INTERNET
The Journals for the Senate are available at

Proof and Official Hansards for the House of Representatives,
the Senate and committee hearings are available at

For searching purposes use
http://parlinfo.aph.gov.au

SITTING DAYS—2014

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>11, 12, 13</td>
</tr>
<tr>
<td>March</td>
<td>3, 4, 5, 6, 17, 18, 19, 20, 24, 25, 26, 27</td>
</tr>
<tr>
<td>May</td>
<td>13, 14, 15</td>
</tr>
<tr>
<td>June</td>
<td>16, 17, 18, 19, 23, 24, 25, 26</td>
</tr>
<tr>
<td>July</td>
<td>7, 8, 9, 10, 14, 15, 16, 17</td>
</tr>
<tr>
<td>August</td>
<td>26, 27, 28</td>
</tr>
<tr>
<td>September</td>
<td>1, 2, 3, 4, 22, 23, 24, 25, 30</td>
</tr>
<tr>
<td>October</td>
<td>1, 2, 27, 28, 29, 30</td>
</tr>
<tr>
<td>November</td>
<td>24, 25, 26, 27</td>
</tr>
<tr>
<td>December</td>
<td>1, 2, 3, 4</td>
</tr>
</tbody>
</table>

RADIO BROADCASTS
Broadcasts of proceedings of the Parliament can be heard on ABC NewsRadio in the capital cities on:

<table>
<thead>
<tr>
<th>City</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADELAIDE</td>
<td>972AM</td>
</tr>
<tr>
<td>BRISBANE</td>
<td>936AM</td>
</tr>
<tr>
<td>CANBERRA</td>
<td>103.9FM</td>
</tr>
<tr>
<td>DARWIN</td>
<td>102.5FM</td>
</tr>
<tr>
<td>HOBART</td>
<td>747AM</td>
</tr>
<tr>
<td>MELBOURNE</td>
<td>1026AM</td>
</tr>
<tr>
<td>PERTH</td>
<td>585AM</td>
</tr>
<tr>
<td>SYDNEY</td>
<td>630AM</td>
</tr>
</tbody>
</table>

For information regarding frequencies in other locations please visit
http://www.abc.net.au/newsradio/listen/frequencies.htm
FORTY-FOURTH PARLIAMENT
FIRST SESSION—SECOND PERIOD

Governor-General
Her Excellency the Hon. Quentin Bryce AC, CVO

Senate Office holders
President—Senator Hon. John Joseph Hogg
Deputy President and Chair of Committees—Senator Stephen Parry

Temporary Chairs of Committees—Senators Cory Bernardi, Thomas Mark Bishop, Suzanne Kay Boyce, Sean Edwards, David Julian Fawcett, Mark Lionel Furner, Alexander McEachian Gallacher, Scott Ludlam, Gavin Mark Marshall, Anne Sowerby Ruston, Dean Anthony Smith, Ursula Mary Stephens, Glenn Sterle and Peter Stuart Whish-Wilson

Leader of the Government in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC

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

Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield
Manager of Opposition Business in the Senate—Senator Claire Moore

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Liberal Party in the Senate—Senator Hon. George Henry Brandis QC

Leader of The Nationals in the Senate—Senator Hon. Nigel Scullion
Deputy Leader of The Nationals in the Senate—Senator Hon. Fiona Nash

Leader of the Australian Labor Party—Senator the Hon Penny Wong
Deputy Leader of the Australian Labor Party—Senator the Hon Stephen Conroy

Leader of the Australian Greens—Senator Christine Anne Milne
Chief Government Whip—Senator Helen Kroger

Deputy Government Whips—Senators Christopher John Back and David Christopher Bushby
Chief Opposition Whip—Senator Anne McEwen

Deputy Opposition Whips—Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart
Australian Greens Whip—Senator Rachel Siewert

