identifier, the individual will need to declare they understand the consequences of not being assigned a student identifier in their application to the Student Identifiers Registrar, including being unable to generate an authenticated VET transcript.

Other amendments

Further minor amendments clarify the Student Identifiers Registrar's powers to spend in relation to the purposes of the Student Identifiers Special Account. This will ensure efficient administration of the student identifiers scheme.

To remove ambiguity about sharing information with law enforcement bodies, the Bill notes that the Student Identifiers Registrar can disclose information in an authenticated VET transcript in accordance with Australian Privacy Principle 6. APP 6 permits disclosure for enforcement related activities.

Conclusion
A strong VET sector will provide positive economic and social outcomes, and will encourage more students to choose VET as a pathway to a rewarding and exciting career. This will support millions of Australians to obtain the skills they need to participate and prosper in the modern economy.

Closing information gaps and improving the transparency of the training sector will increase confidence in VET and make more information available to training consumers, industry, registered training organisations, regulators and governments.

The ability for employers, employment agencies, and state, territory and Commonwealth licensing bodies to verify an individual’s academic record will increase transparency of the VET sector and reduce regulatory burden during employment recruitment exercises and funding requests, making it easier to verify VET qualifications. This initiative will provide confidence to industry on the authenticity of VET qualifications while keeping information under the control of the individual.

I commend the Bill.

Debate adjourned.

Treasury Laws Amendment (Recovering Unpaid Superannuation) Bill 2019
Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Senator McALLISTER (New South Wales) (17:57): Our superannuation system is a significant national achievement. It sits alongside Medicare, the Pharmaceutical Benefits Scheme and the NDIS as something that has made our nation stronger, and it makes Australians proud. Unfortunately, unpaid super has become a huge problem. It impacts on workers right across Australia. Industry Super Australia modelling shows that workers are losing $5.9 billion per year in unpaid superannuation. More than 91 per cent of Australians strongly support the superannuation system. The Australian people know that super is part of a worker's pay and conditions, and every worker deserves to receive the superannuation that they're entitled to.

The proposed Treasury Laws Amendment (Recovering Unpaid Superannuation) Bill contains a single schedule that would provide for a one-off 12-month superannuation guarantee amnesty for employers who have not paid their required superannuation guarantee contribution over the past 26 years. Labor strongly disputes the need for an amnesty for unpaid superannuation guarantee entitlements. On 19 December, the Senate referred the provisions of the bill to the Economics Legislation Committee for inquiry. The inquiry uncovered a distinct lack of stakeholder advocacy for the amnesty. This is not a bill that has a lot of love. In fact, what stakeholders told us was that there are concerns that the amnesty could be counterproductive to broader compliance effort.

This bill totally misses the mark. It fails to address the unpaid super issue. Rather than increasing penalties for employers who don't pay their workers, for example, the government wants to give them a free pass. Why? On what basis? What's the rationale? The academic literature on the effect of amnesties is mixed. Recent work from the International Monetary Fund suggests that amnesties may be counterproductive and reduce further compliance, particularly if amnesties become a regular occurrence and employers assume that they just have to wait for the next one to come along.

During the Senate inquiry, Treasury confirmed that $230 million is expected to be brought forward under the amnesty—a very small amount when you consider this is to cover a 26-year period which, according to Industry Super's modelling, might see as much as $5.6 billion underpaid to workers. The ATO has a more conservative estimate. Their estimate is that the gap is $2.8 billion not being paid to workers over 26 years. Even accounting for inflation, nominal rates et cetera, $230 million is a very, very, very small amount to be recovering from this paltry measure. The grandly titled 'Recovering Unpaid Superannuation' bill doesn't go anywhere near that task.

Treasury officials also confirmed that the inclusion of tax deductibility for payments under the amnesty is intended to be a further driver of encouraging better behaviour from employers. Think about what that means. It means that unscrupulous employers will get a tax break when they finally own up for having done the wrong thing. Businesses who do the wrong thing and steal from workers should pay the price for that misconduct. They should not get a tax break. Usually when employers don't meet their superannuation guarantee obligations they can be liable for penalties or charges. Under the government's proposed amnesty the administration component of the superannuation guarantee charge, and the penalties, would be waived.

If you are an employee and you steal from your employer, you have the book thrown at you. The police will come around to your place. But, under this government's plan, if you are an employer and you want to steal from an employee, no worries, so long as you say sorry. We establish an entirely different rule for employers who steal deferred wages from employees. It is not right and it is not fair. An amnesty for employers who have stolen guaranteed superannuation payments from their employees is outrageous and sends the wrong message that wage theft is acceptable. The bill doesn't penalise wage theft; instead it rewards it. Furthermore, it punishes employers who do the right thing, by allowing their competitors to gain a competitive advantage through noncompliance.
The government's key justification for this bill is that some businesses unintentionally underpay their workers' super. They claim that businesses are too busy, forget or simply don't know that they're required to pay superannuation. It's argued that this is essentially just a kind of maladministration, a mistake. If it's just a mistake, if it's not a deliberate strategy, if it's not a part of the business plan, then why aren't we dealing in equal measure with a superannuation overpayment crisis? I asked about this in the inquiry. Could anyone point me to employers who are finding it very difficult because they had accidentally overpaid their employees their superannuation? Nobody could point to that circumstance, because that is not the dynamic in workplaces and not the dynamic in the market. This is not just maladministration; this is wilful disregard of entitlements that are owed to working people, and it has real consequences. People suffer real hardship when super is not paid.

I want to point of the specific consequences for women. For many women the superannuation guarantee is their only source of superannuation savings. They're not working in jobs where they're stashing away a lot of extra, and nonpayment leaves women facing even greater insecurity in retirement, even greater risk of poverty, housing stress and homelessness.

Every day we hear of another company underpaying their workers, and these stories have real impacts on real people—people like Pamela, who has only $3,000 in her superannuation account after a 20-year career as a chef. Her last job, at Alimentari cafe, paid her cash in hand below the minimum wage with no super. Anna Langford was one of nine staff who was paid less than the minimum wage and therefore underpaid superannuation. When she complained, her shifts were cancelled and she was threatened with a lawsuit. They are workers like Jason, who for the entirety of his employment with a construction company in regional New South Wales was not paid superannuation. After a court decision, he was awarded $30,000 in wages and nearly $7,000 in unpaid superannuation. These stories aren't uncommon, but this bill provides no meaningful remedy for any of those cases.

There are alternatives. One obvious alternative would be to include a right to superannuation within the National Employment Standards—a right which would give employees the power to pursue their unpaid superannuation contributions. Labor intends to introduce amendments to do this.

Currently, unpaid or underpaid employer superannuation contributions are a debt owed to the Australian Taxation Office rather than to a worker. Unless there is a clause in their award or their agreement, workers can't chase this money. It is not technically owed to them. Workers who lodge claims with the ATO may not see action for months, years or at all, with very little information given as to why. The ATO is restricted in the information it can provide workers, so it doesn't share the details of payment plans, nor does it allow anyone to contest employers' claims should they say that they do not have the capacity to repay in a reasonable time. By placing superannuation within the National Employment Standards in the Fair Work Act, all employees would be empowered to recoup unpaid super from employers through the Fair Work Commission or through the Federal Court.

Workers and their unions should have this right. They should have the right to pursue unpaid superannuation as an industrial entitlement and they should have the ability to inspect records of payment. If the government were serious about unpaid super, they would support this amendment. They would ensure that superannuation provisions are in the National Employment Standards and they would allow workers to enforce their rights at work.

This government, as has been more than obviously on display this week, has no plan for the economy, no plan for wages and no plan for Australia. The only plan they have—and it's the plan before us—is to give businesses who do the wrong thing and steal from workers a tax break. Australia's super system is the difference between poverty and a decent, dignified retirement for many people, and it has real consequences. People suffer real hardship when super is not paid.

Senator RENNICK (Queensland) (18:08): I rise to speak on the Treasury Laws Amendment (Recovering Unpaid Superannuation) Bill 2019. Of all the rorts that exist in this country, nothing compares to superannuation. With $3 trillion under management, $40 billion in tax concessions to the wealthiest 20 per cent of the population, $34 billion in management fees for shuffling paper and $600 billion invested offshore, superannuation is devouring the real economy. Furthermore, it is completely undemocratic. Why? Because no party ever took the $34 billion in management fees for shuffling paper and $600 billion invested offshore, superannuation is devouring the real economy. Furthermore, it is completely undemocratic. Why? Because no party ever took the $3 trillion under management, $40 billion in tax concessions to the wealthiest 20 per cent of the population, $34 billion in management fees for shuffling paper and $600 billion invested offshore, superannuation is devouring the real economy. Furthermore, it is completely undemocratic. Why? Because no party ever took the $3 trillion under management, $40 billion in tax concessions to the wealthiest 20 per cent of the population, $34 billion in management fees for shuffling paper and $600 billion invested offshore, superannuation is devouring the real economy. Furthermore, it is completely undemocratic. Why? Because no party ever took the $3 trillion under management, $40 billion in tax concessions to the wealthiest 20 per cent of the population, $34 billion in management fees for shuffling paper and $600 billion invested offshore, superannuation is devouring the real economy. Furthermore, it is completely undemocratic. Why? Because no party ever took the $3 trillion under management, $40 billion in tax concessions to the wealthiest 20 per cent of the population, $34 billion in management fees for shuffling paper and $600 billion invested offshore, superannuation is devouring the real economy. Furthermore, it is completely undemocratic. Why? Because no party ever took the $3 trillion under management, $40 billion in tax concessions to the wealthiest 20 per cent of the population, $34 billion in management fees for shuffling paper and $600 billion invested offshore, superannuation is devouring the real economy. Furthermore, it is completely undemocratic. Why? Because no party ever took the $3 trillion under management, $40 billion in tax concessions to the wealthiest 20 per cent of the population, $34 billion in management fees for shuffling paper and $600 billion invested offshore, superannuation is devouring the real economy. Furthermore, it is completely undemocratic. Why? Because no party ever took the $3 trillion under management, $40 billion in tax concessions to the wealthiest 20 per cent of the population, $34 billion in management fees for shuffling paper and $600 billion invested offshore, superannuation is devouring the real economy. Furthermore, it is completely undemocratic. Why? Because no party ever took the $3 trillion under management, $40 billion in tax concessions to the wealthiest 20 per cent of the population, $34 billion in management fees for shuffling paper and $600 billion invested offshore, superannuation is devouring the real economy. Furthermore, it is completely undemocratic. Why? Because no party ever took
SENATE

Tuesday, 11 February 2020

Labor have a hide to talk about sports rorts when they are defending the biggest rort in town. The amount of money in super—around $3 trillion—is about 50 per cent bigger than Australia's GDP or the amount of money invested in the stock exchange. Despite this, superannuation works against so many parts of our communities. Our drought-affected regions are drained of money at a time when they need it most. How much of the money sent to the cities from the regions actually gets sent back to the regions? It is next to nothing. These communities need every last cent of income now, today, not sometime decades down the track. Why are rural communities that have no money reinvested into their communities by super funds subject to compulsory superannuation? That sucking sound is the sound of people having their pockets siphoned. I thought we were supposed to be a free country with free markets. Superannuation makes a mockery of that.

Superannuation also discriminates against stay-at-home parents; if Senator McAllister were here, I would point out that they are mainly women. Why should stay-at-home parents miss out on superannuation concessions because they have decided to raise their children and, like many are, be heavily involved in the school community? Having been a stay-at-home parent, I can tell you how important it is to have parents involved in the school community. Our teachers can't educate our children by themselves. Our schools rely on stay-at-home parents to man the tuckshops, run the fetes and help out on sports days. Stay-at-home parents can also help with aged care by keeping an eye on their parents, which in turn will relieve the pressure on our aged-care sector. Being a stay-at-home parent is also good for parents themselves. Really, do you really want to drink someone else's Kool-Aid all your life? I fail to see the logic or fairness of such a policy that punishes people for being involved in the community. Superannuation doesn't even help people on low incomes; in fact, it taxes people's income when their income is below the tax-free threshold. They end up paying 15 cents in the dollar when they normally wouldn't pay anything at all.

Why doesn't Labor stand up for low-income earners? Because trade union-owned industry super funds today effectively compensate unions for the ill effects of their collapsing memberships. Just when the rivers of gold that sustained the trade union movement for decades have slowed to a mere trickle, following a crash in union membership and lost fees, compulsory superannuation has today turned those golden streams into a virtual tsunami of cash. Therefore, perversely, at a time when trade union membership is at historic lows, especially in the private sector industry, unions' bank balances and the amounts they can afford to donate to the Labor Party have never been healthier—and it's all down to super. If trade unions really were the champions of the working class that they pretend to be, then, rather than simply passing buckets of cash to the Labor Party, they would abolish super today and let Australian workers keep their money. At the very least, superannuation should be voluntary, not compulsory. This is a view that I'll be putting to my colleagues for serious consideration. My own internal polling suggests it is a view shared by many, both here in this chamber and in the other place.

At the end of the day, super isn't working. When it was introduced in 1992, around 75 per cent of Australians got some form of the pension. Today it's closer to 68 per cent. Given tax concessions cost the budget around $40 billion, wouldn't it cost a lot less and be much more equitable to pay the pension to everyone, including stay-at-home parents, low-income earners and people in the regions? The false economy of all this, however, is that the number of people aged between 55 and 65 retiring with a mortgage has risen from 10 per cent in the mid-nineties to around 40 per cent today, and the number of people retiring without a mortgage has dropped from 70 per cent to around 40 per cent today. What do people now do when they retire? They cash in their super as a lump sum, pay off their mortgage and then go on the pension. In other words, superannuation is a false economy. It's an expensive false economy of all this, however, is that the

Fair is foul, and foul is fair.

Hover through the fog and filthy air.

The aim of this bill is to improve the quality of people's retirements by having their full superannuation entitlement paid to their nominated super fund. This bill provides a one-off amnesty to employers who choose to disclose historical noncompliance. This is done by reducing the penalties imposed on employers who take up this amnesty and pay an additional charge imposed in relation to the disclosed shortfall. In order to incentivise this self-reporting, employers who qualify for the amnesty will face lower penalties than usual. The amnesty period will be backdated to commence on 24 May 2018 and will expire six months after this bill becomes law. The payment period covered by the amnesty is July 1992 and all subsequent quarters up to and including the third quarter of 2017-18, ending on 31 March 2018. No employer will be able to benefit from the amnesty for a superannuation shortfall that relates to subsequent quarters from 1 April 2018. Essentially, the amnesty is designed to address historical noncompliance only and is not available for behaviour that occurred after it was announced.
To further incentivise the take-up of the amnesty offer and return super entitlements to workers as quickly as possible, employers will also face higher minimum penalties should they fail to come forward during the amnesty period. It is the object of this bill to ensure that any employer who chooses to roll the dice on historical noncompliance by ignoring the amnesty will receive a far greater penalty than would otherwise be imposed. It must be made clear that this amnesty is not a free pass; it is a powerful incentive for employers—who, whether by accident or design, have failed to pay guaranteed entitlements to employees—to pay those entitlements in full as quickly as possible.

The Australian superannuation industry has noted in a submission to the inquiry to consult on this bill that since the amnesty was announced on 24 May 2018 there's been a substantial increase in business paying outstanding superannuation guarantee contributions. The evidence is clear: this bill stands to make, by Industry Super's own estimate, up to 2.85 million workers better off. In the face of such a significant benefit to so many hardworking Australians, how could this chamber, right down to the last senator, with a clear conscience not support this bill? Those opposite who aim to block this bill should think again or hang their heads in shame.

This bill further complements the Morrison government's package of reforms to improve super guarantee compliance through improving the visibility of superannuation guarantee payments to the Australian tax office, introducing stronger penalties for noncompliance and ensuring more reliable collection liabilities for unpaid superannuation guarantee in the future. Australian workers want this bill passed. I commend the bill to the Senate.

Senator SHELDON (New South Wales) (18:16): I've been listening to a number of the representations from the government on the Treasury Laws Amendment (Recovering Unpaid Superannuation) Bill 2019. There's one amazing thing—picking up on a point made by Senator Rennick, the previous speaker—and that is there are more than two million workers in trade unions. Many millions of workers work in worksites that have bargains as a result of contributions from trade unionists. There are many millions of families that contribute and receive better benefits—in actual fact, a lot of the reasons that low-income earners become middle-income earners is because they've had a chance to collectively bargain through their union. Sometimes non-union members are collectively bargaining with union members.

Part of that process has brought us to a situation where superannuation and dignity in retirement exist. But we've got a government here that wants to turn around and say that the people who steal from them should get a free holiday. They should be treated as someone who's A-OK in the eyes of this government. Well, they're certainly not A-OK in the eyes of good, hardworking Australians. They turn around and say that wage thieves should be held to account.

This bill really takes the cake. Australia is in the depths of a dual wage and superannuation crisis. On the one hand wages are not growing, and on the other hand some of those opposite want to see superannuation rolled back rather than expanded. If you listened to the previous speaker, it's confirmed: you shouldn't have superannuation. In actual fact, if you look at the most recent reports and studies from Per Capita, a well-respected think tank, they say there has not been a wage breakout as a result of the superannuation guarantee being frozen by this government. In actual fact, there's wage decline. The simplistic views and approaches by this government and by those within the government and their constant fracturing within this government in their constant fight over how they deal with wages policy—shall we take more off working people or should we just take a hell of a lot more off? That's the battle. They want to take money off people, and that's exactly what they're doing. In actual fact, they want to say to the people who are stealing money from them, 'Go right ahead, and you can have a free holiday.'

Analysis by Industry Super Australia has found that, in 2016-17, 2.85 million Australians had their superannuation stolen, to the tune of $6 billion. Where's the strategy to get that money back? That's an average of $2,070 per Australian. These are real people; these are mums and dads, granddads, people about to retire, those in their youth who hope to retire with dignity. They are people like Pamela, who, after a 20-year career as a chef, had only $3,000 in her superannuation account because her employers insisted on paying in cash, below the minimum wage, with no superannuation. Chad Parkhill, who worked at Host Dining in Brunswick, Victoria, is still trying to get 2½ thousand dollars in unpaid super back. Kerry McCulloch was employed by Blackwood Fitness in South Australia. Last May she was awarded a payout of more than $65,000 by the South Australian Employment Tribunal for non-payment of super and consistently late salary payments. Another former employee of Blackwood Fitness, Bianca, was awarded a payout of some $42,000 by the South Australian Employment Tribunal, including more than $20,000 in unpaid super. Then there was Nicholas French, who never saw a cent of the superannuation he earned from two years of working at an inner city Perth cafe. His employer turned out not to have paid any of the 15 staff members' superannuation. Most were of them part-time university students, some of them were single mums and some of them were people just trying to earn a living for their family. Nicholas only discovered he had been short-changed when he resigned and began chasing annual leave pay and superannuation, a process he described as like getting blood from a stone. After several emails and constant promises of 'next week', Nicholas
had had enough and reported his employer to the Australian Taxation Office. The company had gone into liquidation and his superannuation can't be recovered. How does the government respond? It responds with a bill that gives amnesty to the very same people doing this thieving.