Printed by authority of the Senate
<table>
<thead>
<tr>
<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abetz, Hon. Eric</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Back, Christopher John</td>
<td>WA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Bernardi, Cory</td>
<td>SA</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Bilyk, Catryna Louise</td>
<td>TAS</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Birmingham, Simon John</td>
<td>SA</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Bishop, Thomas Mark</td>
<td>WA</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Boswell, Hon. Ronald Leslie Doyle</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>NATS</td>
</tr>
<tr>
<td>Boyce, Suzanne Kay</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Brandis, Hon. George Henry, QC</td>
<td>QLD</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Brown, Carol Louise</td>
<td>TAS</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Bushby, David Christopher</td>
<td>TAS</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Cameron, Douglas Niven</td>
<td>NSW</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Carr, Hon. Kim John</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Cash, Michaelia Clare</td>
<td>WA</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Colbeck, Hon. Richard Mansell</td>
<td>TAS</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Collins, Jacinta Mary Ann</td>
<td>VIC</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Conroy, Hon. Stephen Michael</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Cormann, Mathias Hubert Paul</td>
<td>WA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Dastyari, Sam</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Di Natale, Richard</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Edwards, Sean</td>
<td>SA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Eggleston, Alan</td>
<td>WA</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Farrell, Donald Edward</td>
<td>SA</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Faulkner, Hon. John Philip</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Fawcett, David Julian</td>
<td>SA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Fierraventi-Wells, Concetta Anna</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Fifield, Mitchell Peter</td>
<td>VIC</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Furner, Mark Lionel</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Gallacher, Alexander McEachian</td>
<td>SA</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Hanson-Young, Sarah Coral</td>
<td>SA</td>
<td>30.6.2014</td>
<td>AG</td>
</tr>
<tr>
<td>Heffernan, Hon. William Daniel</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Hogg, Hon. John Joseph</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Johnston, Hon. David Albert Lloyd</td>
<td>WA</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Kroger, Helen</td>
<td>VIC</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Lines, Susan</td>
<td>WA</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Ludlam, Scott</td>
<td>WA</td>
<td>30.6.2014</td>
<td>AG</td>
</tr>
<tr>
<td>Lundy, Kate Alexandra</td>
<td>ACT</td>
<td></td>
<td>ALP</td>
</tr>
<tr>
<td>Macdonald, Hon. Ian Douglas</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>McEwen, Anne</td>
<td>SA</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>McKenzie, Bridget</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>NATS</td>
</tr>
<tr>
<td>McLucas, Hon. Jan Elizabeth</td>
<td>QLD</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Madigan, John Joseph</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>DLP</td>
</tr>
<tr>
<td>Marshall, Gavin Mark</td>
<td>VIC</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Mason, Hon. Brett John</td>
<td>QLD</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Milne, Christine Anne</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Moore, Claire Mary</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Nash, Fiona Joy</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>NATS</td>
</tr>
<tr>
<td>O'Neill, Deborah</td>
<td>NSW</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>O'Sullivan, Barry James</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>NATS</td>
</tr>
<tr>
<td>Parry, Stephen Shane</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Payne, Marise Ann</td>
<td>NSW</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Peris, Nova Maree AOM</td>
<td>NT</td>
<td></td>
<td>ALP</td>
</tr>
<tr>
<td>Polley, Helen Beatrice</td>
<td>TAS</td>
<td>30.6.2017</td>
<td>ALP</td>
</tr>
<tr>
<td>Pratt, Louise Clare</td>
<td>WA</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Rhiannon, Lee</td>
<td>NSW</td>
<td>30.6.2017</td>
<td>AG</td>
</tr>
<tr>
<td>Ronaldson, Hon. Michael</td>
<td>VIC</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Ruston, Anne Soverby</td>
<td>SA</td>
<td>30.6.2017</td>
<td>LP</td>
</tr>
<tr>
<td>Ryan, Scott Michael</td>
<td>VIC</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
</tbody>
</table>
Senator | State or Territory | Term expires | Party
---|---|---|---
Scullion, Hon. Nigel Gregory | NT | | CLP
Seselja, Zdenko Matthew | ACT | | LP
Siewert, Rachel Mary | WA | 30.6.2017 | AG
Singh, Hon. Lisa Maria | TAS | 30.6.2017 | ALP
Sinodinos, Arthur (1) | NSW | 30.6.2014 | LP
Smith, Dean Anthony (2) | WA | 30.6.2017 | LP
Stephens, Hon. Ursula Mary | NSW | 30.6.2014 | ALP
Sterle, Glenn | WA | 30.6.2017 | ALP
Thorp, Lin Estelle (3) | TAS | 30.6.2014 | ALP
Tillern, Mehmet (4) | VIC | 30.6.2014 | ALP
Urquhart, Anne Elizabeth | TAS | 30.6.2017 | ALP
Waters, Larissa Joy | QLD | 30.6.2017 | AG
Whish-Wilson, Peter Stuart (4) | TAS | 30.6.2014 | AG
Williams, John Reginald | NSW | 30.6.2014 | NATS
Wong, Hon. Penelope Ying Yen | SA | 30.6.2014 | ALP
Wright, Penelope Lesley | SA | 30.6.2017 | AG
Xenophon, Nicholas | SA | 30.6.2014 | IND

PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party; CLP—Country Liberal Party;
DLP—Democratic Labor Party; IND—Independent, LP—Liberal Party of Australia; NATS—The Nationals

Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—C Mills
Parliamentary Budget Officer—P Bowen

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.

<table>
<thead>
<tr>
<th>Territory</th>
<th>Senator</th>
<th>Party</th>
<th>Senator</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Capital Territory</td>
<td>Lundy, K.</td>
<td>ALP</td>
<td>Seselja, Z.M.</td>
<td>LP</td>
</tr>
<tr>
<td>Northern Territory</td>
<td>Scullion, N. G.</td>
<td>CLP</td>
<td>Peris, N.M.</td>
<td>ALP</td>
</tr>
</tbody>
</table>

(1) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice H. Coonan, resigned 22.8.11), pursuant to section 15 of the Constitution.
(2) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice J. Adams, died in office 31.3.12), pursuant to section 15 of the Constitution.
(3) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. N. Sherry, resigned 1.6.12), pursuant to section 15 of the Constitution.
(4) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. B. Brown, resigned 15.6.12), pursuant to section 15 of the Constitution.
(5) Chosen by the Parliament of South Australia to fill a casual vacancy (vice M. J. Fisher, resigned 15.8.12), pursuant to section 15 of the Constitution.
(6) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice C. Evans, resigned 12.4.13), pursuant to section 15 of the Constitution.
(7) Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Joyce, resigned 8.8.13), pursuant to section 15 of the Constitution.
(8) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice M. Thistlethwaite, resigned 9.8.13), pursuant to section 15 of the Constitution.
(9) Chosen by the Parliament of Victoria to fill a casual vacancy (vice D. Feeney, resigned 12.8.13), pursuant to section 15 of the Constitution.
(10) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr, resigned 24.10.13), pursuant to section 15 of the Constitution.
<table>
<thead>
<tr>
<th>Title</th>
<th>Minister</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prime Minister</td>
<td>The Hon Tony Abbott MP</td>
</tr>
<tr>
<td>Minister for Indigenous Affairs</td>
<td>Senator the Hon Nigel Scullion</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for the Public Service</td>
<td>Senator the Hon Eric Abetz</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for Women</td>
<td>Senator the Hon Michaelia Cash</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>The Hon Josh Frydenberg MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>The Hon Alan Tudge MP</td>
</tr>
<tr>
<td>Minister for Infrastructure and Regional Development</td>
<td>The Hon Warren Truss MP</td>
</tr>
<tr>
<td>(Deputy Prime Minister)</td>
<td></td>
</tr>
<tr>
<td>Assistant Minister for Infrastructure and Regional Development</td>
<td>The Hon Jamie Briggs MP</td>
</tr>
<tr>
<td>Minister for Foreign Affairs</td>
<td>The Hon Julie Bishop MP</td>
</tr>
<tr>
<td>Minister for Trade and Investment</td>
<td>The Hon Andrew Robb AO MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Foreign Affairs</td>
<td>Senator the Hon Brett Mason</td>
</tr>
<tr>
<td>Minister for Employment</td>
<td>Senator the Hon Eric Abetz</td>
</tr>
<tr>
<td>(Leader of the Government in the Senate)</td>
<td></td>
</tr>
<tr>
<td>Assistant Minister for Employment</td>
<td>The Hon Luke Hartsuyker MP</td>
</tr>
<tr>
<td>Minister for the Arts</td>
<td>The Hon George Brandis QC</td>
</tr>
<tr>
<td>(Vice-President of the Executive Council)</td>
<td>The Hon George Brandis QC</td>
</tr>
<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
<td></td>
</tr>
<tr>
<td>Minister for Justice</td>
<td>The Hon Michael Keenan MP</td>
</tr>
<tr>
<td>Treasurer</td>
<td></td>
</tr>
<tr>
<td>Minister for Small Business</td>
<td>The Hon Joe Hockey MP</td>
</tr>
<tr>
<td>Assistant Treasurer</td>
<td>The Hon Bruce Billson MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Treasurer</td>
<td>Senator the Hon Arthur Sinodinos AO</td>
</tr>
<tr>
<td>Minister for Agriculture</td>
<td>The Hon Barnaby Joyce MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Agriculture</td>
<td>Senator the Hon Richard Colbeck</td>
</tr>
<tr>
<td>Minister for Education</td>
<td>The Hon Christopher Pyne MP</td>
</tr>
<tr>
<td>(Leader of the House)</td>
<td></td>
</tr>
<tr>
<td>Assistant Minister for Education</td>
<td>The Hon Sussan Ley MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Education</td>
<td>Senator the Hon Scott Ryan</td>
</tr>
<tr>
<td>Minister for Industry</td>
<td>The Hon Ian Macfarlane MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Industry</td>
<td>The Hon Bob Baldwin MP</td>
</tr>
<tr>
<td>Minister for Social Services</td>
<td>The Hon Kevin Andrews MP</td>
</tr>
<tr>
<td>Assistant Minister for Social Services</td>
<td>Senator the Hon Mitch Fifield</td>
</tr>
<tr>
<td>(Manager of Government Business in the Senate)</td>
<td></td>
</tr>
<tr>
<td>Minister for Human Services</td>
<td>Senator the Hon Marise Payne</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Social Services</td>
<td>Senator the Hon Concetta Fierravanti-Wells</td>
</tr>
<tr>
<td>Minister for Communications</td>
<td>The Hon Malcolm Turnbull MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Communications</td>
<td>The Hon Paul Fletcher MP</td>
</tr>
<tr>
<td>Minister for Health</td>
<td>The Hon Peter Dutton MP</td>
</tr>
<tr>
<td>Minister for Sport</td>
<td>The Hon Peter Dutton MP</td>
</tr>
<tr>
<td>Assistant Minister for Health</td>
<td>Senator the Hon Fiona Nash</td>
</tr>
<tr>
<td>Title</td>
<td>Minister</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Minister for Defence</td>
<td>Senator the Hon David Johnston</td>
</tr>
<tr>
<td>Minister for Veterans’ Affairs</td>
<td>Senator the Hon Michael Ronaldson</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for the Centenary of ANZAC</strong></td>
<td>Senator the Hon Michael Ronaldson</td>
</tr>
<tr>
<td>Assistant Minister for Defence</td>
<td>The Hon Stuart Robert MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Minister for Defence</strong></td>
<td><strong>The Hon Darren Chester MP</strong></td>
</tr>
<tr>
<td><strong>Minister for the Environment</strong></td>
<td>The Hon Greg Hunt MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Minister for the Environment</strong></td>
<td>Senator the Hon Simon Birmingham</td>
</tr>
<tr>
<td><strong>Minister for Immigration and Border Protection</strong></td>
<td>The Hon Scott Morrison MP</td>
</tr>
<tr>
<td>Assistant Minister for Immigration and Border Protection</td>
<td>Senator the Hon Michaelia Cash</td>
</tr>
<tr>
<td><strong>Minister for Finance</strong></td>
<td>Senator the Hon Mathias Cormann</td>
</tr>
<tr>
<td><strong>Special Minister of State</strong></td>
<td>Senator the Hon Michael Ronaldson</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Minister for Finance</strong></td>
<td><strong>The Hon Michael McCormack MP</strong></td>
</tr>
</tbody>
</table>

Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
<table>
<thead>
<tr>
<th>Title</th>
<th>Shadow Minister</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leader of the Opposition</td>
<td>Hon Bill Shorten MP</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Science</td>
<td>Senator the Hon Kim Carr</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Small Business</td>
<td>Hon Bernie Ripoll MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Small Business</td>
<td>Julie Owens MP</td>
</tr>
<tr>
<td>Shadow Cabinet Secretary</td>
<td>Senator the Hon Jacinta Collins</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>Hon Michael Danby MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>Dr Jim Chalmers MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition</td>
<td>Hon Tanya Plibersek MP</td>
</tr>
<tr>
<td>Shadow Minister for Foreign Affairs and International Development</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Women</td>
<td>Senator Claire Moore</td>
</tr>
<tr>
<td>Manager of Opposition Business (Senate)</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for the Centenary of ANZAC</td>
<td>Senator the Hon Don Farrell</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Foreign Affairs</td>
<td>Hon Matt Thistlethwaite MP</td>
</tr>
<tr>
<td>Leader of the Opposition in the Senate</td>
<td>Senator the Hon Penny Wong</td>
</tr>
<tr>
<td>Shadow Minister for Trade and Investment</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Trade and Investment</td>
<td>Dr Jim Chalmers MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition in the Senate</td>
<td>Senator the Hon Stephen Conroy</td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td></td>
</tr>
<tr>
<td>Shadow Assistant Minister for Defence</td>
<td>Hon David Feeney MP</td>
</tr>
<tr>
<td>Shadow Minister for Veterans’ Affairs</td>
<td>Senator the Hon Don Farrell</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Defence</td>
<td>Gai Brodtmann MP</td>
</tr>
<tr>
<td>Shadow Minister for Infrastructure and Transport</td>
<td>Hon Anthony Albanese MP</td>
</tr>
<tr>
<td>Shadow Minister for Tourism</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Regional Development and Local Government</td>
<td>Hon Julie Collins MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Regional Development and Infrastructure</td>
<td>Allanah MacTiernan MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Western Australia</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for External Territories</td>
<td>Hon Warren Snowdon MP</td>
</tr>
<tr>
<td>Shadow Treasurer</td>
<td>Hon Chris Bowen MP</td>
</tr>
<tr>
<td>Shadow Assistant Treasurer</td>
<td>Hon Dr Andrew Leigh MP</td>
</tr>
<tr>
<td>Shadow Minister for Competition</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Financial Services and Superannuation</td>
<td>Hon Bernie Ripoll MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Shadow Treasurer</td>
<td>Hon Ed Husic MP</td>
</tr>
<tr>
<td>Shadow Minister for Finance</td>
<td>Hon Tony Burke MP</td>
</tr>
<tr>
<td>Manager of Opposition Business (House)</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Environment, Climate Change and Water</td>
<td>Hon Mark Butler MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for the Environment, Climate Change and Water</td>
<td>Senator Louise Pratt</td>
</tr>
<tr>
<td>Shadow Minister for Higher Education, Research, Innovation and Industry</td>
<td>Senator the Hon Kim Carr</td>
</tr>
<tr>
<td>Shadow Minister for Vocational Education</td>
<td>Hon Sharon Bird MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Manufacturing</td>
<td>Tony Zappia MP</td>
</tr>
<tr>
<td>Shadow Minister for Communications</td>
<td>Hon Jason Clare MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Communications</td>
<td>Michelle Rowland MP</td>
</tr>
<tr>
<td>Title</td>
<td>Shadow Minister</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>-----------------------------------------------------</td>
</tr>
<tr>
<td><strong>Shadow Minister for the Arts</strong></td>
<td></td>
</tr>
<tr>
<td>Deputy Manager of Opposition Business (House)</td>
<td>Hon Mark Dreyfus QC MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for Justice</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Shadow Attorney General</td>
<td>Hon David Feeney MP</td>
</tr>
<tr>
<td><strong>Shadow Parliamentary Secretary for the Arts</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Minister for Education</strong></td>
<td>Hon Kate Ellis MP</td>
</tr>
<tr>
<td><strong>Shadow Parliamentary Secretary for Education</strong></td>
<td>Julie Owens MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for Agriculture</strong></td>
<td>Hon Joel Fitzgibbon MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for Northern Australia</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Special Minister of State</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Northern Australia</td>
<td>Hon Warren Snowdon MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for Health</strong></td>
<td>Hon Catherine King MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Health</td>
<td>Stephen Jones MP</td>
</tr>
<tr>
<td>Shadow Minister for Mental Health</td>
<td>Senator Hon Jan McLucas</td>
</tr>
<tr>
<td>Shadow Minister for Sport</td>
<td>Hon Bernie Ripoll MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Health</td>
<td>Hon Amanda Rishworth MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for Families and Payments</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Human Services</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Housing and Homelessness</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Carers</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Communities</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Families and Payments</td>
<td>Senator Carol Brown</td>
</tr>
<tr>
<td><strong>Shadow Minister for Immigration and Border Protection</strong></td>
<td>Hon Richard Marles MP</td>
</tr>
<tr>
<td>Shadow Minister for Citizenship and Multiculturalism</td>
<td>Michelle Rowland MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Immigration</td>
<td>Hon Matt Thistlethwaite MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for Indigenous Affairs</strong></td>
<td>Hon Shayne Neumann MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for Ageing</strong></td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Indigenous Affairs</td>
<td>Hon Warren Snowdon MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Aged Care</td>
<td>Senator Helen Polley</td>
</tr>
<tr>
<td><strong>Shadow Minister for Employment and Workplace Relations</strong></td>
<td>Hon Brendan O’Connor MP</td>
</tr>
<tr>
<td>Shadow Minister for Employment Services</td>
<td>Hon Julie Collins MP</td>
</tr>
</tbody>
</table>
## CONTENTS