Let's just turn the tables for a minute. Every Australian worker goes out and steals $6 billion from their employer tomorrow—it's okay; you will get an amnesty! Those that get caught hand it back. Those that want to hand it back get an amnesty. Theft is theft is theft.

As a Labor senator's dissenting report into this legislation correctly points out, noncompliance of the superannuation guarantee is a form of wage theft. Every Australian knows it, except the government doesn't. When an employer foregoes paying superannuation to their employee, they are taking what was legally owed to that employee. Yet the government answers this rampant superannuation and wage theft with a wink and a nod and looks the other way.

This bill gives employers who have had track records of skimping on their employees' superannuation an amnesty and a tax incentive. Where is the tax break for workers with stolen superannuation? Where is the bill for the protection of employees who blow the whistle on superannuation theft in the workplace? We have a prevailing culture of wage and superannuation theft. It has become a business model for employers who think they're above the law.

Let's make this point: those many thousands of employers out there who don't see themselves above the law have been paying superannuation with dignity. In actual fact, in a number of circumstances, they have been paying extra super in negotiations with collective agreements. How does the government reward them? It rewards them by giving the same people they're competing with a competitive advantage, saying it's legal, it's justified and it's okay. Company after company are getting caught out by brave employees taking a stance supported and empowered, yes, by their unions. Bunnings owed 40,000 current and former workers some $3.8 million in unpaid superannuation; Woolworths, $300 million-plus in stolen wages and super; Heston's restaurant, $4 million in unpaid wages and superannuation; and George Calombaris, $8 million in entitlements.

In a case I know well, food delivery company Foodora, which continues to owe at least $8 million to food delivery workers, forked out just 28.9 cents in the dollar. And Deliveroo and Uber Eats are actually doing the same theft as Foodora, but where's the government? People on the other side of the chamber are espousing the virtues of working for these companies that are stealing from wages in food delivery. One senator said that this is a personal contract, like it's okay to work below conditions and rights. Now the government wants to justify it by giving amnesty to the same thieves while not pursuing them. The public is rightly outraged.

The economy is struggling. Of course, the government has never seen a problem they think a tax cut wouldn't fix: 'The economy is struggling. Give them a tax cut. Banks are committing fraud on a grand scale. Give them a tax cut. Businesses are stealing from workers. Give them a tax cut.' The only problem you haven't thrown a tax cut at is Barnaby Joyce, Angus Taylor and Bridget McKenzie! This sort of legislation is precisely the kind of law that senators opposite, who want to see an end to superannuation, would support. What would you expect; it's in their DNA. It's a government that barely tolerates—and, in some cases, hates—superannuation.

If the government is worried that the companies won't come forward, there are a dozen fairer and more efficient initiatives they could take. Firstly, they could put superannuation in the National Employment Standards, ensuring that employees have the power to pursue their unpaid superannuation, not just wait for clumsy, under-resourced responses from the Australian Taxation Office. Putting a right to superannuation in the National Employment Standards would empower working people, and their representatives, to pursue their moneys through the Fair Work Commission or the Federal Court.

Secondly, they could substantially increase the penalties for stealing wages and superannuation from employees. They could put some real teeth into the fines and penalties schemes to break the 'wage theft' business model. They could beef up the number of inspectors the Fair Work Ombudsman has. In a submission to the Attorney-General last year, Dr Clibborn, from the University of Sydney Business School, said:

There has been a large drop in funding in the Fair Work Ombudsman in real terms when calculated on a per employee basis. As usual, the government response is to underfund the regulator. The odds remain stacked against employees. And they could go back to a scheme that was there before Prime Minister John Howard, who got rid of what was working very effectively. Prior to a lot of the wage theft that we have seen going on in this country, prior to John Howard and the notorious Peter Reith, they could re-empower unions and their officials to inspect the books of companies within their industries. Heaven forbid—working people contributing to have representatives to make sure a fair wage and a fair income are paid! Allow workers, and their representatives, to see what wages are missing. Where superannuation is missing, report it. Get those workers' entitlements back where they're deserved. And have decent wages and fair competition with people in the market who are abiding by the law. Those are
companies that you don't represent, that you refuse to represent, because they're not thieving from people! They are not gig companies stealing from their workers by calling them 'contractors' when they are actually employees. We need to empower unions, not drag them down in red tape.

If the Morrison government are serious about fighting wage and super theft, they will remove the barriers that are preventing employers from being held to account. They will look at all those instances that we have seen on so many occasions where millions of dollars have been stolen in unpaid superannuation. They will look at those industries where we have so many thousands of people misclassified as contractors. They would be resourcing the Fair Work Ombudsman. They'd be resourcing and making sure that unions have the capacity to enforce integrity in the industry. They'd be listening to employers who say: 'We do the right thing. Why shouldn't the company down the road that competes with me do it as well?' They'd be coming in here with legislation to make a difference for hardworking Australians. They wouldn't have people like 48-year-old Pamela, who quit her job in disgust. She was getting paid $5 per hour below the award rate with no payslips and, of course, no superannuation.

Time and time and time again you see those on the opposite side reach out to the people who are thieving and give them a break. They don't give the people who can make a difference the resources to do it or the capacity to do it. We're in a crisis now, with incomes not increasing. There's a need to make sure we empower those that can negotiate. The Reserve Bank might be able to say it's a good idea to go out there with a cup and that the only problem we have is that people aren't asking for wage increases. That fell flat, because the last person who did that was Oliver Twist, and we know where he ended up. What you need is a collective voice to go and talk to your employer in a positive way and engage in negotiations, as has been done on so many occasions with superannuation, where it has been paid above the SG.

When this government turns around and doesn't follow through on its arrangements with regard to SG increases they also double-penalise competitive companies, because, when they reach agreements, they do so on the basis of what the future holds, of what certainty government policy brings. When those opposite talk about destroying super and holding back superannuation increases, what they're saying to all those decent companies, who say that dignity in the future, in retirement, is important to their employees and their families, is critical when they sit on industry boards and discuss how to get the best return for their employees—not some dodgy deal where the retail companies or banks turn around and give some sort of incentive on loans, which has time and again been proven to occur, regardless of its illegality. They wouldn't be up here espousing ways and means of attacking industry funds or the superannuation guarantee, or giving the shoplifter the night off and a pat on the back; they would be turning round and holding those thieves, and those people unfairly competing, and taking the side of employers, unions and workers in this country. (Time expired)

Senator BRAGG (New South Wales) (18:31): It's always good to come back into the Senate and hear Labor senators run the lines that have been written for them by the industry super movement. One of the problems with the superannuation industry is that it is the most entitled industry in Australia—and who's to blame them? What other sector is getting 10 per cent, or thereabouts, of people's salaries and wages for these, effectively, two large sectors to have a culture war against one other constantly? Every single time there is a bill to do with financial sector regulation or superannuation we hear Labor senators run the same old tired lines—all the navel-gazing from the industry super funds, most usually.

Labor hates small business. They always have. You heard that from Senator Sheldon's contribution. Labor hates small business. If they took a minute to remove themselves from their attachment to the union sector, they would know that superannuation is actually a very complicated business for a small-business owner to comply with. One of the hardest things a small business has to do is pay its staff and also pay their superannuation. If you listen to the council of small business CEO, Peter Strong, he thinks superannuation compliance costs small business about a billion dollars each year. It is very, very, very complicated.

But when you spend all your time talking to union officials in the Qantas Club and elsewhere, you wouldn't have a clue about what small-business people actually think and are concerned about, and that's true. The amnesty is the only chance that people have for actually being reunited with their super that hasn't been paid. There you have the Labor Party arguing against people having more super—go figure! This measure does not let employers off the hook; in fact it increases penalties where they haven't complied with their super guarantee obligations, which, I repeat, are very complicated. It is very complicated, if you are running a small business, to comply with these complex obligations that are imposed on small businesses by this parliament.

Of course, running through these points does not reflect the real truth here, which is that Labor is not interested in the policy discussion. They oppose every single superannuation change we put forward. Their own superannuation changes, like the retiree tax, all come from the same source: the industry super movement. This is all about politics. Labor just does the bidding of the unions day in, day out on every single measure.
The financial links between industry super funds and the unions are well known. Tens of millions of dollars disappear from people's industry super funds into the coffers of the unions. In the case of Senator Sheldon, who gave the previous presentation, the TWU super fund has paid $9 million of workers' money from the super fund into the union in recent years. What's this money for? Who knows? We'll never know, because it's not transparently disclosed to members. It should be. But what it does indicate is the very, very close-knit arrangement between the super funds, the unions and the Labor members of parliament, who come into this place every single day and run the tired old lines.

Who would believe that the Labor Party would come into the Senate and argue against more superannuation for people who missed out on their superannuation ostensibly because it's a very complicated system and small businesses are worried about running their businesses, not worried about their complicated obligations, which are confusing? They're now going to be easier because of Single Touch Payroll and a range of other reforms, but there you have it: the Labor Party doesn't want workers to have their super, which is extraordinary. The only reason, I suspect, is that they just run the tired old lines that are written for them by the industry super funds.

I dare say all the Labor contributions on the bill this evening will be characterised by lots of paper. People will need to read their talking points because they don't actually know the arguments as to why they're against an amnesty that is designed to reunite people with super they wouldn't otherwise get. There is no other way that these workers will get their super back. This is the only chance. So voting against it and arguing against it is arguing against the workers that people on the other side of the chamber purport to represent, which is just extraordinary. The only reason they're against the amnesty is politics. We put forward the idea after it had been raised by the small-business sector. Labor hate small business and love the industry super funds, and they're doing what they've been asked again. It's very sad.

Senator POLLEY (Tasmania) (18:37): I rise to speak on the Treasury Laws Amendment (Recovering Unpaid Superannuation) Bill 2019 because safe and secure superannuation is important to the wellbeing of all Australians. It's so good to follow Senator Bragg. He came in here, rambled on and talked a lot of nonsense and mistruth about Labor's support for superannuation, so let's put some things on the public record. We all need superannuation. It's fundamental to our financial and social security and to a happy, healthy and, very importantly, dignified retirement. Labor are not supportive of this bill in its current form, so we are seeking to amend it.

There are still many Australians in our country who do not retire with enough super. There are Australians who have super stolen from them and Australians who are doing everything they can to find their lost super. Unpaid superannuation is a massive problem across Australia. Industry Super Australia has estimated that 2.4 million Australian workers are losing $5.6 billion in payments each year—that is, $5.6 billion annually. That is equal to workers losing $2,000 per year which should be going into their retirement savings. Superannuation is part of a worker's pay and conditions. Every worker deserves to receive the superannuation they are entitled to. It's up to the government and to law enforcement to ensure companies and individuals are not stealing people's superannuation.

Super is an investment in yourself and your retirement, and Australia is very fortunate to have a superannuation system that benefits not only individuals but the wealth and prosperity of our entire nation. As of October 2019, Australians have A$2.93 trillion in superannuation assets, making Australia the fourth-largest holder of pension fund assets in the world. That is a feat in itself.

We thank the union movement and the likes of former Prime Ministers Bob Hawke and Paul Keating for their vision and creation of superannuation, something we should all hold dear. In 1983, an agreement between the government and the trade union movement made super available for all Australians. But superannuation across the economy didn't really occur until the early 1990s, under Paul Keating. The employer contribution rate for superannuation has been 9.5 per cent since 1 July 2014. As of 2015, it's planned to increase gradually from 2021 to 12 per cent in 2025. I want to briefly explain why the trade union movement and Labor, all those years ago, wanted to introduce compulsory superannuation. It was a twofold plan: firstly, to enable working Australians to have dignity when they retire; and secondly, to raise funds for our country—a pool of funds that would make our community and our economy stronger. The economic security of Australians could be guaranteed with universal superannuation.

Super is perhaps more important than it has ever been because wages remain at historic lows. We know this government has not had a plan for increasing wages and ensuring that Australian workers' pay and conditions keep up with the pace of inflation and the need to have a strong economic future. There have been no additional compulsory superannuation contributions over the last five years, and there has been very little change when it comes to real wages. In an era where wage theft continues—we hear and read about it only too often in the media; and we note the recent case of Woolworths underpaying 5,000 of its workers to the tune of $300 million—super is more important than ever before. There are 12.9 million Australians in the workforce today who rely on
superannuation for their retirement, and this is their money. It is money invested in every single one of those working today. It is not some government fund. It is the workers' money. It's their entitlement. It is there to ensure they have a dignified retirement.

The superannuation guarantee has virtually wiped out Australia's net income deficit for the first time since European settlement. For the first time in our history, Australia has now become a capital exporting country. The domestic manifestation of this has been much lower cost of capital to Australian businesses. So business is also gaining from this, which is not the picture that was painted by the previous senator—who, quite frankly, didn't know what he was talking about. This year an Australian 10-year Treasury bond pays less than one per cent, yet the larger industry funds this year recorded returns on average of nine per cent. You get nine per cent from industry funds and one per cent from the Treasury bonds. I know which one the Australian workers deserve, and I know which one they would prefer.

The larger industry funds, as I said, recorded nine per cent—a wonderful achievement. In the words of the former Prime Minister, Paul Keating:

Where else, in this low interest rate world, would an ordinary working person be able to earn 9% on their savings?

That's what's important. But obviously those opposite don't really care about Australian workers. They only care about their friends at the big end of town. Only a relentless Liberal government would act to damage Australia's superannuation system.

With the deficit sitting at almost $40 billion, responsible governments must ensure every dollar of Commonwealth money is targeted and well spent. The government's proposed new superannuation loopholes will cost the budget $12.3 billion over the decade. This is not affordable in the current climate. In fact, I'd suggest that it's not acceptable or affordable at any time.

Currently, unpaid or underpaid employee superannuation contributions are a debt owed to the Australian Taxation Office rather than the worker. Unless there is a clause in their award or agreement, workers can't chase this money, as the money is not technically owed to them. Placing superannuation within the National Employment Standards in the Fair Work Act would mean all employees would be empowered to recoup unpaid superannuation from employers through the Fair Work Commission or the Federal Court. Individuals would be empowered to chase their own unpaid superannuation instead of waiting for the ATO to do it for them.

The Morrison government's proposed changes mean an employer could have kept superannuation entitlements from an employee for more than 25 years and will not face any penalty if they pay it back during the amnesty period. Rather than increase penalties for employers who do not pay their workers' superannuation, the government wants to give them a free pass. That's what this government is all about: a free pass for those who steal from Australian workers. You cannot trust the Morrison government. They want to allow employers to continue to steal Australian workers' superannuation. Rather than increase penalties for employers who do not pay their workers' superannuation, as I said, what do they want to do? They want to give them a free pass. Businesses who do the wrong thing and steal from workers should pay the price for their misconduct, not get a tax break. For everyone else, if you do the wrong thing and breach the law, you pay the penalty. But those people on that side want to protect their mates.

There are no recent parliamentary reports into unpaid super guarantee that have actually recommended such a measure. Labor senators who inquired into the measures in the 45th Parliament found that, while employees have the book thrown at them for stealing from employers, the government, by introducing an SG amnesty, is establishing a different rule for employers who steal deferred wages from their employees. Treasury confirmed that $230 million is expected to come forward under this amnesty, a very small amount when this one-off amount for a 26-year period is compared to ISA's estimated annual SG gap of $5.9 billion and the ATO's estimated SG gap of $2.8 billion.

Labor built Australia's superannuation scheme. That's what we did under Hawke and Keating. We will always work to ensure that it is fair and sustainable and sets Australians up for a comfortable and dignified retirement. That's what everyone deserves. Workers and those who are out there day in, day out, doing the jobs that we have to have to keep this economy going, deserve their superannuation. They deserve dignity in their retirement, just like everyone sitting around this chamber.

I want to make some other comments about women and superannuation. As stated, we know that employers don't always honour their legal requirements to pay the Australian workforce their super. On average, Australian women who retire today will do so with 47 per cent less superannuation than men. Almost 40 per cent of single women live in poverty and endure poor economic security in their retirement, and we know the fastest-growing cohort of homeless people in this country is older women. That's why I'm passionate about women being able to get what they're entitled to as far as their superannuation is concerned.
There are almost 220,000 women missing out on $125 million of superannuation contributions, as they unfortunately fail to meet the current requirements to earn $450 per month from a single employer before tax. Many women work several part-time jobs, often in addition to spending an average of five hours per day catering for family needs. Female graduates earn $5,000 less than their male counterparts, making it difficult for them to meet mandatory superannuation earning requirements. Also, on average women are out of the workforce for five years, caring for children and family members, which can cause their superannuation savings to stagnate and begin to fall behind men. The current 0.5 per cent superannuation guarantee disadvantages most women in accruing enough superannuation savings for a dignified retirement, meaning that 8.5 per cent of women between the ages of 65 and 74 will still have a mortgage to pay when they retire.

As a country and as legislators we must do more. Superannuation can always be improved. This bill, as it stands, will only weaken it. The system and Australians will be poorer if this legislation gets through the parliament without amendment. We have a responsibility. On this side we understand what the struggle before the introduction of superannuation was all about. I can remember working for a company in the short-term money market. As a female, you had to work for Chase Manhattan for 10 years to maybe be invited to join their superannuation—maybe be invited, as if being a female made you less qualified. The men got access to their superannuation when they signed on the dotted line of their contract. Why were women forced to wait 10 years? And then it might have only been on their invitation. Obviously I didn't hang around long enough to qualify for their superannuation.

This is the history. This is why we on this side are so passionate about superannuation. We want equality. We don't want to see homeless women on the street because they have had broken relationships and they don't have the superannuation they need for a dignified retirement.

**Senator ANTIC** (South Australia) (18:52): I rise this evening to speak in support of the Treasury Laws Amendment (Recovering Unpaid Superannuation) Bill 2019. Having listened to some of the submissions of those on the other side I am once again—would it be putting it too high to suggest this?—flabbergasted by the approach taken by the Australian Labor Party. This is not an opportunity to play politics. It sometimes seems in this place that if we on this side of the chamber were to put up the colour black we would simply get back the colour white from the other side of the chamber. It does make you wonder what is the modus operandi of those who sit opposite.

This is not, as we hear so often, anything to do with the so-called big end of town. I challenge anyone to find out for me what the big end of town actually is. What this bill actually represents is the Morrison government creating a new era of superannuation enforcement by legislating the superannuation guarantee amnesty, which was first announced way back on 24 May 2018. It's a piece of legislation which is designed to encourage employers who were not compliant to come forward to ensure employees receive the superannuation that they are entitled to.

I'm not going to cast myself as some journeyman in this place, but I am old enough to know that once upon a time the Australian Labor Party considered itself to be the party of the workers. That seems not to be the case anymore, though, Madam Acting Deputy President. Let me assure you it's no longer the case. I can show you example after example confirming that, in fact, the Morrison government is the friend of working Australians, that the Morrison government is on the side of working people in this country. And the Morrison government has the track record to prove that this is so.

We can show it demonstrably in the last period, because the Australian tax office has released data in recent days which show that in fact the government's personal income tax plan has given 8.1 million Australians in the order of $6.1 billion in additional income in the first six months since implementation. Income earners in the range of $37,000 to $90,000 in that tax bracket have received around 80 per cent of the additional income from the government's tax cut. They are receiving, on average, $967 from the low- and middle-income tax offset up to a maximum of $1,080. These low- and middle-income tax offsets contributed something in the order of $4.5 billion, or around 60 per cent of the growth in household disposable income in the September quarter, which has been the largest increase in a decade. Had these tax cuts not been paid, income would have grown by about one per cent, not 2.5 per cent. This is just one simple example, but one can well imagine what would have happened in circumstances where the Australian people had elected a Bill Shorten led government in this country. We would have seen $387 billion stripped from the economy—$387 billion ultimately stripped from the workers.

This government wants employers to bring nonpayments and underpayments out into the open to ensure that employees actually get in their hands the superannuation to which they are entitled. This is a piece of legislation which is designed fairly and squarely in the interests of workers. Don't believe what you hear from across the chamber; this is for the working people of this country. With new powers given by this government to the Australian tax office recently, there is no longer anywhere for employers who do the wrong thing to hide.
Unscrupulous employers will be caught—and that doesn't sound very much like we are this so-called friend of the big end of town. That is a nonsense, that is a furphy and that is a creation of those opposite. These measures are, of course, forward-looking. They don't address historical underpayments and nonpayments of superannuation. Reuniting as many workers as possible with superannuation which is rightly theirs is the priority of the government. This bill represents a rare opportunity for businesses to come forward, do the right thing and clean the slate for their future.

I think it's important at this point to briefly outline the background in relation to the government's position: what's already been legislated and the rationale for this particular segment of legislation. In the last parliament, the package of legislation was passed to ensure that employers can no longer hide from their obligations. The government did this because of the significant issue with noncompliance. We now know that in 2015 to 2016 that noncompliance amounted to something in the order of $2.8 billion that went unpaid to employees. Once again, that doesn't sound like something that is in the best interests of this fabled big end of town that we hear so much about. This sounds very much to me like something which is framed fairly and squarely for the workers of this country. In March 2019, this government introduced a suite of reforms designed to improve the superannuation guarantee system and, most importantly, to better detect and deter noncompliance by employers. This included measures such as the Single Touch Payroll regime, bringing payroll reporting into the 21st century and aligning payroll with regular employer reporting of tax and super obligations. More frequent reporting of employer superannuation guarantee obligations is now being complemented by near real time reporting for superannuation funds on the contributions that they actually receive, enabling the ATO to identify and take action against noncompliance. So the government has actually strengthened the ATO's collection and enforcement capabilities already. The ATO now has a broad suite of new powers, which include the ability to be able to send out director penalty notices, security deposits and also, in some instances where employers are able to defy directions, the ATO can now apply for punitive court ordered penalties, including up to 12 months of imprisonment for those who are noncompliant. Once again, this does not seem to me to be something framed in the interests of anyone other than workers. It is a nonsense.

The government understands that there are times when employees are simply unaware that they've not been paid superannuation. Consequently the ATO can now inform all potentially affected employees of any investigation into their employer's compliance. Previously, the ATO could only communicate with employees who had made a complaint to the ATO regarding their unpaid superannuation, leaving other affected employees in the dark—once again, always in the interests of the employees.

This government understands that the ATO cannot do its job without proper funding and resources. This government provided an additional $133.7 million in the 2018-19 budget for the ATO to fund this process, such is the compulsion to make this process work and make it viable. A critical limb to this process, one which furthers the sentiment that the government is absolutely serious about protecting workers and their hip pockets, is that as a result of that funding in the 2018-19 period the ATO contacted more than 22,000 employers and, as a result of reviews or audits, recovered something in the order of $805 million in unpaid superannuation.

The government's crackdown on noncompliance therefore complements reforms to protect low-balance and inactive superannuation accounts from undue erosion and to put members' interests first. The protecting your superannuation act, which commenced on 1 July 2019, does that job and seeks to protect Australians from excessive fees, unnecessary insurance premiums and inefficiencies from having multiple accounts. These reforms also provide the tax office for the first time with the ability to proactively unite Australians with their low-balance or inactive accounts.

Together, these reforms to which I speak will result in millions of Australians saving billions of dollars in fees, charges and insurance premiums, and will reduce unnecessary duplicate accounts. All of this is background, framed for the purpose of showing the other side of this chamber that the suggestion to oppose this bill being somehow in the interests of workers and being a good thing is not a good thing. It's a furphy. It's a nonsense.

The bill before us today, if passed, will allow employers to come forward to disclose non-payments—or in fact underpayments—for the period from 24 May 2018 to six months after this bill receives assent and pay their workers what they're owed. They will be required to pay a significant sum of interest—so that's punitive enough for the employers—but they will avoid the usual penalties and fees that would apply, and will be entitled to claim a tax deduction for the amount they pay during the amnesty period. Importantly, employers will not be able to use the amnesty if they come forward after an ATO prosecution has already begun. This is about trying to flush out that which is owed to workers. It is about trying to recover as much as we can for workers by providing incentives to do so. The bill ensures that employers who came forward in good faith when the amnesty was announced are covered by the amnesty.
Without playing politics with this issue, the important thing is that since the amnesty was first announced over 7,000 employers have come forward. Those employers cannot receive the full concessional treatment under the amnesty until it’s legislated. Treasury estimates that a further 7,000 employers will come forward once the amnesty is legislated.

It’s a nonsense to suggest that this amnesty simply lets employers off the hook. That’s not the case. And it’s a nonsense to suggest that this legislation will somehow leave workers worse off. The amnesty is exclusively designed to benefit employees. Employers will only get the benefit of this amnesty if they pay their employees the full entitlement of that which has been underpaid, or that which has not been paid in total, in full with the significant interest penalty. It simply provides an opportunity for employers to review their compliance history, to come forward in good faith and to pay anything that is owed before the ATO actually begins their investigation. Employers with a significant historical underpayment who have voluntarily failed to disclose those underpayments to the ATO after the amnesty will be subject to penalties.

So, once again, this is designed in order to act in the best interests of those for whom the scheme was originally designed. This is a piece of legislation which is designed to act in the interests of employees. As I have already pointed out, it’s important to note that this is not just in relation to nonpayments and this is not just in relation to instances where employers have simply forgotten to pay or have deliberately avoided paying superannuation. This is also in relation to the presumably very common instance of underpayment of superannuation.

When this bill was first introduced, the community sought what could only be described as a bigger stick to be used against employers who were either inadvertently doing the wrong thing or deliberately doing the wrong thing. This iteration of the amnesty achieves what we on this side of the chamber believe to be the perfect balance of what we have described and what those in the other place have described as being the carrot and the stick. That’s a very simple analogy. The carrot in this case is the amnesty itself, along with the suite of other measures that have already been legislated. And the stick is the significant penalties which will be imposed if this not complied with during the amnesty period.

So the bill complements the entire integrity package legislated earlier and it provides employers with an opportunity to come clean and to pay their historical debts before the new enforcement arrangements come into effect. Once again, it highlights, as I have said multiple times, that this government is on the side of workers. This is a piece of legislation which is designed to protect the employees. As they say, in life one gets more with honey than one does with vinegar. That’s very important to take into account.

I take this opportunity to commend this bill to the Senate.

Senator WALSH (Victoria) (19:07): I am grateful for the opportunity to speak on the Treasury Laws Amendment ( Recovering Unpaid Superannuation) Bill 2019. It’s an extremely important issue for millions of workers all over the country—the issue of superannuation theft. While I have enjoyed listening to the care and concern presented by the self-proclaimed friends of the workers on the other side, I am grateful for the opportunity to share my concerns about this bill.

Every year in this country, almost three million Australian workers will experience theft of their superannuation through underpayment or nonpayment. In 2015-16 the amount of unpaid super was estimated to be almost $6 billion—$6 billion in theft of workers’ superannuation. This has real impacts for real people, because the workers who are losing out on their super are going to face real hardship when it comes to their retirement as a direct result of this theft.

And that is exactly what it is: it is theft, and theft is illegal. In any other walk of life thieves do not get let off the hook, but that is exactly what this bill does. It lets companies that have stolen their workers’ superannuation off the hook. The government wants to provide an amnesty for employers who have stolen superannuation from their employees. The government has proclaimed tonight that this bill is for workers, and that it’s on the side of workers. But that is just not the case. The government should be on the side of the workers who have been ripped off. And they should be on the side of those hardworking Australians who would just like to save for their retirements and to receive the income that they’ve worked hard for. So the government should be sending the strongest possible message to employers that superannuation theft will never be okay.

Employers know that they need to pay superannuation—they know. I’m not sure what the excuse for not paying it is when the superannuation guarantee has been law since 1992. Hopefully, people who employ other Australians have figured out in the last 28 years that they need to pay super. Super is not the only obligation that employers have to their staff. It’s not the only system that they need to follow, so to suggest that paying super is somehow more difficult and more complicated for employers than complying with other relevant laws is just absolutely bizarre. It seems that so many non-compliant companies don’t make the same errors when they’re setting their own salaries, their own incentive schemes and their own complicated tax arrangements. They just don’t make the same
errors when dealing with a range of other business practices and regulations that they seem to make when dealing with superannuation and their workers' wages.

By providing an amnesty for employers that have stolen from workers, the government is essentially setting up two different rules: one for employees, who have the book thrown at them if they're ever caught out stealing from their employer; and another rule for employers, who get let off for stealing from their employees. This should not happen. Employers should not be let off from paying their workers the legal minimum rate of pay in Australia today. This bill is sending out the wrong message at the wrong time. This amnesty is not good for workers.

It is also not good for those employers who do the right thing either. Time after time, when I meet with employers about the issue of wage theft, what they tell me is that they want a level playing field. They want all employers to be compliant with the relevant award and with relevant minimum wages and conditions. What this bill does is tell dodgy employers: 'Hey, we've got an amnesty, and you might just get away with underpaying your super.' If you're one of the many good businesses that play by the rules, if you're a business that looks after your staff properly, if you provide them with the entitlements that they're due, pay them correctly and contribute to their super, what do you learn from this amnesty? You have been put at a competitive disadvantage by those businesses who are not playing by the rules, who don't pay their staff correctly. The message that this bill is sending those employers who are doing the right thing is that the government just doesn't care about you.

We also know, because there is evidence about this, that the jury is well and truly out on whether these sorts of amnesties even recover the amount of money that they claim to. In some cases amnesties have been found to be counterproductive. By the Treasury's own data, less than four per cent of stolen super might be recovered through this amnesty. That is a small proportion of what Australians are owed, of what Australians are estimated to lose every year in stolen super. Every year it is estimated that three million Australian workers have been ripped off almost $6 billion in superannuation. The risk of encouraging noncompliance with the temptation of further amnesties into the future is just too high to justify this particular method of trying to recover stolen money.

The consequences of employers being allowed to get away with not paying super are extreme for everyday Australians. We know that if the government tells employers it's okay not to pay your superannuation workers will face lower living standards in their retirement. It's often those workers who are in low-paid industries who are at the most risk of being ripped off by their employers, whether it be in their wages or in their superannuation. They are workers in industries like agriculture, cleaning and hospitality. These are the workers who are most likely to fall victim to wage theft and theft of superannuation.

The theft of superannuation is all part of a larger problem that Australian workers are facing, and that is wage theft. And much like the underpayment of super, this is an issue that the government has been telling us that it really cares about, that it's going to act on. But, in reality, we are still waiting to receive the government's plan to stop wage theft. In this case of superannuation theft, what they're giving us is something that absolutely lacks any teeth to deal with the underlying problems that are causing theft of superannuation. It seriously seems like not a day goes by when there is yet another story about wage theft on the front pages of our newspapers. In each of these cases workers want to know what it is that the government is going to do about that wage theft, because so far the government has been entirely unwilling to be the tough cop on the beat that people need when they're having their wages ripped off by their employers. And in some industries, industries like hospitality, the theft of wages and superannuation—it is basically a business model for employers because they know they can get away with it, because they know there is no strong government cop on the beat in Australia today.

In 2018 the Fair Work Ombudsman found that almost three out of four hospitality venues were noncompliant with the award. This problem is out of control, and the solutions the government is presenting are just way too small to deal with the scale of the problem, and they are solutions that are sending the message to employers, 'We're going to let you off the hook for the wage theft that you engage in.' People should not have to work for their wages twice—once on their shift and again when they have to go and fight to be repaid by their employers.

While the government pretends to take action on these issues, their real priorities seem to be placed elsewhere. Late last year we saw exactly where those priorities were: attacking the very organisations that stand between workers and wage theft, that stand between workers and superannuation theft—the Australian union movement. The government, whose own integrity is currently in tatters, chooses to prioritise attacking the integrity of unions and their members rather than taking serious action on the theft of wages or super.

So, at a time when the cost of living continues to rise, when the government has already cut the age pension, what will the government do to help those who have less in retirement due to the theft of their superannuation? Too many Australians are retiring without adequate retirement savings, and that is why our superannuation system needs to be strengthened, not weakened. So if the government wants to do something to get non-compliant employers paying their super, then it needs to become a much tougher cop on the beat. If it wants to make sure
people are paid what they're owed, then it needs to actually address the fundamentally flawed process for workers to recover their unpaid super today, a process involving the ATO that is slow and opaque. This is a process involving the ATO instead of a tribunal, where workers would have some rights to be heard and would have some rights to appeal decisions that are made. And if the government wants to put more super in people's retirement savings, then it needs to start moving the superannuation guarantee to its legislated 12 per cent. These are some things that the government should do if it wants to actually strengthen the superannuation system.

What we need to do is change the laws to include a right to superannuation within the National Employment Standards, because that is a change that would give people rights to pursue their unpaid super, to pursue the employers who are stealing superannuation. That would be a change that would give all employees the opportunity and the power they need to actually address the theft of superannuation. By placing super in the National Employment Standards in the Fair Work Act—

Debate interrupted.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Ministerial Standards

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (19:20): I table a response to a question taken on notice during question time today, asked by Senator Gallagher and relating to the Parkinson report. I seek leave to have the correspondence incorporated in Hansard.

Leave granted.

The document read as follows—

Dear Mr President

I write with regard to a question I took on notice from Senator Gallagher during Question Time today 11 February 2020 on the matter of the 'Parkinson Report'.

I can confirm that the assertion made by Senator Gallagher that the report prepared by former Secretary Parkinson went to the Governance Committee of Cabinet is false.

While former Secretary Parkinson made reference to the Governance Committee of Cabinet in his correspondence to the Prime Minister, the report prepared by former Secretary Parkinson was not considered by the Governance Committee of Cabinet. This was because the Parkinson Report related to former ministers who had retired some time earlier. I tabled this Report by Dr Parkinson in the Senate on 22 July 2019.

The Prime Minister, upon becoming aware of the circumstances surrounding the former ministers' employment, sought guidance from the Secretary of the Department of the Prime Minister and Cabinet. On receipt of Dr Parkinson's advice, the Prime Minister made this available to the Senate and by extension the Australian public.

The report prepared by Secretary Gaetjens relating to Senator McKenzie related to a then-serving minister, which was prepared for and considered by the Governance Committee of Cabinet. As such, this report is subject to the longstanding Cabinet-in-confidence exemption, which has been claimed by Governments of all persuasions in the Westminster system for several hundred years.

I have copied this letter to the Prime Minister and Senator Gallagher.

Kind regards

Mathias Cormann

Minister for Finance

BUSINESS

Leave of Absence

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (19:20): by leave—I move:

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

Question agreed to.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Stoker) (19:20): It being 7.20, I propose:

That the Senate do now adjourn.

Nuclear Energy

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (19:21): Last year I, along with Keith Pitt, the member for Hinkler and now the newly minted Minister for Resources, Water and Northern Australia, called for a conversation on nuclear energy. I didn't understand why Australia, a politically and geologically stable country, is the only G20 country to prohibit nuclear energy. I didn't understand why Australia,
with the world's largest reserves of uranium, the resource used to power nuclear reactors for energy production, was happy to export uranium but not use it. The best way to have that conversation, Keith and I thought, was to establish a parliamentary inquiry into the prerequisites for nuclear energy in Australia.

After writing to the Prime Minister, and following a referral from the Minister for Energy and Emissions Reduction, the House of Representatives Standing Committee on the Environment and Energy resolved to conduct an inquiry. As part of this inquiry, the committee received over 300 submissions and held hearings around the country—in Adelaide, Brisbane, Canberra, Melbourne, Perth and Sydney—taking evidence from a range of stakeholders. In December the committee, chaired by my Sunshine Coast colleague the member for Fairfax, Ted O'Brien, presented its report.

The committee made three recommendations: first, that the federal government consider the prospect of nuclear technology as part of its future energy mix; secondly, that the federal government undertake a body of work to progress the understanding of nuclear technology in the Australian context; and, thirdly, that the federal government consider lifting the current moratorium on nuclear energy partially—that is, for new and emerging nuclear technologies only and conditionally, subject to the results of a technology assessment and a commitment to community consent for approving nuclear facilities.