### Chamber

**STATEMENT BY THE PRESIDENT**—
- Questions Without Notice ........................................ 1429

**MOTIONS**—
- Australian Water Holdings ........................................ 1429

**MATTERS OF PUBLIC INTEREST**—
- Western Australia Senate Election ................................ 1472
- Middle East .......................................................... 1476
- Asylum Seekers ...................................................... 1479
- Mental Health ......................................................... 1481
- Homelessness ........................................................ 1484
- Australian Water Holdings ......................................... 1487
- Australian Water Holdings ......................................... 1487

**MINISTERIAL ARRANGEMENTS** ................................ 1488

**QUESTIONS WITHOUT NOTICE**—
- Australian Water Holdings ......................................... 1488
- Mining ................................................................. 1489
- Australian Water Holdings ......................................... 1491
- Racial Equality ....................................................... 1493
- Racial Equality ....................................................... 1493
- Carbon Pricing ....................................................... 1495
- Education ................................................................ 1496
- Aged Care ................................................................ 1498
- Export Finance and Insurance Corporation .................... 1499
- Superannuation ....................................................... 1501
- Education ................................................................ 1502
- Science .................................................................. 1504

**QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS**—
- Cambodia: Election .................................................. 1507

**QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS**—
- Australian Water Holdings ......................................... 1508
- Racial Equality ....................................................... 1514

**NOTICES**—
- Presentation ............................................................. 1516

**BUSINESS**—
- Leave of Absence .................................................... 1520
- Days and Hours of Meeting ........................................ 1520

**MOTIONS**—
- Coal Seam Gas ........................................................ 1522
- Building and Construction Industry ............................ 1523
- Carers .................................................................. 1524
- South Sudan ......................................................... 1525