To me these recommendations make sense. We should consider the prospect of nuclear energy as part of our energy mix. We should take the necessary steps to understand the industry and the role it plays around the world. We should look at why reactors are expected to be connected in South Korea, Belarus, Russia, Finland, the United Arab Emirates, India, Slovakia and Argentina by 2022. We should look at why production is already progressing in Turkey, Abu Dhabi and Bangladesh, with a further 25 countries considering, planning or progressing programs. We should consider the incredible advances in nuclear technology, including reactors and fuels, to improve safety and reduce waste. We should look at why the standing UN panel on climate change says nuclear energy should be part of national plans to slash emissions. We should consider the financial implications or benefits a nuclear industry will have for Australia. Sadly, a bunch of politicians, mainly from Labor and the Greens—a bunch of specialists who know nothing about everything and, especially, know nothing about energy—want to run a scare campaign. They want you to believe there will be a nuclear reactor in your backyard, that seafood shops will be full of three-eyed fish and that you'll end up looking like ET with a three-day hangover. It is rubbish.

Australians are smarter than that. They are sick of being told no when the rest of the world is saying yes. They want lower electricity prices and more competition in the market. They want reliable power. They want to know that, when they turn that switch on, the light will come on, the kettle will boil, and they will be cool in summer and warm in winter.

They do want to reduce greenhouse emissions, and nuclear energy does that. It already provides around 10 per cent of the world's electricity demand with zero emissions. This committee's report should not be thrown on some shelf in some office in some wing of some building in Canberra or fed to some hungry shredder; it should be read, considered and actioned. I know this will be a long fight, but the best way for us to have reliable, cheap and environmentally friendly energy in Australia is with a mix of coal, gas, renewable and nuclear.

**Myanmar: Human Rights**

**Senator WATERS** (Queensland—Leader of the Australian Greens in the Senate) (19:25): Recently I met with a group of people in my home state of Queensland who wanted to talk to me about the continuing plight of the Rohingya people. In late 2017, Myanmar's military massacred tens of thousands of Rohingya, committed widespread rape and torched dozens of villages. This ethnic cleansing forced 740,000 Rohingya people to flee to Bangladesh. Those people remain there in refugee camps, unable to return home, due to the continuing threat of persecution. These refugees are living in extremely difficult circumstances in Bangladesh. They, and others still trapped in Myanmar, are unable to access documents reflecting citizenship, and they're effectively stateless. It's difficult for them to relocate safely to other countries, and they face the risk of human trafficking. That's why the Greens called in 2017 for a special humanitarian intake of 20,000 Rohingya refugees, and that's why we want to allow refugees the opportunity to apply for family reunion visas.

The 600,000 Rohingya who have remained in Myanmar face grave danger. A United Nations backed fact-finding mission found that they may face a greater threat of genocide than ever. But there's a glimmer of hope for the Rohingya people. On 23 January of this year, the International Court of Justice in The Hague ordered Myanmar to take all necessary measures to protect Rohingya Muslims from genocide. This order came about because the African nation of The Gambia made a decision to defend the human rights of the persecuted people and to stand up for international law, after emerging from two decades of brutal dictatorship itself. The Gambia's justice minister, Mr Tambadou, happened to find himself in Bangladesh to represent his country at a conference, and he met with Rohingya refugees there. He listened to their harrowing stories, and it reminded him of the time
he spent prosecuting cases from the 1994 Rwandan genocide. This is how Myanmar was forced to face international justice.

The ICJ's order could have a real impact in protecting the 600,000 Rohingya who remain in Myanmar. But we must remember that enforcing the ICJ's legally binding ruling will be difficult. Countries like Australia must raise their voices at international fora, and we must use our diplomatic leverage to make sure that Myanmar complies with the ICJ ruling. This means Australia taking the lead on action in the Human Rights Council. It means considering additional targeted sanctions against Myanmar's military officers—and the Australian Greens welcome the fact that Australia has already imposed financial sanctions and travel bans for five senior military officials responsible for human rights violations against the Rohingya. But it also means suspending cooperation with a military that committed genocide. We sadly note that this financial year the Australian government is expected to spend nearly $300,000 on such cooperation.

It's critical that we send the strongest possible message to Myanmar that the world will not stand by and allow another genocide. The ICJ will now hear submissions from both sides about the case on whether or not Myanmar committed genocide. Disgracefully, Myanmar's leader, Aung San Suu Kyi, has already defended, in the Hague, her military's atrocities. The world will also get a chance to hear what happened to a minority which has faced decades of persecution. The case will take years to unfold, but the victims of this genocide will have the opportunity to tell their painful story. The world should listen and act, and Australia, as a leader in the region, should be at the forefront of that action.

**Australian Bushfires: Charles Sturt University**

**Senator DAVEY** (New South Wales—Nationals Whip in the Senate) (19:29): We in this chamber have already spoken about the bushfire response, but tonight I want to focus on an institution that has worked across my state and deserves recognition. Charles Sturt University is an institution of regional New South Wales. It has six campuses: in Wagga Wagga, Port Macquarie, Bathurst, Orange, Albury and Dubbo.

In September last year, when Port Macquarie was swamped by fire, the university threw open its doors to provide accommodation, food and toiletry to almost 200 firefighters battling the blazes across the Mid North Coast. Over 40 staff, 40 students and their families donated their time around the clock for more than eight weeks to ensure there was a friendly face in the morning after briefings, and a cold drink and a warm meal for firefighters in the evenings when they came back, battered and bruised after a day on shift. When fire broke out in the Blue Mountains, the Bathurst campus was activated and ready to receive evacuees in case of a full evacuation—thankfully, not required. I am grateful for the effort that went into making sure they were ready. And the Albury Wodonga campus was also on standby when the fires hit the south-east of the state. I particularly want to acknowledge the university staff whose property was impacted by fires yet put their own personal issues aside to support their communities. This commitment and dedication in the face of personal adversity is testament to the values of the institution.

I make special mention of the university's Wagga Wagga campus. As well as providing accommodation for evacuees, the Charles Sturt Equine Centre in Wagga rolled into action to house, feed and care for more than 30 horses for the duration of the evacuation. I personally visited the Charles Sturt Veterinary Clinical Centre and saw the care they provided and continue to provide for burned horses. Seeing those injuries on these beautiful and majestic creatures was very confronting. To those who worked day and night in hot conditions doing physical and traumatic work, thank you. Credit also goes to the community and suppliers who donated much needed veterinary supplies and money for the cause.

Charles Sturt also provided clinical coordination and volunteer support at the animal evacuation centre at the Wagga showground in conjunction with the Department of Primary Industries, including 80 volunteers on the ground on a rolling basis. The campus also housed show poultry and pets in its air conditioned preclinical centre. The staff and students loved looking after family pets as if they were their own, including Maggie, an old labrador that slept in her bed next to the desks of working staff members while she was evacuated from her home. And credit goes to the New South Wales government, which recognised the university's animal expertise and put Associate Professor Dale Nimmo on the government's expert panel on wildlife and threatened species.

Twenty-one per cent of Charles Sturt University students are from fire-affected regions and the university has recognised the effect this could have on their studies. That is why late last year the university established the Charles Sturt Bushfire Scholarship fund, which provides scholarships of up to $5,000 each to help continuing and prospective students who have been impacted by the bushfires.

These bushfires have resulted in so much pain for so many people. Indeed, Charles Sturt University graduate Sam McPaul was tragically killed while fighting fires. My thoughts and prayers are with his family. I know the university has supported fundraising efforts for Sam's wife, who is also a Charles Sturt graduate. In fact, so many
Charles Sturt graduates who train in the regions stay in the regions. On average, 80 per cent of Charles Sturt graduates work in a regional community, so I want to thank all those graduates who have provided and who continue to provide support on the ground across a range of areas, including paramedics, police, vets, media presenters and psychologists. Our regional universities play such a huge role in our communities in so many ways, so I want to thank Charles Sturt University and the vice-chancellor, Professor Andrew Vann, and his team and all the staff for the part they played.

**Pensions and Benefits**

*Senator SIEWERT* (Western Australia—Australian Greens Whip) (19:34): I rise tonight to speak again on robodebt. This is an issue I have been pursuing since the debacle started in 2016 when people started getting those awful notices just before Christmas. So we're going on for four years now.

We have known and heard from people who have been hurt tremendously by this process and who are feeling traumatised, demonised and victimised. The system was flawed from the start. And we know that because we now have the finding that the income-averaging process is illegal. The income-averaging process has been an issue since the start of the program. That's because they take what you've earned and make the assumption that it's over the whole of the year and that you must have been telling them lies! It's fundamentally flawed—but not just flawed; it's illegal.

What we have here is the fact that the government doesn't want the public to know exactly what is going on. Last week, the Senate inquiry that I'm chairing released, as I said a bit earlier in this place, an email trail from the ATO that talked about the garnisheeing debt—the debts that have been garnisheed. We need to know how many people who have already had their tax returns garnisheed actually had that decision made based on income averaging. They can't tell us. They don't know! We still don't know how many of the robodebts are illegal and, quite frankly, when we had the hearing on 16 December, just before Christmas, the government was essentially making up the process as it went along—or it was obvious that the government has been making up the process as it goes along, because we weren't able to learn what happens after the first stage of the review of the debts. And we don't know how many of these debts do in fact involve income averaging. As I asked at the hearing on the day, there are also debts which are partly based on income averaging. So we can't just look at the debt and say, 'Oh, it was income averaged,' it's much more complex than that.

There are so many fundamental questions that we still need to get to the bottom of, and I know a number of us are going to keep pursuing this. For example, when did the government know it was illegal? Who knew, and for how long? When did they receive the illegal advice? And when will we be able to see it? 'We' is the Senate, but also the public. Why didn't they check the legality before unleashing this program onto Australians?

Time and time again this government refuses to be accountable, and not just on robodebt. We've been talking for days in here about 'sports'—note that it's now been given the name 'sports'. That's sports rorts mach 1 and mach 2. This place is riven with decisions that have been made in secret and which the government is not being accountable for here. Robodebt is an absolutely classic example. People are still contacting our offices and asking us about what is going on because they can't get the answers from Centrelink. They're very worried that they have debts. They've been told all along that they have debts which they say they don't owe, and now this finding of the illegal parts of this program quite clearly show that they didn't owe them. They don't know if they're going to get compensated. They don't know if they're going to get their money back if not compensated. I'd argue that they need to be compensated for all the deep harassment and trauma they've suffered. And, believe me, there is a lot of trauma out there. Our offices—senator's and members of the House's offices—are getting phone calls from people who articulate the issues and the trauma out there. Our offices—senator's and members of the House's offices—are getting phone calls from people who articulate the issues and the impact those are having on their mental health. And, unfortunately, there are people who have taken their lives as a result of this deeply flawed and damaging program. It's time it ended. *(Time expired)*

**Trade Unions**

*Senator SCARR* (Queensland) (19:39): I'm delighted to rise this evening and speak in favour of the government's ensuring integrity legislation, which has gone into the House of Representatives.

*Senator Watt:* Are you going to tell us about rorts?

*Senator SCARR:* I'm going to tell you, Senator Watt, about the actions of the CFMEU. I know, Murray, you don't like listening about the CFMEU. You don't like listening to the anecdotes about the CFMEU. There was an article on 10 February in *The Australian* which said:

Inside the union movement, there is growing frustration that the civil war engulfing the CFMEU is undermining the ACTU's campaign to kill off the Coalition's union-restricting Ensuring Integrity Bill.
There should be growing alarm within the ACTU with respect to the CFMEU and with respect to whether or not the CFMEU’s actions are going to result in the ensuring integrity legislation rightly being passed in this parliament. Why? Because the only reason why senators on this side of the chamber, including myself, are advocating for this legislation is the unlawful conduct of the CFMEU. It is not union-busting legislation. It is legislation to protect workers and small-business owners from the CFMEU’s intimidation, harassment, bullying and extortion tactics.

Last week in the adjournment debate I referred to a case where a Federal Court judge referred to the actions of the CFMEU—

**Senator Green:** Was it Vasta?

**Senator SCARR:** No, it was not Vasta, Senator. The judge, who was in fact Judge Cameron, referred to the actions of the CFMEU—these are the judge’s words, Senator Green, not mine: ‘These were serious contraventions … the contraventions were a form of extortion’. Senator Watt might refer to sport grants, et cetera, but what about this extortion? A Federal Court judge is referring to a CFMEU official engaging in extortion. They’re affiliated with the ALP. I note Bob Hawke and Paul Keating have both said—it’s on the record—that the ALP should distance themselves from the CFMEU. But for the CFMEU, you would not have the ensuring integrity legislation coming before the House of Reps and, soon, before the Senate.

There are good people on the other side of this chamber who have worked for unions and with unions. My father was a member of a union, my mother was a member of a union, I think my sister still is a member of a union.

**Senator Watt:** Good people!

**Senator SCARR:** Good people, absolutely. There are good people in unions, but there is also a sickness within the union movement, and that sickness is the construction division of the CFMEU.

In 37,000 words in this chamber, when the senators on the other side were debating the ensuring integrity legislation, they could only bring themselves to mention the CFMEU once—once in 37,000 words. Why is it that the senators on the other side are institutionally incapable of dealing with the CFMEU? The whole of the trade union movement in this country is going to be punished and hurt, and is already being hurt, because of the actions of the construction division of the CFMEU. They are giving trade unions all over this country a bad name. It is unjust. It is unfair. But it will only be stopped if those on the other side of the chamber or a sufficient number of crossbenchers realise that the only way to address this cancer is to take appropriate action. Bob Hawke did it in the 1980s with the BLF. Why? Because Bob Hawke believed, as I believe, that workers should be entitled to go to work without the fear of intimidation, harassment and extortion from the CFMEU.

**North Queensland: Tourism**

**Senator GREEN** (Queensland) (19:44): My home of North Queensland is home to an abundance of natural assets and talented operators which contribute to a world-class tourism industry. In Tropical North Queensland alone, more than one-fifth of all employment is supported by the tourism sector. The Great Barrier Reef is a major drawcard, stretching 2,300 kilometres across the Queensland coast. It supports 70,000 Australian jobs and contributes $6.4 billion to the Australian economy.

Last week I launched my ‘backing regional tourism jobs’ campaign to support local jobs and encourage more people to spend their holidays in North Queensland. I have been meeting with tourism operators in North Queensland to understand the issues that are affecting them. As part of my campaign I will continue to advocate for regional tourism jobs across the entire North Queensland area and encourage everyone right across Australia to come to Queensland, see the reef and experience everything that we have to offer.

Right now we know that the industry is under pressure as the bushfires and coronavirus outbreak continue to bite. The temporary travel ban has caused thousands of cancellations for tourism operators in regions like the Whitsundays and Cairns, which are particularly strong markets for Chinese tourism. Of the 849,000 international visitors last year to Tropical North Queensland more than 200,000 were Chinese. Labor supports the health and immigration measures taken by this government in dealing with the outbreak, which is based on medical advice, but, unfortunately, we know that this time of year is a big one for Chinese tourists in North Queensland. To lose that market at this time of year is a really big blow. Already it has been reported that we could see a worst-case scenario of 1,800 jobs at risk in Cairns as a result of the coronavirus outbreak. Tourism Tropical North Queensland has forecast that the coronavirus impact could start costing the region $5.5 million per day by 31 March. We know tourism numbers are down, and this can have a flow-on effect to other industries, including retail, hospitality, transport and freight.
It would help tourism operators, small-business owners and workers to see a plan to support the tourism industry from the Morrison government at this time. The Queensland Labor government has been quick to roll out a marketing campaign, but, unfortunately, we are still waiting to hear what this Liberal-National government is going to do in relation to the coronavirus. Today, in question time, the Minister for Trade, Tourism and Investment spoke extensively about the package that they announced during the bushfire crisis, and we understand that that support has been provided. However, I want to make clear that we need a specific plan for tourism operators now facing additional challenges, and what the government is proposing is not a plan for those industries, businesses or workers. They have no plan to help.

Now is the time for the Prime Minister to act—to show some leadership, to deliver certainty for tourism operators in North Queensland and to step up and release a plan on marketing the unique assets that North Queensland has to offer. But the Liberal-National government is more interested in itself than it is in the thousands of people who rely on a thriving tourism sector. Unfortunately, we have seen division in the Liberal and National parties when regional Queenslanders need them the most. Liberal and Nationals are quitting their party rooms, spitting the dummy and having tantrums. This week, when tourism businesses and the 70,000 workers in Queensland who rely on the Great Barrier Reef need support the most, we heard former minister Senator Matt Canavan dismissing the reef as just a 'few colourful corals'. That's from a Queensland senator, who should know better. Today, when tourism operators are meeting in regional Queensland to discuss how to keep their businesses alive, Liberal MPs are describing their own government like this:

It is like appeasing a child who has a tantrum.

It is time for this government to grow up, get on with the job and deliver a plan that protects regional jobs. Regional Queenslanders are resilient and they will get through the challenges that they face right now. But when they do they will remember who was there to support them and who was there to show the leadership that they needed. And it won't be the absolute rabble of a government right there.

**Coronavirus**

**Senator FARUQI** (New South Wales) (19:49): I want to acknowledge the extraordinary work of the agencies and experts around the world who are managing the response to the coronavirus outbreak. I acknowledge in particular the loved ones of those who are no longer with us, and the medical staff caring for victims deserve our thanks. Despite the hysteria and terrible consequences of the virus, both medical and social, we can and will get through this.

The xenophobia and racism that has spread with the coronavirus is heartbreaking. For weeks now, Chinese Australians and people of colour have had to endure everything from looks, flinches and veiled comments to explicitly racist attacks and abuse. They've been told to avoid schools and universities and they feel forced to wear masks and suppress normal coughs.

In Sydney last week, a young Asian-Australian mother on a train with her child was yelled at by another passenger for 'spreading viruses'. Dr Nadia Alam, a Canadian, wrote on Twitter that her son was cornered at school by kids who wanted to test him for coronavirus—just because he is half Chinese. They chased him, scared him and made him cry. In the UK, one student was attacked for wearing a face mask, and two others had eggs thrown at them. It has come to a point where a community group in the UK is now keeping lists of racist bullying incidents in schools linked to the coronavirus.

Australian doctors have reported that patients and staff in emergency departments have been subjected to racist abuse. In Albury, Harvey Norman put up a sign which read 'No coronavirus in our mattresses as ours are Australian made'. *The Herald Sun* ran a headline reading 'Chinese virus pandemonium' and *The Daily Telegraph*’s, 'China kids stay home' was equally disgusting. Health authorities in New South Wales and Queensland have had to rebut racist hoaxes targeting Chinese communities. We've seen needlessly empty seats at Chinese restaurants that would usually be busy. The situation is so bad that even Australia's Chief Medical Officer has warned about racism, saying, 'We're very concerned about xenophobia and any sort of racial profiling, which is completely abhorrent.'

None of this is a natural or excusable response to the coronavirus. It is okay to worry, but it is never okay to indulge xenophobes and fear-mongers who are exploiting this moment of panic. There is no use in pretending that the terrible incidents I have detailed are unprecedented or isolated. The abuse and attacks of this month are a reflection of the latent racism pervasive in Australia and around the world. It's latent racism that has been given licence by the reaction of governments to the virus.

Our government has quarantined some Australian citizens and permanent residents, most of whom are Chinese Australians, in a mining camp and on Christmas Island without any kind of outcry. Despite the New South Wales government offering the Richmond RAAF base the federal government and Peter Dutton insisted on Christmas
Island. This last fortnight, I have tried to imagine whether the government would have swiftly engaged the apparatus of our refugee torture regime had the majority of the coronavirus victims been white. Try as I might, it's impossible to think that we would have seen this response if the virus had begun in the US or Britain. That the measure was put in place without an uproar, without people flooding the streets in protest, is a terrifying sign of just how systematic exercises in racism and xenophobia by the Australian government have become. It is only because they have spent years normalising arbitrary detention, dehumanising refugees, 'othering' migrants and communities of colour, and dog-whistling in parliament that this government can get away with locking up Chinese-Australian citizens on Christmas Island. This cannot be allowed to go on.

I extend my most heartfelt solidarity to everyone in the community affected by the coronavirus and the horrifying racism we've seen in these last few weeks.

**National Party of Australia**

Senator WATT (Queensland) (19:54): Well, here we go again. We're starting yet another parliamentary year under this government in exactly the same way we have started every other year in the seven years it has been in power: more division, more infighting, more conflict, more fighting over the spoils and more focusing on their personal interests, not the national interest. In particular, I want to focus on what the National Party have been up to ever since we got back to Canberra last week, because the Nationals are a party who have confused the Nationals' interest with the national interest, and they're at it again.

In just two weeks, since we've been back here, we've had another leadership spill within the National Party on the same day as a condolence motion to recognise victims of bushfires which had mostly occurred in National Party held seats. The way they decided to respect the bushfire victims in their own electorates was to have yet another leadership spill. Of course, that's been followed this week with a farcical election for the deputy speakership of the House of Representatives—more signs of the ongoing civil war that is tearing apart the National Party.

Just reflect on the fact that this government is into its seventh year, and over the course of that period of time we've had the Abbott-Truss government, the Turnbull-Truss government, the Turnbull-Joyce government and the Turnbull-McCormack government, and now we're up to the Morrison-McCormack government. In seven years, we've already had five different combinations of Prime Minister and Deputy Prime Minister under this government. At a time when Australians are craving stability, what they get instead from this government is division, chaos and conflict.

Just look at what the Nationals are continuing to say about each other just this week. In just one of the articles that appeared in today's press, we had one National exposing travel rorts undertaken by a whole bunch of other Nationals, and we had one of the National Party members, Dr Gillespie, revealed as having accused the Deputy Prime Minister, Mr McCormack, of being a liar in their own party room meeting. Then we had Ken O'Dowd, the member for Flynn, out on the radio yesterday, after the leadership spill, talking up an impending leadership spill. It seems that the Nationals can't get enough of these leadership spills.

This matters to people in regional Queensland, who the Nationals say they are the representatives of. Anyone I've spoken to in regional Queensland over the last couple of weeks is just shaking their head at what is going on down here in Canberra, particularly in the National party room. Do you think that anyone in regional Queensland cares about who gets to be the Leader of the National Party this week or next week? Do you think that anyone in regional Queensland even knows who Llew O'Brien, the member for Wide Bay, is, let alone caring about who gets to be the Deputy Speaker? But those seem to be the only things that the National Party actually care about here in Canberra.

I'll tell you what people in regional Queensland care about. What they care about more than anything is having their jobs kept secure. What they care about is the fact that unemployment rates across regional Queensland are far higher than the national average. In Townsville we have unemployment of eight per cent, in Wide Bay we have unemployment of eight per cent and in Central Queensland we have unemployment of seven per cent. It's even worse when you look at youth unemployment. In Wide Bay it's 19 per cent, in Central Queensland it's 17 per cent, in Townsville it's 16 per cent and in Mackay-Whitsundays it's 14 per cent. Wouldn't you think that National Party representatives from Queensland who come down here to Canberra might be a little bit focused on how they can reduce the rate of youth unemployment or general unemployment in their electorates? No, no, no. They don't care about other people's jobs. What they care about is their own jobs, who gets to drive in a fancy car, who gets a pay rise of $40,000 a year by being the Deputy Speaker and who gets to be the National Party leader this week before it gets rotated around the party room. No-one in regional Queensland cares about these things that preoccupy the National Party representatives in this parliament. That's before we get to issues like casualisation and labour hire, which remain rife in regional Queensland despite this government being in power for seven years.
These are the issues that regional Queenslanders care about: they care about having secure jobs, about how they're going to pay their bills, about how they're going to cope with soaring health costs under this government and about how they're going to keep their jobs from casualisation and get their wages to increase, when wages are growing at a low rate we have never seen in Australia before. These are the issues that people in regional Queensland care about. They don't care who gets to be the leader this week or next week. They don't care who gets to be the Deputy Speaker next week or the week after. They care about jobs and casualisation, and it's about time the National Party started thinking about people in regional Queensland rather than feathering their own nest.

Assange, Mr Julian Paul

Senator WHISH-WILSON (Tasmania) (19:59): I rise to make some remarks about Julian Assange. This Australian journalist faces 175 years—that is, death—in a US jail. And for what? For publishing truthful information in 2010 that embarrassed the US government about their wars in Iraq and Afghanistan, and what they thought they could get away with in Guantanamo Bay. Over a thousand journalists from 97 countries have signed a very substantive and detailed statement as to why they support this fellow journalist. Their statement ends:

Dangerous times call for fearless journalism.

I quite agree, and I seek to table this statement.

I'm a proud member of the Bring Assange Home parliamentary group that is working in this building, in Australia's federal parliament, across party lines. It is part of a rising tide of public opinion across the world calling for Assange to walk from Belmarsh prison a free man and to return home. I'm also proud that the Greens have been consistently arguing in this place for over 10 years now for high-level political intervention by our government. I would especially like to acknowledge our former senator Scott Ludlam, and also Felicity Ruby, who have both worked in this building for many years.

In the cases of David Hicks and James Ricketson, the Australian government intervened to bring these Australians home. The same is now needed for Julian Assange. Last week, the parliamentary group was presented with a growing petition, now 270,000 signatures strong and which I understand was tabled in the House today, calling for Assange's freedom. Doctors from around the world have appealed for his release, aghast at the state of his health. Several weeks ago, our foreign minister received a letter from a hundred doctors, stating that if Assange dies then they will want to know what she did to prevent his death. The United Nations Special Rapporteur on torture has warned that Assange is being denied legal rights and is being subjected to psychological torture that could cost him his life.

There is some good news for Julian Assange, if we can call it that. Thanks to Belmarsh prisoners organising inside the prison, and also pressure from the outside, he is now allowed to mix with other prisoners. That means that corridors will no longer be cleared when he walks through and he will no longer be confined to a cell for 22 hours a day alone in the hospital wing but will be able to speak with other human beings.

At a court hearing on 23 January, Assange's lawyers complained of inadequate access to their client in Belmarsh maximum-security prison to properly prepare his case. Edward Fitzgerald QC said:

We've had great difficulties in getting into Belmarsh to take instructions from Mr Assange and to discuss the evidence with him. We simply cannot get in as we require to see Mr Assange and to take his instruction.

Given the complexity of the case and the life sentence it may impose, it is utterly absurd that his lawyers' visits are so difficult and that he doesn't have access to materials to prepare his defence properly. Surely our government could and should intervene on these matters. I call on them to do so as a matter of urgency.

The judge has now allowed for an extension of the trial, with the case starting for one week on 24 February and resuming again on 18 May for three weeks. One of the co-chairs of the Bring Assange Home parliamentary group will visit Assange in Belmarsh prison next week, and I look forward to Mr Andrew Wilkie, a fellow Tasmanian, taking the solidarity and support of parliamentarians and Australians directly to this Australian citizen.

The UK extradition treaty does not allow for extradition on political grounds, and of course this case is political. Julian Assange is a political prisoner, and he is potentially about to be extradited to our so-called close friend and ally the United States. Australia is abrogating its responsibility to an Australian citizen and its own sovereignty by allowing Assange's human and legal rights to be violated in accepting the application of domestic US law to an Australian citizen. Journalism is not espionage; bring Assange home. (Time expired)

Ovarian Cancer Awareness Month

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (20:04): I rise tonight in the adjournment debate, as you did last night, Madam Acting Deputy President Polley, to recognise and bring awareness that February is Ovarian Cancer Awareness Month. I'd like to take this opportunity in the Senate to share facts and encourage the community, the women in our community in particular, to donate for better
screening, diagnosis and treatment. Ovarian cancer is a cancer that, unfortunately, has affected not just my family but many other families.

Every year, around 1,600 Australian women are diagnosed with ovarian cancer. Of all the women diagnosed with ovarian cancer, 70 per cent will experience cancer recurrence and only 46 per cent will survive. Put another way, each and every day four women are diagnosed with ovarian cancer and, tragically, three women will die of it. Ovarian cancer has not had the same level of awareness or fundraising over recent decades as other cancers. Ovarian cancer gets less than 25 per cent of the funding that goes to other, less deadly, cancers. As a result, there is wide misunderstanding about ovarian cancer, particularly among many of the migrant and ethnic groups in Australia, about its signs and symptoms, about how it is screened and about how women should be able to prevent it.

Seventy per cent of Australians believe that the vaccine for human papillomavirus, commonly referred to as HPV, protects women from ovarian cancer. It does not. Half of all Australians believe that a pap smear can detect ovarian cancer, but a pap test screens for cervical cancer, not cancer of the ovaries. In fact, there is no effective test or screen for ovarian cancer and no vaccine to help protect women from it.

The lack of funding for ovarian cancer has not only led to this widespread misunderstanding in the community but also left researchers and scientists without the resources that they need to better understand the disease. This means that ovarian cancer is usually diagnosed too late, making treatment very difficult. This might sound disheartening, but the message from Ovarian Cancer Australia is very clear: it's time for teal to enjoy some time in the spotlight. By raising awareness we can knock these misunderstandings on the head, and donating and providing funding means researchers can better understand the signs and symptoms of ovarian cancer and find better treatments until one day, hopefully, they find a cure. Ovarian Cancer Australia, along with other stakeholders and advocates, have been successful in lobbying for a new national action plan, and they've sought funding from the federal government. That is very good news. I think at the last election we did see a bit of bipartisanship when it came to cancers.

But more can be done and must be done, and everyone in our community has a role to play. Earlier today I shared on my social media channels some resources that were supplied by Ovarian Cancer Australia, and I certainly intend to do that throughout my community back home in Victoria. My message to the community, especially to women, is: please talk to your doctor. Go to the Ovarian Cancer Australia website and download their resources. Help your friends and family understand the signs, symptoms and risk factors. If you're in a position to make a donation, I do encourage everyone to do so.

Funding is absolutely critical for the research that needs to be done to save the lives of women who are diagnosed. We simply cannot continue to allow three women to die from ovarian cancer every day. I thank the Senate for this opportunity tonight.

**Mining: Burrup Peninsula**

**Senator STEELE-JOHN (Western Australia) (20:09):** On the north-west edge of my great state of Western Australia there exists a stretch of land: Murujuga, also known as the Burrup Peninsula, the lands for almost 60,000 years or more of the Ngarluma, of the Wong-Goo-Tt-Oo, of the Yaburara and of the Yimbirrndi peoples. This stretch of land is home to one of the great wonders of the world, the Burrup rock-art gallery. This stretch of land is home to one of the great wonders of the world, the Burrup rock art gallery. Stretching back over 60,000 years, they provide some of the earliest glimpses into the coming together of human community on the planet earth. This is a place where people have lived and resisted and maintained culture for generations. It is also a place that has been the scene of great wrongs and injustices done to First Nations peoples by colonial arrivals.

It is now the place upon which a government is seeking to perpetrate yet another great wrong. The Mark McGowan Labor government is promoting, is supporting, is backing in and is backing up nothing more and nothing less than a carbon bomb upon the peninsula. They are seeking to expand the poisonous, toxic gas industry upon the peninsula. They are seeking to increase it by almost 30 per cent in a project known as the Burrup Hub—a name that disguises the absolutely insidious nature and impact of this project. To give anybody watching at home an idea of the scale of this project, of the damage it will do: across its life it will contribute more than four times the emissions of the Adani Carmichael coal project in Queensland—four times the amount of that dirty polluting mine! This project is nothing more and nothing less than a dagger to the heart of climate action. When it is at full scale it will contribute—singularly; on its own—50 per cent of my state's CO2 emissions.

You've got to ask yourself why? Why would a government pursue such a project? Why would they seek to expand a gas industry? Why would they seek to open the door to fracking when the community doesn't want it and the environment can't take it? Why would they seek to do this at the very moment in time when we need to be transitioning away from these dirty industries to a clean energy future? The answer is money—money, pure and
simple—from those gas merchants who believe they run our state. I am talking, of course, of the BHPs, of the Chevrons and of the Woodsides.

Let's go through it: between 2012 and the present day, Woodside has donated $771,000 to the Labor Party; Chevron, $277,000; and Shell, nearly $20,000. Woodside alone has been the fourth-biggest contributor to the ALP in that period—fourth! That's what it buys you: the destruction of the Burrup, the destruction of the rock art and a dagger to the heart of the climate action movement. The only party in WA speaking out against this proposal, speaking out against the McGowan government, is the Greens, and we will continue to work with the community in our campaign to stop this project and take climate action.

Dams

Senator ROBERTS (Queensland) (20:14): As a servant to the people of Queensland and Australia, I remind Australians that 112 years ago a young poet composed words that were inspired by a love of our beautiful but harsh country, words that were free of late 20th century pseudoscientific tyranny. Let me recite one stanza of her poem:

Core of my heart, my country!
Her pitiless blue sky,
When sick at heart, around us,
We see the cattle die—
But then the grey clouds gather,
And we can bless again
The drumming of an army,
The steady, soaking rain.

These words in 1908 from Dorothea MacKellar's 'My Country' once again echo the sentiments of our nation. We are seeing glorious rain falling in many drought affected areas. Record rain is falling in parts of the east coast. Social media, though, is alive with everyday Australians asking one simple question: why is this rain not going into dams?

We used to build dams, so much so that in the year 2000 we had 4.3 megalitres of dam storage for every person. In 2019 this was down to 3.2 megalitres and by 2030 it will be down to 2.7 megalitres. Our near permanent water restrictions have resulted from this failure to build dams by successive Liberal, National and ALP-Greens governments. This makes no sense. We have the locations for new dams. The feasibility study for the Big Buffalo Dam was approved in 1965. The Victorian government bought the land 20 years ago. The plans were completed, the bulldozers were ready to go and then—nothing. Big Buffalo will increase Lake Buffalo from 24 gigalitres to 1,000 gigalitres—over 40 times. This water could be used to provide water security to our hardworking farming communities in northern Victoria. Instead, we have Victorian Premier Andrews having a let-them-eat-cake moment declaring that 'building dams will not make it rain'. What a stupid thing to say. It is raining and much of that rain is just running to waste.

In New South Wales, under pressure from One Nation and public opinion, the New South Wales government has announced start dates for the Wyangala and Dungowan Dam extensions. This will add 650 gigalitres to New South Wales water storage, the first new construction of a catchment dam since 1987. The New South Wales government has also announced a feasibility study into a dam on the Upper Mole River in the Border Ranges near Queensland. I look forward to the incoming government in Queensland honouring its promise to build dams by working with Premier Berejiklian to deliver the Mole River dam for Queensland and New South Wales residents.

Separately, I call on Premier Berejiklian to cancel the new Menindee Lakes scheme. This scheme is monstrous; it is madness. This plan will destroy the Menindee Lakes, a magnificent wetland, often called the 'Kakadu of the south'. Draining the Menindee Lakes will destroy farming from Menindee all the way down to Wentworth. This scheme will permanently dry up the Lower Darling, except for rare flood events. This will mean the end of fish kills in the Lower Darling because it will mean the end of fish in the Lower Darling. Our water plan will save the Menindee Lakes while restoring water to farmers and communities of the Lower Darling.

As I travel around rural Australia listening to Aboriginal river tribes, I often hear the loss of traditional water use has decimated their communities. The very high offending rates, the loss of hope, the theft of their future are tragedies that could have been avoided. One Nation's Water for Life weir project calls for the raising or replacement of town weirs in rural and regional Australia so each community will have access to five years of potable water. This will return life to rural communities.

In my home state of Queensland, One Nation will build a visionary water and hydro-electricity scheme called the Bradfield. The Burdekin, Fitzroy and Tully rivers draw huge quantities of water down to the coast and out to
sea. The elevation and geography of the area allows for a hydro-electricity project to rival the Snowy Mountains scheme. The Bradfield scheme was first proposed in the 1930s by Australia's leading engineer, Dr John Bradfield. His basic concept was, and remains, strong. This scheme has been questioned and certainly the original format is not one we could consider today. The shortcoming though was environmental, not engineering. One Nation proposes a modern Bradfield scheme to create a new agricultural zone in North Queensland that will provide billions in export earnings and thousands of jobs secured by a reliable water supply, with no environmental cost. One Nation will end the war on dams.

**Tasmania**

**Senator ASKEW** (Tasmania) (20:19): While small in size and population, my state of Tasmania punches way above its weight when it comes to celebrating all the things we love about summer. The longer summer days and temperate weather we enjoy are already drawcards for tourists and locals alike, but, when it comes to summer, Tasmanians really know how to hold a festival, and we have many. Our fine produce is highlighted at many a summer event, but there are still plenty of other festivals and activities for those who want to look beyond food and drink.