**BILLS**—
- Environment Protection and Biodiversity Conservation Amendment Bill 2014—
  - First Reading ....................................................... 1525
  - Second Reading .................................................... 1525
MATTERS OF PUBLIC IMPORTANCE—
Ministerial Conduct.................................................................................................................. 1528
FIRST SPEECH .......................................................................................................................... 1539
MATTERS OF PUBLIC IMPORTANCE—
Ministerial Conduct.................................................................................................................. 1544
COMMITTEES—
Corporations and Financial Services Committee—
Report....................................................................................................................................... 1546
Scrutiny of Bills Committee—
Report....................................................................................................................................... 1548
Regulations and Ordinances Committee—
Delegated Legislation Monitor............................................................................................... 1548
Legislation Committees—
Report....................................................................................................................................... 1548
Community Affairs References Committee—
Report................................................................................................................................. 1548
Reporting Date ....................................................................................................................... 1548
MINISTERIAL STATEMENTS—
Deregulation......................................................................................................................... 1549
DOCUMENTS—
Tabling....................................................................................................................................... 1551
COMMITTEES—
Economics References Committee—
National Broadband Network Select Committee—
Membership............................................................................................................................ 1551
Membership............................................................................................................................ 1552
BILLS—
Social Services and Other Legislation Amendment Bill 2013—
Consideration of House of Representatives Message ............................................................. 1552
Farm Household Support Bill 2014—
Farm Household Support (Consequential and Transitional Provisions) Bill 2014—
First Reading ...................................................................................................................... 1552
Second Reading...................................................................................................................... 1552
Social Security Legislation Amendment (Increased Employment Participation) Bill 2014—
First Reading ...................................................................................................................... 1556
Second Reading .................................................................................................................... 1556
Customs Tariff Amendment (Tobacco) Bill 2014—
Excise Tariff Amendment (Tobacco) Bill 2014—
Primary Industries (Excise) Levies Amendment (Dairy Produce) Bill 2013—
Tax and Superannuation Laws Amendment (2014 Measures No. 1) Bill 2014—
Assent ...................................................................................................................................... 1559
REGULATIONS AND DETERMINATIONS—
Aboriginal Land Rights (Northern Territory) Amendment (Delegation) Regulation 2013—
Disallowance ......................................................................................................................... 1559
CONTENTS—continued

DOCUMENTS—
  Consideration ........................................................................................................ 1572
ADJOURNMENT—
  Illicit Drugs ........................................................................................................ 1572
  Sri Lanka ........................................................................................................... 1574
  Oil and Gas Industry ............................................................................................ 1576
  South Australia State Election .......................................................................... 1579

DOCUMENTS—
  Tabling .................................................................................................................. 1581
  Tabling .................................................................................................................. 1581

Indexed Lists of Departmental and Agency Files—
  Tabling .................................................................................................................. 1582

Departmental and Agency Contracts—
  Tabling .................................................................................................................. 1582
The PRESIDENT (Senator the Hon. John Hogg) took the chair at 09:30, read prayers and made an acknowledgement of country.

STATEMENT BY THE PRESIDENT

Questions Without Notice

The PRESIDENT (09:31): Yesterday in question time, I ruled a number of opposition supplementary questions out of order and undertook to review the Hansard. As I have said on many occasions, ministers must answer questions only insofar as the question relates to ministerial responsibilities—in other words, the public affairs with which the minister is officially connected, proceedings pending in parliament, or any matter of administration for which the minister is responsible in a personal or representative capacity. However, an answer may provide clarification of statements made by ministers—as ministers—even if the statements are not clearly within their ministerial responsibility.

In this case, the substance of the questions went to events that were the subject of a statement made to the Senate by Senator Sinodinos on 28 February 2013, events relating to his business interests before he was appointed to the Senate and before he became a minister. Although Senator Sinodinos made general reference to this statement in response to questions asked of him in the last sitting week, including that he stood by the statement, the supplementary questions—with one exception that I will come to—went to details of the historic events and not to areas of ministerial responsibility. As senators will be aware, I drew to the Assistant Treasurer’s attention on several occasions that he was required to answer the questions insofar as they related to his ministerial responsibilities.

The exception, which I did not hear at the time because of the amount of disorderly conduct in the chamber, was the second supplementary question asked by Senator Collins. On reviewing the Hansard, it is apparent that Senator Collins was asking when Senator Sinodinos became aware of certain information and whether he was Assistant Treasurer at the time. The part of the question I heard was not in order and, as the remaining part of the question was inaudible, it was not ruled upon. When Senator Wong brought that part of the question to my attention, I undertook to review the Hansard. On reflection, if that part of the question had been audible, it could have been answered by the Assistant Treasurer insofar as it related to his ministerial responsibilities.

MOTIONS

Australian Water Holdings

Senator WONG (South Australia—Leader of the Opposition in the Senate) (09:33): I seek leave to move a motion relating to the conduct of the Assistant Treasurer, Senator Sinodinos.

Leave not granted.