Let me take you on a quick tour around my state, visiting some of my favourite summer events along the way. While many of us are taking it easy and spending time with our families and friends on Boxing Day, each year hundreds of sailors set off from Sydney to compete in the internationally renowned Sydney to Hobart Yacht Race, which has been running for more than 70 years. Starting just as the crews are making their way up the Derwent River and into Hobart's docks, the Taste of Tasmania ensures sailors and landlubbers alike have somewhere to celebrate the end of the race and the start of a New Year with good food, wine, music and friends. The Taste, as we call it, starts on 28 December, runs until 3 January each year and recently celebrated its 30th anniversary. Over three decades the Taste has become one of Tasmania's premier food-and-wine festivals, launching many agribusiness operations and partnerships along the way. Owned and managed by Hobart City Council, it is run with the help of hundreds of volunteers each year.

Held at the beginning of December, the Launceston Cycling Festival started in 2002 when two keen riders, the late neurologist Stan Siejka and former professional cyclist Tom Sawyer, wanted to recreate the atmosphere of a European race right in the middle of town. The race, which has attracted the likes of Cadel Evans, Robbie McEwen, Chris Froome, Richie Porte, Simon Clarke and Stuart O'Grady, takes over Launceston at the end of the year. It attracts about 10,000 spectators, who ring hundreds of cowbells while watching multiple races, creating an incredibly exciting and energetic atmosphere.

Originally established in the state's south and held in the expansive grounds of the Museum of Old and New Art, or MONA, just outside Hobart, MONA's Festival of Music and Art, or MONA FOMA for short, is now a firmly entrenched fixture in the northern Tasmanian cultural calendar. The Tasmanian Liberal government supported the festival's move north financially, and the community welcomed it so enthusiastically that it has recently held its third northern program. Held in January in a variety of built and natural locations throughout Launceston, MONA FOMA draws in the city's residents and tourists and encourages them to explore the weird and wonderful through art installations, musical performances and cultural celebrations.

One of the highlights from this year was the enormous inflatable sculpture that was set up on the lawns of Royal Park, much to the delight of the city's residents. Created by UK based studio Architects of Air to reflect the Roman Pantheon, the Daedalum Luminarium comprised 19 interconnected domes, a special soundtrack and differing temperatures and colour schemes, all developing a feast for the senses. Another hit was *King Ubu*, a play featuring gigantic puppets that were developed for MONA FOMA and including a number of Launceston's community groups and performers in the cast. Using the beautiful Cataract Gorge as the setting, the outdoor production entertained audiences of all ages over three nights.

Continuing the summer feeling in Launceston, Festivale starts setting up in City Park not long after MONA FOMA packs up. Established in 1988 as a multicultural street party, Festivale has now evolved to be another of the state's premier food-and-wine events and attracts almost 30,000 people across three days. Like the Taste, Festivale is an opportunity to sample Tasmania's cool climate wines, craft beers and unique spirits with myriad food options. This goes down well while watching local, mainland and sometimes international acts perform on a number of stages throughout the park. Patrons can also take in a food or wine masterclass, making Festivale the perfect opportunity to catch up with friends under City Park's historic elm trees.

Not to be outdone by its mainland Tasmanian cousins, the Festival of King Island has a strong music focus and has been held at the end of January or early February since 2013. Australian folk, blues, funk, country and jazz musicians make the trip to the north-west island, eager to mix with the locals and tourists for the weekend. The Festival of King Island came about when a young King Island resident approached Canberra-born musician Kim...
Churchill to see how he could help her encourage young people to stay on the island, while also supporting the island economically after several major employers had moved operations away. Touched by her passion, Churchill then contacted Kim George, who ran the Savour King Island Facebook page, and together they established the event, and it has continued to grow in size and popularity ever since.

Running for almost 40 years now, the Cygnet Folk Festival draws so many people from across the state, mainland Australia and international locations that the Huon Valley town's population swells almost beyond capacity for the three days of the event each year. Cygnet Folk Festival is considered one of the country's iconic folk music events, but the program extends beyond folk music to include dance, poetry, musical master classes, film, art and craft and plenty of the fantastic food and wine I've already mentioned. This festival is run by a voluntary committee who want to encourage a wider interest in folk music and similar genres by offering performances and workshops supporting young musicians and fostering relationships between artists.

Starting as a celebration of island life on Flinders Island in similar circumstances to the Festival of King Island, the Furneaux Islands Festival began in January 2014. It combines aspects from the region's history and lifestyle, showcasing the community's musical and cultural heritage. As part of the program, organisers host a community barbecue day where residents of the Furneaux Islands, mainland Tasmania and beyond can join the cultural celebrations and enjoy food and music together.

If you head south when leaving Launceston airport, instead of north into Launceston, you will soon arrive in Evandale. This National-Trust-classified Georgian village in our northern midlands was established in the 1820s, and each year in February the town hosts its village fair, which coincides with the famed National Penny Farthing Championships. Penny-farthing riders, many of them dressed for the occasion, speeding around Evandale's historic streets so fast they look like they will tip over is a sight to behold. Both awe-inspiring and amusing at once, these races are a major drawcard for the town and they attract riders from around the state, nationally and the rest of the world. This championship event was established in 1983 and holds the Guinness World Record as the world's largest penny-farthing racing event. For anyone interested in attending, this year's event will be on 22 February.

Tasmania's festival season is enriched by two more music events held at either end of the state. The Falls Festival is not wholly Tasmanian, as it has been held at mainland venues too during its 27 years, but it attracts music lovers from around the state to see in the New Year in the beautiful Marion Bay at the southern end of our east coast. Party in the Paddock has just held its 10th and final event in the White Hills paddocks. It has grown from a small event for founder Jesse Higgs's 21st birthday, where the stage was made from hay bales, to become a sold-out music-and-arts festival that attracts some of the country's and the world's biggest acts, like Matt Corby and Lily Allen.

This is just a small sample of what happens in Tasmania during summer, with much more keeping our calendars full in those warmer months. Unfortunately, time does not allow me to touch on many other events, such as the Burnie Gift, St Helens Wheels Wine & Dine, Skyfire, numerous Australia Day events, the Swansea Art Exhibition, the Hobart, Burnie and Launceston internationals, Barnbougle Polo, Tamar Folk Festival, the Wooden Boat Festival and Taste the Harvest. Not only events for Tasmanian residents to enjoy, each of these festivals brings tourists to the state during our summer months. Here our communities can showcase what Tasmania does really well—the best quality produce matched with culture and passionate people. Tasmania really is the place to top up your cultural pursuits, tantalise your taste buds and maybe even cheer on your favourite sports person or participate. I thank the many volunteers and organising committees who put countless hours into delivering these events, and I invite you all to join us in Tasmania next summer to share these amazing events with us.

**ExxonMobil Australia**

**Senator PATRICK (South Australia) (20:28):** I rise to speak this evening about a quiet Australian. He's someone who doesn't have a high profile. He doesn't seek publicity and he's not in the headlines. Indeed, he's someone whose name is quite unknown to the vast majority of Australians. But I think more Australians should know of this quiet Australian, because he has played and continues to play a significant role in our nation—especially with regard to resources that are available to government to advance the public good.

Richard James Owen keeps a low profile. Although he's at the top of his industry, he doesn't appear in the Australian edition of *Who's Who*. But he is, by any measure, a notable corporate success story. Born in 1961 in Penrith, New South Wales, Owen is a graduate of Sydney University, where he studied chemical engineering from 1979 to 1982. In 1983, Owen joined the Esso company in Australia as an engineer at Sale, working on Bass Strait oil and gas projects. He has worked in the petroleum and gas industry, and indeed for Esso and its American partner company, ExxonMobil, ever since. Over some 37 years, Owen has served in some technical, senior
technical and executive positions with ExxonMobil around the world, including assignments in Sydney, Melbourne, Houston, Alaska, Hanover and Jakarta.

In mid-2013, Richard Owen returned to Australia as chairman and country manager for ExxonMobil Australia. He took up residence in an elegant four-level townhouse in east Melbourne, acquired for about $3.3 million, now valued at about $4.5 million. It's an attractive address, a literal stone's throw from Yarra Park and the Melbourne Cricket Ground. Owen held the position as chairman of ExxonMobil for more than six years until June last year, when he was appointed to the position of upstream business development executive, another promotion within the Exxon hierarchy. He continues to be based in Melbourne.

Owen's success with Exxon has brought considerable professional recognition. He is a fellow of Engineers Australia and the Institute of Chemical Engineers, and a life member of the Society of Petroleum Engineers. He is president of the Australian Resources and Energy Group of the AMMA, the Australian Mines and Metal Association. In August 2018, former Prime Minister John Howard accepted an invitation from Chairman Owen to speak in Melbourne at the group's centenary gala dinner. Mr Howard talked about industrial relations policy. He also highlighted his view that what he described as a competitive company tax rate is essential for the international survival of Australian companies. The reference to a competitive company tax rate was not without irony at the gala event. After all, one might wonder just what levels of company tax that corporate energy giant pays in Australia. The answer to that question is a big, fat zero. Over five years from financial year 2013-14 to 2017-18, ExxonMobil generated more than $42 billion in revenue and paid precisely zero dollars in corporate income tax. Those five years were the first five years of Owen's chairmanship at ExxonMobil Australia. It's almost certain that the next set of ATO tax transparency figures will tell the same story for the final year of Owen's six-year chairmanship.

This is a disgraceful state of affairs. ExxonMobil is, amongst other things, the largest supplier to our domestic gas market. While domestic gas prices have skyrocketed, Exxon has been enjoying a multibillion-dollar seven-year tax holiday, having last paid corporate tax in 2013. ExxonMobil received some attention during the course of the 2018 Senate Economics Committee inquiry into corporate tax avoidance. In May 2018, Mr Owen bluntly told the committee that he didn't expect his company would pay any corporate income tax until at least 2021. It is estimated that over this period ExxonMobil will have generated well over $60 billion in revenue in Australia. Under Owen's chairmanship and that of his successor, Nathan Fay, ExxonMobil tops the chart of Australia's biggest corporate tax dodgers.

Everyday Australians would be gobsmacked. Over eight years, ExxonMobil will have paid less income tax than hundreds of thousands, indeed millions, of taxpayers—teachers, nurses, firefighters, cleaners and supermarket checkout staff. Exxon's contribution through corporate tax to the federal Treasury and all the services the government provides is zero. They rely on our Defence Force to safeguard their offshore platforms, they rely on our police to provide security for their operations, they rely on our education services to educate their workforce, they rely on our medical and health services to keep their workforce healthy, they use our roads to get to their offices, they utilise our justice system as the foundation of the rule of law and they're dependent on our national infrastructure, yet they don't contribute. They don't pay a brass razoo in company tax.

Richard Owen argued to the economics committee that it would not be fair to say ExxonMobil was avoiding paying income tax, because of the large investments that the company had made in future gas and petroleum production. He claimed ExxonMobil was in 'a unique period' and that they expected it to be 'short term in our corporate history'. However, the company doesn't mention that ExxonMobil Australia is owned through a curious set-up of shell companies variously registered in the Netherlands, a jurisdiction increasingly known for tax minimisation and avoidance, and the Bahamas, an EU-identified tax haven, and entities incorporated in Delaware, a US state well known for business secrecy. These complex arrangements are relevant because ExxonMobil has borrowed billions of dollars from other ExxonMobil companies overseas and funnelled hundreds of millions of dollars offshore via interest payments on their loans. ExxonMobil has denied these opaque arrangements have any impact on the tax paid in Australia, but the company has failed to explain the purpose of those tax haven shell companies and why those arrangements were put in place.

ExxonMobil's questionable tax position is not something that happens by accident. It happens by design, with the full knowledge of the chairman and the directors and with deep investment in international taxation planning and legal advice. ExxonMobil recently spent more than $10 million on lawyers and legal advice as it battled the Australian tax office. Owen gave evidence to the Senate committee agreeing with the public's concern about the need for companies to pay their appropriate share of tax. Transparency is 'important to a company's social licence to operate', he said. This, coming from the head of a company that took $42 billion in revenue and paid not a cent in corporate tax, has to be one of the more blatantly hypocritical and shameless statements ever made to a
committee of the parliament. In a rare interview a year ago, Owen claimed that ExxonMobil was 'firmly aligned to the values, hopes and aspirations of our community'.

The former chairman of ExxonMobil Australia is a quiet Australian. But he deserves some limelight, not because of his professional achievements but because he has been party to massive exploitation and abuse of social licence. He hasn't 'aligned with community values, hopes and aspirations'. Quite frankly, he lacks social integrity. Richard James Owen is a shameless corporate tax dodger. He should be called out for what he is. Behind a veneer of professional respectability, he is a hypocrite and he is a corporate scumbag. Unfortunately, Richard Owen is not the only business figure I intend to turn the spotlight on in the weeks and months to come. Regrettably, there are others who need to be named and shamed. I am lifting the corporate veil. Stay tuned.

**Morrison Government**

Senator POLLEY (Tasmania) (20:38): I rise to speak about an arrogant Prime Minister who is all spin and doesn't actually care about the long-term prosperity of our nation. The Morrison government is a government that does not know the meaning of the word 'truth', let alone practise truth-telling. It does not have any actual plan for government or the governing of our country. The fact of the matter is that the Morrison government fell into power and actually didn't even take a real plan to the election. They've been elected, and now Australians have seen the Prime Minister that they elected.

What a beginning to the year 2020 it has been for this arrogant government! It's directionless, it's floundering, and there is no-one at the helm who is demonstrating any leadership. The Morrison government is lurching from crisis to crisis. First it was Mr Angus Taylor and then the shonky Mr Morrison himself during the bushfire crisis. He made things even worse. Then, of course, we had Senator Bridget McKenzie. How could we forget about sports rorts and the Prime Minister's office's own involvement?

They think that by getting Senator McKenzie to step aside because she didn't report her pecuniary interests, as we all do, she will have the opportunity to come back when they think that it's going to be safe to bring her back to the front bench. This is a Prime Minister that is all spin. He has no plan for the economy, no plan to grow the Australian economy. This is a government that is seen for what it is. They're shonky, and they don't like to be called out on their shonky behaviour. There is no transparency whatsoever. Just one of the rorts this government has participated in is the sports rort. If you talk to people on the street, as I do, around where I live in northern Tasmania, you'd know that they see this government as being corrupt. That's how they see this government. That's how they see their Prime Minister—as somebody who is all spin. He's smoke and mirrors. He's all spin. He's Mr Marketing himself. Well, he's been caught out very short for his lack of leadership and empathy.

But let's go to another crisis that this government is responsible for—that is, the crisis around the robodebt. We know that, when it comes to the fiasco around the robodebt, this government has been again exposed. For example, just when we thought the government had finally got the message, a class action against the government isn't even going to stop them trying to take money from people who don't even owe money. The government don't care about the stress that they've put these people under. They have no concern for the mental anguish that these people have been going through. And we saw the minister yet again demonstrate, in this place, in question time, that they have no understanding of what these people, who don't even owe the government any money, have been put through.

The government would argue that this process of issuing debts had human oversight. But it didn't have human oversight when it mattered. In April last year, part of the robodebt robot that lay dormant was accidentally unpaused and it sent out 10,000 zombie robodebt letters of demand. We also know that this government's robodebt doesn't care if you've just gone through a traumatic experience, such as a natural disaster. After the Townsville floods last year, people in the disaster affected areas were still being hounded by the department for debts. Labor will also be monitoring the government's treatment of social security recipients in the fire affected areas.

The toll from robodebts has extended to stress, anxiety and loss of life. There are mothers grieving for their adult sons who took their lives because of the weight of being pursued by the robodebt system. Figures obtained through the Senate found almost 2,000 people died after receiving a robodebt notice. And, at the last Senate estimates, it was revealed that the department took money from 73 estates of people who had died, totalling $225,000. That's how this government prioritises. It goes after those vulnerable people—people who always try to do the right thing. At the same time, the government hide their own shonky rorting behaviour.

Even if the government admitted to checking if the scheme was legally watertight when they set it up, it is not as if they haven't had fair warning since. The Morrison government simply cannot claim they were ignorant of the shaky foundations of this scheme. They've had nearly three years of calls from legal figures, advocacy groups, community groups, unions, academics, two Commonwealth ombudsman reports, three Senate inquiries, a Federal
Court judgement and legal advice given to their department. But what have we seen? The government, as usual, ignoring all of those reports. The longer they delay, the bigger the hit to the public because of the mounting interest liabilities.

I want to move on to the economy. The lack of economic management under this government is absolutely astounding. After six years of the Liberals and Nationals the economy is floundering and Australians are suffering, but the Morrison government has no plan to turn things around. Regional economies like mine in Northern Tasmania deserve a federal government that has a jobs plan. This government does not have a plan. It is too preoccupied with crisis after crisis and its own infighting. We've got a split in the Nationals. We saw the disaster and the chaos in the House of Representatives yesterday, when the Nationals and the government's own nominee for Deputy Speaker was done over by another National. No wonder they haven't got their eye on the ball. There's no confidence. We're just sitting back waiting for Mr Barnaby Joyce. We know that he has got at least one more shot in the locker to take on the Leader of the Nationals.

The chaos continues, and the people of Australia are suffering because of that. People in Northern Tasmania are suffering because they don't have jobs, they are underemployed and they don't have any of the investment that is warranted in their TAFEs, in their education system and in their universities to ensure that Tasmanians are job ready for not only the jobs of today but the jobs of the future.

If we turn back to the disaster that we witnessed from this Prime Minister during the fire crisis—let's talk about that again. Let's talk about a Prime Minister who has made history—the only Prime Minister in my lifetime whose popularity has plummeted during a national crisis. Normally the leader, whether it's the Prime Minister or a premier, is front and centre on the television cameras night after night after night, talking to the Australian people and showing some empathy. What was the Prime Minister doing? He was trying to force handshakes on people who had lost their homes. He turned his back on a young woman who had lost her home. He tried to force himself on a firefighter who had lost his property. He turned up on Kangaroo Island in South Australia and told people, 'Well, the good thing about South Australia is nobody has lost their life in these fires.' This is a Prime Minister who is not on top of his job. This is a Prime Minister who has lost the confidence of the Australian people.

Government senators interjecting—

 Senator POLLEY: Those on the other side don't like to hear the truth. This isn't just what I'm saying in this place. This isn't just what Labor senators have been saying in this place; it's what the Australian community are saying. They are seeing a man who is all spin and no substance. This is a Prime Minister without a plan, this is a Prime Minister without any empathy and the Australian people will not forget it.

Queensland Government

 Senator STOKER (Queensland) (20:48): Today I rise to talk about a clever question that was asked of me by a good friend—Henry Pike, who is the LNP candidate for the state seat of Redlands. He asked me on Saturday: 'Which Labor scandal this week was the most disgraceful?' Was it the Queensland Premier's chief of staff being rehired after he got a $297,000 golden handshake? Was it ramming through legislation to lower the Paradise Dam wall against the wishes of the local agricultural community? Was it millions of wasted dollars in a junked SPER— the State Penalties Enforcement Registry—debt recovery system? Or was it Minister Miles, the health minister, using parliamentary privilege to attack a journalist who exposed scandals within his portfolio? It's really hard to tell. So I thought I would, with the help of this chamber, go through a little bit about each of those scandals and let this chamber decide which of the four takes the cake.

The first one is the payment to Mr Jim Murphy, the former Queensland Treasury undersecretary. He resigned from his position—note that word, 'resigned'; he wasn't made redundant and wasn't fired. He resigned to take up another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a nice big cheque for $297,000. He went to join a management company which seemed another career opportunity and moved to Sydney in August 2018. He got a
This should be the biggest infrastructure scandal of our age. Building Queensland indicated in a report in 2016 that the Paradise Dam needed extensive repair work. It branded it a priority proposal—it's on page 21 of the Infrastructure pipeline report, if anybody wants to check up on this. It was built in 2006 and it is the second-newest dam in the country. It cost $240 million of taxpayer money. Well, four years ago, in 2016, that repair work was identified and not a thing was done—not a thing! Now, all of a sudden, there is urgency. It's urgency that means Labor has rushed legislation through the Queensland parliament, effectively to allow them to demolish the Paradise Dam—a dam that was 75 per cent full. At a time when the Bundaberg district is as dry as can be it has been emptied down to 42 per cent, simply wasting 32,000 Olympic swimming pools worth of water. That's water which is desperately needed by graziers, by macadamia farmers, by avocado farmers and by our cane farmers. I could keep going! And the worst part is that they did it without even asking any of the users, any of the people who depend on that dam for the viability of their agricultural enterprises. It's just not good enough.

They called an independent inquiry into the Paradise Dam late last year, to be headed by the well-respected Justice John Byrne of the Supreme Court, and it's due to report in April. So why the big old rush to tear the thing down before we even have the full information about what's gone wrong? Here is what we do know: many documents—the ABC estimates there are 23,000 documents—show that the structural faults and safety issues with the dam over the past five years are being withheld from disclosure. We note that the mayor and Sunwater say that it's not about damage sustained during the floods but that it's about problems with construction. And we know that Dr Lynham, the responsible minister, simply says that it is commercial-in-confidence whenever he is asked to be held accountable for what should be the biggest infrastructure scandal of our time. But the Queensland state government think they're not really accountable and that they can do as they please.

The third Labor fail he gave me to choose from was that the Queensland's State Penalties Enforcement Registry's ICT reform of the fine recovery system was given the big old thumbs down by the Queensland Audit Office. The Office of State Revenue implemented this registry over the course of five years and at the massive cost of $58.8 million. The Auditor-General said that it was not effective from its inception. It didn't work from the very start. Meanwhile, Queensland has a total of $1.294 billion—not million, billion dollars—in unpaid debts, in fines, and no system that this government seems to be able to put together to manage it adequately. That's good news for fine dodgers but it is pretty bad news for the taxpayers of Queensland.

The fourth issue is health minister, Mr Miles, and his technical bungles with the ICT system once again. When it comes to technology and health, boy, Queensland Labor have a shocker of a record. They introduced in the health department a $1.2 billion system called the IEMR—the integrated electronic management record system—designed to manage patient records electronically. So far, 16 hospitals have moved onto the system and another 14 are to follow. But according to the ABC, which undertook a right-to-information request, 95 patients have been physically harmed as a result of glitches in this system, including one child in the Queensland Children's Hospital who was accidentally given 10 times the amount of insulin they required to deal with their condition. It's out of control. This is life-and-death stuff that comes down to the incompetence of Minister Miles yet again.

In October last year, a draft briefing note came to light. The health minister requested that Queensland Health not conduct any patches or upgrades to the system during sitting weeks—that could cause awkward moments for him—and, when he was called up on it, he denied he had made the request. But, like the dodgy poll conducted to change the name of the Lady Cilento Hospital, this too was proven to be untrue. The minister had made the request that upgrades to the management system not be undertaken during parliamentary sitting weeks—another bit of dodgy spin that we've come to expect from Queensland Labor. I find this a little bit like my two-year-old toddler, hiding behind a curtain or a towel and pretending she can't be seen. So it is a tough call, isn't it?

Henry Pike, the candidate for Redlands in Queensland, has come up with four corker options for the best Labor fail of the week. It is pretty hard to choose. Probably Paradise Dam wins for me. But if that is what Queensland Labor can mess up in just one week in Queensland, just imagine what they've done over the course of this term. Well, I'll hold my vote for now and wait and see what manifests in the coming weeks because I've no doubt that this incompetent crew will keep topping themselves week after week after week. That's why they have to go.

**Australian Bushfires**

**Senator FIERRAVANTI-WELLS** (New South Wales) (20:57): Tonight I rise to speak about the recent bushfires which have devastated Australian communities, scarred our landscape and left many citizens mourning the loss of family and loved ones following 33 deaths. Last week, both chambers passed condolence motions. We heard graphic details about the national disaster, when bushfires took their toll in lost lives, property, enormous loss of wildlife and economic cost. Can I, too, offer my condolences to those families who have suffered and are mourning the loss of their loved ones. Given their loss, it compels me to place the following on record.
Today, we live in a society characterised by extreme activism and, perhaps, eco-terrorism. Vocal minorities disregard the rule of law in pursuit of their objectives. They use the right to protest as a vehicle not only to break the law but also to damage property, disrupt people's daily lives and cause maximum chaos in society. A propensity for law-breaking has sharpened our awareness to an extent that surveillance has become the new norm in our society through the proliferation of security cameras. Our police forces rely on such methods of surveillance every day in order to keep us safe and achieve prosecutions. Some might argue that increased surveillance has become pervasive—welcome to the new world.

In August 2019, the media build-up of an impending hot, dry summer appears to have set the scene for the unhinged, including those with criminal intent, to act. It defies logic that the number of bushfires in different parts of Australia took hold so quickly and apparently all at once, thereby destroying property, livelihoods and wildlife and, in worst-case scenarios, causing the deaths of 33 people.

The history of our sunburnt country suggests that bushfires can start from lightning strikes, downwind spot fires from cinders in high winds, fallen powerlines, carelessness by citizens and, unfortunately, arson attack. I draw your attention to an article by Dr Paul Reid, an ecological criminologist and sustainability scientist at Monash University. His article was published in The Sydney Morning Herald on 18 November 2019 and was titled 'Arson, mischief and recklessness: 87 per cent of fires are man-made'. The article gave an excellent synopsis of the facts with respect to bushfires in Australia. It stated, 'There are, on average, 62,000 fires in Australia every year,' and it notes that satellite studies have shown that lightning strikes are responsible for only 13 per cent of all fires. Dr Reid further stated:

A 2015 satellite analysis of 113,000 fires from 1997-2009 confirmed what we had known for some time—40 per cent of fires are deliberately lit, another 47 per cent accidental. This generally matches previous data published a decade earlier that about half of all fires were suspected or deliberate arson, and 37 per cent accidental. Combined, they reach the same conclusion: 87 per cent are man-made.

Importantly, Dr Reid draws a distinction with the recent fires in New South Wales and Queensland and noted that there were no lightning strikes on most of the days when the fires started in September 2019.

I should point out that there have been many inquiries into bushfires over the years, including the royal commission into the Black Saturday Victorian bushfires in 2009. Recommendations including those relating to land clearing, reductions of fuel loads and arson not only have been inadequate but also have not been fully implemented. Several media reports since last year have indicated that arson was a key factor and many arrests had been made.

Indeed, taking up Dr Reid's work, supported by his satellite data analysis, and given the extreme number of fires that occurred in September 2019, the scenario not only gave the impression of the possibility of arsonist attack but also suggests a level of coordination. Given the loss of life, the extensive loss of property, the psychological costs to our communities and the devastating loss of wildlife, questions need to be asked. Those alleged arsonists already arrested need to be thoroughly investigated by law enforcement. Who are they? What was their motive and intent? Are they lone actors or part of a sinister collective conducting ecoterrorism? Was there a level of coordination? Were any organisations with a history of law-breaking involved in order to further their respective narratives?

On 21 May 2004, David Crowe wrote a most informative article in the Australian Financial Review about Crossbow's capability, its application to law enforcement and the importance of data mining through searching disparate databases. In this regard, metadata is an important resource and tool for combating terrorism. Surely data-mining programs such as Crossbow or its successor would be very useful to establish any six degrees of separation between those who might be involved in unlawful activities. Forensic analysis of communications metadata remains an important tool to gather evidence and counter potential terrorist activities in what can only be described as today's uncertain world.

On 26 March 2015 our parliament passed Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014, requiring retention of a defined set of data for a period of two years. As stated by the then Attorney-General Brandis and Communications Minister Turnbull in their press release of 2016, 'metadata is the basic building block in nearly every counterterrorism, counter-espionage and organised crime investigation'. Surely this is a starting point with those already arrested. What role is the Australian Federal Police taking with respect to investigations and the discovery of evidence within communications metadata? Should the Australian Signals Directorate be assisting in this regard to rule out—or otherwise—potential overseas components being held by ecoterrorists, noting that arsonists were active in California last year? Have we reached the point where satellite surveillance metadata from our various national agencies needs to be examined at the respective initial flashpoints as part of investigative resources and tools to assist in gathering evidence to prosecute those responsible? Given the loss of life, the extensive loss of property and the economic impact, was ecoterrorism an
agenda item at any of the recent meetings of the National Security Committee of Cabinet? If not, why not? The Australian public deserves answers. And so I ask: who is taking the lead to get to the truth? The 33 lives lost must not be ignored by those charged with our security. We owe it to them to get to the bottom of the how and the why.

Department of Veterans' Affairs

Senator LAMBIE (Tasmania) (21:06): This has been a long time coming for the Veterans' Affairs, I'll be honest with you. And this is only going to be the start of it tonight. I started up here naming and shaming, and I'm going to start from the very top tonight. And it's not going to finish tonight; it's going to be ongoing until we get that royal commission. So let's play!

The Principal Medical Adviser (Compensation) at the Department of Veterans' Affairs has personally called a psychiatrist to threaten his business unless he cuts what he recommends DVA pay wounded veterans in compensation. This doesn't happen in a vacuum. Five and a half thousand ADF members transition out of the ADF each year. Half of all transitioned ADF members have experienced a mental health condition in the last 12 months, 20 per cent of transitioned ADF members have considered suicide in the last year, eight per cent have made a suicide plan in the last year, two per cent have attempted suicide in the last year and about one a week will ultimately take their life. And those are DVA's statistics. I'd go more 2½ to three.

In the middle of all that suffering, I have heard from that practising psychiatrist, 35 years in the job, that the DVA has pressured him to understate the mental health needs of his veteran clients in his report to the departments. These reports are an important part of the veterans' compensation claims. A veteran with a needs assessment that is marked high will receive more financial support from the DVA than a veteran with lower scores. If a vet doesn't reach a certain needs threshold, they might not get paid at all. This matters in determining not just the financial compensation and support a veteran is entitled to receive but also the support their children receive.

This is the story Dr John Gavilan told me. Dr John Gavilan is a psychiatrist. He received a phone call from Mr Fletcher Davies on Wednesday 5 February at 4 pm. Mr Davies wanted to know why Dr Gavilan had been marking reports highly. Mr Davies questioned why veterans who had been referred to Dr Gavilan for psychiatric assessment were being given higher grades of need than other psychiatrists were grading it. Dr Gavilan told Mr Davies that he stands by the accuracy and truthfulness of all his reporting and that every veteran he had interviewed had been in an especially emotional state. Dr Gavilan said veterans presenting him were suffering from extreme anxiety and depression, and some were clearly suicidal. Mr Davies told Dr Gavilan that if he continued to mark up his clients highly, DVA would refer the veterans' reports to another psychiatrist—nothing new there. I'll say it again: Mr Davies told Dr Gavilan to compromise his professional judgement as to the needs of vulnerable veterans. He threatened Dr Gavilan financially, using the buying power of the Department of Veterans' Affairs.

Fletcher Davies is the principal medical adviser for compensation, all of three months in the job, at the Department of Veterans' Affairs. The principal medical adviser for compensation for the DVA called a psychiatrist and threatened him financially because he was supporting claims that DVA didn't want to pay out. Dr Gavilan said to Mr Davies: 'Are you going to be the one who approaches the families of these veterans who are committing suicide and tell them that you are responsible for their suffering?' Fletcher Davies, the principal medical adviser for the Department of Veterans' Affairs, said to Dr Gavilan: 'We are not responsible for all of them.' Guess what, mate? Here's a wake-up call for you, Fletcher. I don't know what department you're working for or what planet you're on. You are responsible for every single one of them—every single one of them!

DVA is supposed to be there to support our veterans. It's not there to strongarm psychiatrists and other doctors into doing a cheaper deal for our veterans. Senior officials in DVA are not supposed to be bullying psychiatrists into lowering compensation payments for suicidal veterans. And it is bullying; there's no doubt about it. It's threatening and it's financial intimidation. I'll tell you what, Fletcher: if you wanted financial intimidation and bullying, you just took on the wrong girlfriend, mate. You took on the wrong girl.

The standard process is that a GP refers the veteran to a psychiatrist; the psychiatrist does an initial report and sends a letter to the GP and their advocate, giving an overview; the advocate then sends a claim to the DVA; and the DVA then sends a report back to the doctor for assessment of liability and claim. To be told that you are not going to be sent claims from the DVA is disastrous. That would mean that a veteran's treating psychiatrist, who has been referred to by a GP, who has an existing relationship with that veteran, isn't able to accept that veteran's claim, let alone write a report for it. The vet needs to go and tell their story to the new psychiatrist, picked—get this—by the Department of Veterans' Affairs. They are told that they will show up. If you don't show up then, no doubt, they'll stop your payments because you didn't comply with an order.
That's how it works in the Department of Veterans' Affairs. The vet needs to rehash everything. They have been through it over and over and over again. They are sick of telling their stories because you want to rotate them from one psychiatrist to another until you get the percentage that you want so you don't have to pay them out as much. This is just a shocker at its best. For a person who has experienced trauma, that is deliberately cruel, insensitive and bloody heartless. You are deliberately inflicting harm on a veteran. Eighty to 90 per cent of the patients that Dr Gavilan sees on a weekly basis are veterans. To no longer be able to see them represents a huge financial impact.

Medical advisers like the one who called Dr Gavilan provide advice to delegates about how much compensation a vet should receive. They're essentially desk jockeys—and that's all you are, Fletcher, a desk jockey. They might be doctors, but there's almost no information about whether they're qualified to make determinations, let alone whether, Fletcher, you can determine what a psychiatrist should be making. I'll tell you that now: it's not your department. The decision-making is inherently compromised. They are working for the same department that will have to pay the veterans' claim. They are supposed to be providing an objective assessment about how much compensation a veteran needs, yet the decisions they make can be incredibly consequential. They can overrule the findings of treating medical professionals. Isn't that disgusting? They get to determine how much veterans receive and whether or not they will get paid in lump sums or instalments, or at all.

Somehow the DVA thinks that a person sitting at a desk, looking through medical papers, can make a better assessment of someone's needs than their own bloody doctor. They're saying that a person at a desk is better qualified than a doctor who knows the veteran and has been treating them year in, year out. Now we find out that those medical advisers, sitting at the desks, those medical desk-jockeys, are trying to keep costs down for the department. This is a brand new level for you guys. People who have served this country are killing themselves while the department shifts paper around, and they know it. They know it. They are cutting costs, and it is costing us lives. It's costing families. It's costing people who gave everything they had, everything they could, for this bloody country. These bureaucrats might be removed from the effects of the decision-making, but the impact is very real, I can assure you.

They are pushing vulnerable veterans to the edge. It isn't just the trauma and horrors of combat that leads these veterans to take their own lives. It's having to cope with all the trauma while they're forced to fight tooth and nail against a department that, let's be honest, doesn't give a crap about them. We ask them to fight for us, and then they come back broken. They're broken in service. They ask for help, and we go, 'Bugger you, whatever costs us less.' Don't take it from me; take it from the families who have lost their loved ones. Jesse Bird's mum and dad, writing to an inquiry into veteran suicide in 2017, said:

He has been endeavouring to seek assistance from DVA for the last eighteen months without success - it seems to him and us that the level of bureaucracy is intentionally obstructionist and unedifying. The jungle of paperwork, the lack of follow-up and the non-existent support has contributed to his deteriorating mental health—just one of thousands—

Jesse has not received any money what-so-ever from DVA or Centre-link to help him survive and without our financial and emotional help he would be on the street or worse.

Not long after they made that submission their son Jesse took his own life, alone in his own room. Guess what was next to him? His uniform, his service medals and his paperwork, the letter from the Department of Veterans' Affairs rejecting his claim for assistance. He wanted that to be found. The letters rejected Jesse's claim for assistance because the Department of Veterans' Affairs accepted conditions—PTSD, major depressive illness and alcohol abuse—were not deemed permanent and stable at the time. He had $5.20 in his bank account.

Now we find out that the department believes that it is not responsible for veterans' suicides, not responsible at all. Are you responsible for anything? I don't think so. Do you know what? I get really, really angry about this stuff. I called them out, but stories like this really, really break my heart—absolutely. Here's a thought. It's not the psychiatrists who are treating these veterans who are the problem; it's the Department of Veterans' Affairs. You are killing them. In the inquest into Jesse Bird's death, Julie-Ann Finney said the DVA claimed 'an independent review into suicide was not necessary'. In 2019 the review found that the way DVA handles the claims of veterans is potentially harmful to clients' mental health. I have just one question for those DVA bureaucrats sitting up there pushing their goddamn paper, making decisions about our lives, making huge decisions about people's lives. How do you sleep at night? You deal with this in the morning. You deal with it.

**Palliative Care Tasmania**

**Senator BILYK (Tasmania) (21:17):** In 2016 I started a campaign to save the peak body for palliative care in Tasmania from closure. At that time, Palliative Care Tasmania was funded to deliver their services through a grant from Labor's Better Access to Palliative Care program. Palliative Care Tasmania was facing the tragic prospect of
closing its doors because the federal government had not renewed its funding. After the grant period expired, Palliative Care Tasmania was only just staying afloat with the use of reserve funds. In order to survive, it had to close offices, sell vehicles and let several staff go, and their CEO even cut back her hours substantially. It is to her great credit that the CEO stayed on and continued fighting for the organisation, despite its tenuous future and the impact it had on her personally. It took almost a year of campaigning, but the government finally came through in 2017 with a three-year, $1.5 million funding agreement.