Senator WONG: Pursuant to contingent notice, I move:

That so much of the standing orders be suspended as would prevent her moving a motion relating to the conduct of the business of the Senate, namely a motion to give precedence to a motion relating to the conduct of the Assistant Treasurer (Senator Sinodinos).
There are a number of serious questions that Senator Sinodinos has to answer in relation to allegations which have been aired publicly. I wrote to the Leader of the Government in the Senate today as a matter of courtesy, indicating to him that the opposition would grant leave for Senator Sinodinos to come into this chamber and give a full explanation. The reasons why the opposition believes this is important are threefold. In February 2013 Senator Sinodinos gave a statement to this chamber. Three aspects of that statement we believe appear to be inconsistent with evidence which has been given at the Independent Commission Against Corruption. Those three matters go, first, to Senator Sinodinos's assertion in his statement that he played no role in the awarding of the January 2012 contract. Second, in relation to political donations, he did not recollect these being discussed at board level. Third, he was not aware at the time that he was made chair that the CEO of the company had negotiated what ICAC has now described as a sham loan agreement.

I will go into further detail in the context of the substantive motion, but I say this: Senator Sinodinos gave a statement to the Senate as a backbencher; that is true. But it is important to note that all of us in this place have an obligation to be truthful and frank with the chamber. He as minister has subsequently reaffirmed that. He has said in the chamber, 'I stand by the statement I made.' I think it is incumbent upon Senator Sinodinos to attend this chamber to explain the apparent inconsistencies, and certainly the omissions, in his statement to the Senate in February when faced with the factual assertions and other allegations which have been made at the Independent Commission Against Corruption. The Independent Commission Against Corruption has made a number of statements which really fly in the face of the assertions that Senator Sinodinos made to this chamber.

It is the case that the commission against corruption is investigating these matters. We accept that, but we also believe on two grounds that Senator Sinodinos should attend this place. The first ground in particular is the one I have asserted. That is that senators in this place, when confronted with public allegations which are not consistent with a statement they have made to this chamber, particularly if they are ministers, should attend this chamber and give an explanation which clarifies the inconsistencies and omissions in that statement. We have given Senator Sinodinos a number of occasions—a number of opportunities—on which he could do so. He has chosen not to.

The second basis on which we say he should attend this chamber is the ministerial standards.

Senator Brandis: You of all people—

Senator WONG: Senator Brandis brays and cackles again. It is indicative of the contempt with which this government holds the standards of ministerial conduct that the Deputy Leader of the Government in the Senate so cackles and so interjects. What a first law officer of the nation he is!

The reality is that the statement of standards talks about conduct of the highest personal integrity. It talks about high standards of conduct. The reality is that there have been some extremely concerning, serious allegations which have been made at the Independent Commission Against Corruption.

Senator Brandis: There have been no allegations.

Government senators interjecting—
Senator Wong: I take the interjection from those opposite. They say no allegations have been made. I am very happy to go through some of those, chapter and verse.

Senator Brandis interjecting—

Senator Fierravanti-Wells interjecting—

The Acting Deputy President: Senator Brandis and Senator Fierravanti-Wells, cease yelling across the chamber.

Senator Wong: Senator Sinodinos is asking, for example, this chamber to believe he was not involved with and did not have any knowledge of political donations when donations were made at a time he was an officeholder of both organisations. It is not believable. (Time expired)

Senator Abetz (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (09:39): We have just heard the most outrageous allegation against Senator Sinodinos, haven't we? We just heard it, then, from Senator Wong. Supposedly, somebody has to give an explanation. Really? Is that as good as the opposition can do in this place? So sanctimonious yet so shallow is this Senator Wong. The opposition is so unprepared to vote on the carbon tax and so unprepared to vote on the mining tax before the West Australian Senate election that they will use and consume whatever time there is in this place to ensure that we do not get to vote on those important issues before the West Australian Senate election.

Let us make no mistake that this is the Senator Wong that went to the Australian people saying there will be no carbon tax and then introduced one, who then said that the budget was in good shape, and we have seen how very bad a shape it was in.

Senator Lines interjecting—

The Deputy President: Order! Senator Lines, you will cease yelling across the chamber.

Senator Abetz: Yet Senator Wong comes in here, so sanctimonious, claiming that she is so clean. She claims that she is the upholder of all these great standards yet she was the great defender of Craig Thomson and the great defender of Michael Williamson.

If we want to go into people's history before they entered parliament, let us have a look at the corrupt dealings of the Construction, Forestry, Mining and Energy Union, of which Senator Wong used to be an official. Let us put her in the stand and ask her what she knew about the corrupt dealings of the CFMEU when she was an official of it. We on this side of the chamber say that there is possibly something to explain, but not before the Senate, because this was a period before she was a senator or a minister of the crown—albeit we would love to hear an explanation from Senator Wong about all of her activities in the CFMEU.

Clearly, Senator Sinodinos has given a proper, full, detailed, honest explanation to this chamber. Above and beyond that, as important as Senator Wong is, and as bloated as she is with her own self-importance—

Honourable senators interjecting—

The Deputy President: Order! Both sides of the chamber will come to order.
Senator ABETZ: As important as Senator Wong is, we would say to her with great respect that she ain’t quite as important as ICAC! ICAC is the proper place for evidence to be provided, and that is exactly what Senator Sinodinos has said he will do. He will provide full and frank detail and cooperate in every possible way with ICAC.