It's incredibly frustrating and very disheartening to have to return to this issue three years later and to once again have to plead for Palliative Care Tasmania’s continued survival. Sadly, the latest three-year funding agreement is coming to an end in June this year, and neither the Morrison government nor the Gutwein government has committed to further funding. Earlier today I tabled a petition with over 900 signatures calling for the state and federal governments to work together to come up with a funding solution. This call was echoed by a resolution of the Senate, also passed today. If Palliative Care Tasmania does not receive further funding as well as funding certainty going forward then the Liberals should hang their heads in shame.

We're not talking about big bucks here; we're talking about a paltry $500,000 a year. What they achieve with those funds is incredible. In addition to the work that they do in advocacy and policy advice for palliative care services, they also have a highly successful community education and professional development program. This program, which covers palliative care, death, dying, grief and bereavement, reaches over 4,000 Tasmanians a year. To give you an idea of the impact this has, a report by the Grattan Institute titled, Dying well, found that 70 per cent of Australians want to die at home, yet only 14 per cent get to do so. Many Australians experience what the report described as impersonal, lingering and lonely deaths, mostly in residential aged care or acute care settings.

A key reason for the failure to provide Australians with a good death is that not enough of us write advance care directives or discuss our end-of-life wishes with family or close friends. This means, when someone is dying, often plans haven’t been put into place to give them the end-of-life care that they wish for. It's even more problematic when the dying person loses the ability to communicate and their family struggles to know what their wishes are or, even worse, ends up arguing over what their wishes might have been.

As is explained in Palliative Care Tasmania's education sessions, palliative care is more than just health care. It addresses a patient's physical, psychological, emotional, cultural and spiritual needs. We know from research that the key to quality palliative care is planning for your future care and having conversations about your care wishes. This includes writing an advance care directive—which has legal force in all states and territories through either statutory or common law. Every Australian should make a written plan for their care when they have life-limiting illnesses and discuss these plans with the people closest to them.

As a society we need to be more open about death and dying. Regrettably, it is a somewhat taboo subject in Australia. Despite the taboo, it is quite amazing—once you start the conversation—how open people can be about the topic and what you can discover, not only about others participating in the conversation but also about yourself. I encourage anyone who is listening right now to give it a try with your family, friends or even your work colleagues.

There are many differences when it comes to where people would like to spend their final days, who they'd want to be with, whether they would like to have medical intervention to prolong their life, whether there are any cultural or religious rituals they would like to observe and so on. Some cultures, of course, are far more open about death—and you would be surprised what a difference that openness makes to them having end-of-life care delivered in accordance with their wishes. That's why Palliative Care Tasmania's community education program is so important and so valuable. It may sound like something fairly straightforward, but it's amazing what impact this program has. It is estimated that if the program resulted in only 10 per cent of participants understanding advance care planning and making an advance care directive, Tasmania's acute healthcare system would save $25 million a year. Conservatively, Palliative Care Tasmania could be achieving further savings of $30 million just through their work in residential aged care. That's $55 million in savings for an investment of only half a million. A savings ratio of more than 100 to one surely should be a reason, on its own, to save Palliative Care Tasmania.

But this is about more than just money. Palliative Care Tasmania is helping thousands of Tasmanians with life-limiting illness to have choice, control, comfort and dignity in their care. Their work is helping to avoid a great deal of unnecessary distress and suffering. And I'm talking not only of the distress and suffering experienced by people with life-limiting illness, but that of their close friends and families, as they support, comfort and care for their dying loved ones. I know this from personal experience: I recently supported a close friend with dementia through the final days of her life and I understand the massive difference it made to her to have her care wishes communicated to her family well in advance. Even with the best plans and care, dementia is a distressing disease, not only for the person living with it but for their loved ones. So imagine how much that distress and suffering
must be exacerbated for people suffering dementia and other life-limiting illnesses when their care wishes are
unknown and unplanned for—and imagine how much the distress and suffering is exacerbated for their families,
too. Yet a simple, low-cost public education program, like that offered by Palliative Care Tasmania, can improve
those circumstances for hundreds, if not thousands, of Tasmanians.

It's to the great shame of both the state and federal Liberal governments that neither of them will provide the
small amount of funding it would take to save Palliative Care Tasmania from closure. Their current funding
comes from a federal grant, but most state and territory palliative care peak bodies receive recurrent funding from
state and territory governments. Having said that, I don't care for buck-passing or arguments over jurisdictional
issues. I don't care whether the state government does it or the Commonwealth does it, or whether they work
together on a joint plan. Someone, though, has to front up with the funding.

But it's not just a funding extension they need; it's funding certainty. Even if a further funding agreement is
entered into, I don't want to be back in this place in another three years time pleading once again the case for
Palliative Care Tasmania's survival. Any funding provided needs to be guaranteed annually over the forward
estimates. Without providing that certainty, it not only makes it impossible for Palliative Care Tasmania to engage
in long-term planning but it gives their staff a great deal of anxiety about their future.

Funding this organisation is an absolute no-brainer. It's actually an economic no-brainer. It would cost millions
of dollars for the Tasmanian Health Service to have to deliver the same services. And while that's an unfortunate
waste, the even greater waste would be if the services were no longer available to the sector. It would be the
height of stupidity to let Palliative Care Tasmania close, and yet this is what the Liberals at both the state and
Commonwealth levels appear to be about to do. Not only are they shifting the cost burden onto other services but
they will be guaranteeing more distress, discomfort and suffering for thousands of Tasmanians who will not have
their end-of-life care wishes carried out.

So shame on those opposite and shame on their colleagues in the Tasmanian government. Listen to the Senate,
listen to the Tasmanian people and save Palliative Care Tasmania now.

**Victoria: Australian Labor Party**

**Senator HENDERSON** (Victoria) (21:26): As the patron Senator for Corangamite, Corio and Bendigo,
amongst other federal electorates, I rise in this adjournment debate tonight to raise some deep concerns about a
number of very shabby deals executed by the Labor Party in my region, two of them in the lead-up to the 2019
federal election.

I have already spoken out about my concerns with the underhand deal which the state Labor government did
with Federal Labor in the lead-up to the election to fund stage 5 of Kardinia Park Stadium. The stadium is one of
Geelong's jewels in the crown—the home of the magnificent Geelong Cats and a wonderful sporting and entertainment asset for our region. Whilst state Labor had committed $102 million to fully fund the final stage, the costs were bungled and it was underfunded. Rather than Premier Andrews honouring his commitment to fully fund the stadium, the board of the Kardinia Park Stadium Trust, chaired by Michael Malouf—and, I am told, at the direction of the responsible minister, Martin Pakula—approached federal Labor seeking a $20 million election commitment, which it announced just days before the election.

Such was the arrogance of state Labor, which thought the member for Maribyrnong had the election in the bag—oh yes, and who will forget the wonderful photo taken the night before the election: 'We're ready'—that it left the Liberal Party in the dark. I knew there was a funding issue but we were denied the business case or any
details about the costings blowout. There was no request for an election commitment, and now there is a cost
blowout of some $35 million. Now the Victorian government is seeking funding support. But I ask: why should taxpayers pick up the cost of the state government's mismanagement? The construction of a 40,000-seat stadium must be prioritised and the Victorian government must deliver on its commitment to fully fund the final stage, as it promised to do. This is, after all, taxpayers' money, and I am acutely conscious that it has to be shared equitably and fairly throughout our community.

It was a very similar story with Anam Cara Geelong—which is distinct from Anam Cara Colac—which
provides palliative care hospice services for cancer patients and which has done much wonderful work across our
region, as has Anam Cara Colac. In 2016, I secured an election commitment of $5 million so that Anam Cara
could build a new 20-bed hospice for a total construction cost of $10 million. Much to my profound
disappointment, the board of Anam Cara Geelong also entered into an underhand deal with Federal Labor a few
weeks before the 2019 federal election, keeping us in the dark. The board is chaired by Diana Taylor, who
contested Labor Party preselection for the seat of Corangamite for the 2019 election, backed very heavily by Mr
Shorten and the member for Corio, Mr Marles.
While she lost preselection, she certainly did not lose her appetite to put the Labor Party first at the expense of the community. In concert with Mr Marles, she engineered a shabby and secret deal to secure a $10 million election commitment from federal Labor whilst failing to share with our government the need for more funding. We were kept completely in the dark. She backed Mr Shorten too, and the Geelong community has paid a very big price. Just to be clear: ordinarily, when an organisation seeks an election commitment, it approaches both sides of politics without fear or favour. This clearly did not happen in this case.

On 10 May 2019, I wrote to Ms Taylor shortly after Anam Cara had announced its election commitment with local MPs to much fanfare. I spoke about the project costing up to $18 million and how I had been assured that Anam Cara was in final negotiations with the state government to contribute $5 million to the cost of the project, with $8 million to be raised by way of private contributions. I said, ‘Mr Gartland advised that you were anticipating the state commitment prior to the 2018 state election,’ and, when this did not occur as soon as possible following the state election, I said: 'In negotiating with the Labor Party to make a $10 million federal election commitment, which was announced some two weeks ago, Anam Cara Geelong has not only acted without good faith but has misled both myself and our government. At no stage did Anam Cara Geelong provide me or the government with information that your proposed funding model was defective, that the funding commitment promised by the state government would not be forthcoming and that Anam Cara Geelong was seeking a further federal election commitment.' I never received a response to that letter.

In recent days I have also been very pleased to speak up as the patron senator for Bendigo on what appears to be another very shady Labor deal, this time between the City of Greater Bendigo and the state government, led all the way by Minister Jacinta Allan. The proposal to sell the council offices, situated on prime land in Bendigo's CBD, to make way for a $90 million GovHub to be built and owned by the Victorian government looks to be a very bad deal for the people of Bendigo. Ratepayers will be forced to lease back office space in the GovHub and after 40 years will be left with no asset at all. I have no issue at all with the construction of the GovHub, but Minister Allan needs to find another location. The people of Bendigo should not pay the price. It is no different from being asked to sell your home at a cut price, leasing it back at full commercial rent and then, when the lease expires, being left with no home at all.

This is not happening in Ballarat, where a GovHub is being constructed on a greenfield site at no cost to Ballarat ratepayers. I've called for the sale of Bendigo's council offices to be put on hold and for a full inquiry to be conducted. There must be complete transparency. PricewaterhouseCoopers assessed the options for council, but this report has never been released. That's because PwC recommended, I suspect, very strongly against this option. Mayor Margaret O'Rourke and her councillors need to understand that they serve the people of Bendigo and not the state government. This relationship with Jacinta Allan and state Labor looks, frankly, all too cosy. The councillors of the City of Greater Bendigo must safeguard ratepayer assets without fear or favour.

Unbelievably, council has done a deal without even receiving a valuation from the Valuer-General. Mayor O'Rourke told ABC Radio that council had done its due diligence, exploring seven options, but they have failed to release any of these details to the community. Many local residents, including local members of the Liberal Party, led by FEC chair Matthew Evans, are deeply concerned. I was very pleased to join with Matthew the other day in a media conference, speaking out about this issue.

This is so-called done deal, but there are no details about the costs to ratepayers, the sale price, the lease costs, the windfall return we expect to the Victorian government or what will happen when the lease expires. This appears to be a very shabby, underhanded deal, and the people of Bendigo deserve full transparency and the complete truth.

**Liberalation of Auschwitz: 75th Anniversary**

**Senator PATerson (Victoria) (21:34):** I rise tonight to mark a significant historical anniversary. On 27 January, it was the 75th anniversary of the liberation of Auschwitz and commemorated International Holocaust Remembrance Day. The Holocaust was witness to the systematic and bureaucratised murder of 11 million people. Among them were political disidents, homosexuals, the disabled, the Roma and European Jewry. Six million of the people murdered were Jews, around two-thirds of Europe's Jewish population at the time.

Intrinsic to Nazi ideology was the normalisation of anti-Semitism. Jewish people were not only dehumanised and ostracised socially and culturally, but also institutionally via legislation of racist ideology. The 1935 Nuremberg laws sought to segregate and exclude Jews from German life. Legislation ensured Jews were stripped of their rights to property, education, social institutions and marriage. In December 1935, the Reich issued a command to have the names of all Jewish soldiers who fought in World War I removed from all memorials. These corrosive laws marked the erasure of Jewish citizens' existence from German life. Insidious in nature, embryonic
anti-Semitic ideology was cultivated over many years, normalising the hatred, de-legitimisation and dehumanisation of the Jewish people, which led to the realisation of the final solution.

When you visit Yad Vashem, the World Holocaust Remembrance Centre in Jerusalem, the first room tells the story of the Jews in Germany before Hitler. The second room tells the story of anti-Semitism. It is a potent reminder that the rise of anti-Semitism in Germany was intrinsic to the reality that followed. The British Prime Minister at the time, Winston Churchill, said it was a crime without a name. In 1944, Raphael Lemkin created the definition of the term that beffitted the atrocity committed in Nazi Germany—genocide: the destruction of a nation or ethnic group. It was extermination. It was genocide. It was the denial of one group's right to exist and an attempt to erase them from the world.

We have vowed never again, and we've also vowed never forget. Given recent evidence, I sometimes fear that these phrases are hollow echoes. The recent memorial hosted at Auschwitz-Birkenau museum was a sober reminder that our living memory of these events wanes each day. At the same memorial 15 years ago some 1,500 survivors in were attendance; last week, only 200 remained. As our eyewitnesses dwindle, we must remain collectively vigilant to the tide of re-emerging anti-Semitism. Across Europe, almost 90 per cent of Jews believe that anti-Semitism has intensified in their country over the past five years. Between 2017 and 2018, France reported a 74 per cent rise in anti-Semitic-related incidents, one of which resulted in the murder of a Holocaust survivor in her own home.

The Labour Party in the UK, led by Jeremy Corbyn to the recent British election, last year received 673 complaints of anti-Semitic behaviour within their party. A leaked internal document revealed that the party organisation's response had been characterised by 'denial', 'discrediting of victims', 'defence of perpetrators', 'cover-ups' and 'active victimisation' of those calling out anti-Semitism. Its own members have called Corbyn's Labour Party 'institutionally anti-Semitic' and that Jeremy Corbyn has made the party 'a welcoming refuge for anti-Semites'.

It is not enough to feel relieved by the emphatic election result that endorsed Boris Johnson's Conservative Party when half of all British Jews had said they would seriously consider emigrating if Jeremy Corbyn was elected to government. Eighty-seven per cent of British Jews also believed that Corbyn himself was an anti-Semite. For British Jews, this election felt existential, that poisonous anti-Semitism again threatened their right to exist.

Closely we are also witnessing the re-emergence of a virulent form of anti-Semitism. A report by the Executive Council of Australian Jewry last November identified 368 reported anti-Semitic incidents in Australia, including 105 in Victoria. I'm proud to say that my patron seat of Macnamara has the largest Jewish community in Victoria, and is second only to the seat of Wentworth in Australia. Through the Safer Communities Fund the government has delivered more than $4 million to Jewish organisations in Macnamara to safeguard their personal safety and security. Synagogues, shuls, meeting centres and Jewish schools alike require security guards, fencing, CCTV, boom gates and lighting to ward off offenders.

In Australia we are, unfortunately, not immune to these anti-Semitic-motivated offences and we most definitely cannot be idle to their pervasiveness. I'm proud to be part of a government that is firmly committed to protecting the religious freedom of our Jewish community. No-one in Australia should have to go through this. People of faith should feel protected in their practice. They should feel safe in their community and they should be able to live freely in our society without fear of persecution. We must be united in our rebuke of anti-Semitic behaviour. We must condemn it and vigilantly monitor its symptoms.

Sadly, however, there are those on the Left in particular who fuel anti-Semitism, operating under the guise of a false intellectual respectability. Often they hide behind the concept of anti-Zionism, but anti-Zionism intersects with anti-Semitism when its proponents seek to dehumanise the Jewish people as an armour in their political arsenal. Anti-Zionism specifically attacks one country—Israel—and one people, the Jewish people. It segregates Jewish people and denies their humanity in the process. It singles out the Jewish state for disproportionate criticism and attention for the failings that all governments exhibit to varying degrees. This is anti-Semitism.

One of the most important tools that we have in a free society to combat anti-Semitism is free speech. I've used my platform as a senator to condemn anti-Semitic acts like the Greens activists in Port Phillip council who left 30 pieces of silver on the desk of a Jewish councillor. I called out the former Greens candidate for Macnamara Steph Hodgins-May for refusing to attend an event because it was co-hosted by Zionism Victoria. I have criticised the now former Greens leader, Senator Di Natale, for the way in which he used a condolence motion in this chamber for the President of Israel to launch personal attacks. And I've condemned the new Greens leader, Mr Bandt, for sharing a sickening Nazi-style depiction of a Jewish banker in a Facebook post in May 2018. In many of these
instances, though, apologies were issued and lessons were learnt. The criticism and condemnation these incidents attracted served an educative role. Without free speech, this would not be able to happen.

So I was very troubled to learn recently that the former Labor member for Fremantle Melissa Parke is attempting to shut down this process. Ms Parke is suing the Herald Sun, Colin Rubenstein from the Australia/Israel & Jewish Affairs Council and the member for Wentworth, Dave Sharma, because they called her out for her long history of appalling commentary about Israel. Let's remember that her conduct, by her own admission, was so bad that she resigned as the Labor candidate for Curtin during the 2019 election. Labor's own leaders evidently agreed her comments were sufficiently egregious that she should not represent the party at the election. The then opposition leader, Mr Shorten, said that in standing down she had done the right thing and that he did not share her views. The then shadow Treasurer, Chris Bowen, said she did not represent Labor Party views. The former member for Melbourne Ports Michael Danby said, 'Good riddance.'

This action is part of a disturbing trend to use defamation laws to stifle legitimate political debate and to stifle free speech. In this instance, it is also stifling our ability to combat racism, intolerance and anti-Semitism. It is a gravely regrettable trend. So I'll leave with the words of Elie Wiesel, Nobel Peace Prize winner in 1986 for his work as a historian and a survivor:

We must take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented.

Senate adjourned at 21:43