The DEPUTY PRESIDENT: Senator Collins, stop yelling across the chamber.

Senator ABETZ: He has said he will do that, and we have every confidence that he will do exactly that. Senator Sinodinos said he will undoubtedly take some tutorials from Senator Doug Cameron and Greg Combet on how to appear before ICAC, because people are called as witnesses from time to time before ICAC. Indeed, we will have that opportunity and we will then be able to see what the actual evidence is. But keep this in mind: Senator Sinodinos has only been called as a witness.

Government senators interjecting

The DEPUTY PRESIDENT: Senators on my left, there is too much noise.

Senator ABETZ: No allegation has been made against Senator Sinodinos except this pathetic, puerile attempt by the Leader of the Opposition to say that somehow there was an allegation. But, I don’t know, I did not quite understand, at the end of the speech, what the allegation was. I do not think anybody else understood what it was, either.

I simply say that this is a stunt by Labor. I got a letter from the Leader of the Opposition delivered to my office at 10 to nine saying that in 40 minutes this is what would happen. And, sure enough, it has happened. But what is even worse—guess what?—Sky News rang my office to see what my response would be to this, within minutes of this letter being delivered. This is all about a media stunt. It is about mobilising the media. Senator Wong does not believe in this as a matter of credibility for this place, as a matter of integrity; it is a media stunt—nothing more, nothing less.

Government senators interjecting

The DEPUTY PRESIDENT: Order! Senators on my left, come to order.

Senator ABETZ: It was a pathetic attempt by this Leader of the Opposition yet again to wind down the time in this chamber so they do not have to deal with the issues of the day that would create jobs for our fellow Australians, like getting rid of the carbon tax, getting rid of the mining tax and reinstituting the Australian Building and Construction Commission, which might actually bring the CFMEU to heel—of which the good senator herself was a very important official. The appropriate place is ICAC, not the Senate.

Senator MILNE (Tasmania—Leader of the Australian Greens) (09:45): I rise today to support the suspension of standing orders on this matter—

Government senators interjecting

The ACTING DEPUTY PRESIDENT (Senator Marshall): Resume your seat, Senator Milne. Senators on my right will come to order. Senator Milne is only just into the first sentence of her contribution.

Honourable senators interjecting—

CHAMBER
The ACTING DEPUTY PRESIDENT: Order! Senators will stop discussions across the chamber. Senator Milne has the call.

Senator MILNE: The Australian community deserves to have confidence in the Australian parliament, in the Australian ministry in particular. The community deserves to be able to have confidence in the highest standards of behaviour from its cabinet ministers. That is where the principle of ministerial responsibility comes from, not only in taking responsibility for government decisions but also in adhering to the code of conduct, which requires the highest standard of ethical behaviour. All that is being asked for here is a statement from Senator Sinodinos, to enable him to clear his name. If he believes he is innocent in this regard then that is appropriate. Ministers are clearly responsible for their own acts but they are also clearly responsible for their omissions, and it is important that the Australian people hear from Senator Sinodinos in this particular context—and hear more than the statement that he made earlier this year. It was a carefully crafted statement but there were several omissions.

It is also about consistency. I refer the Senate to what the now Prime Minister had to say when he was in opposition: before anybody was charged he had already made decisions about guilt and association. In referring to Craig Thomson at the time he said:

It really is unconscionable for the Labor Party and the Prime Minister to continue to rely on this person's vote. I think that the best thing Craig Thomson could now do would be for him to leave parliament and let someone else represent the people of Dobell. Look, it is a disgrace, it is an embarrassment to the Labor Party which spawned and nurtured and protected this person and it's a disgrace to public morality that this has happened.

The Greens have said from beginning to end that people are innocent until they are proven guilty, and we believe that it is time that Senator Sinodinos came in here and told the parliament exactly what has happened so that the parliament can make a judgement about that.

I would remind the coalition of some of the people who have resigned. Let us talk about Geoff Prosser, for example. He was minister for small business under former Prime Minister John Howard and in 1997 he resigned immediately because of allegations of improper business dealings. Go back even further than that and you had Mick Young, for example, who had to resign over not declaring a Paddington Bear to Customs in 1984. There have been many examples of ministerial responsibility. I could go through a whole list of them that I have got here. But the important thing is that if Senator Sinodinos has nothing to hide then he should come in here and make a full explanation to the parliament. That is all that is being asked at this point. Unlike the current Prime Minister, who immediately alleged guilt before there were any court proceedings, this is the Senate asking for an explanation on behalf of the Australian people.

That is why we need a national ICAC. That is why the Greens have argued for a very long time that we need a national integrity commissioner and that these matters should be dealt with nationally in the same way that they are dealt with in New South Wales by the Independent Commission Against Corruption. It is important that we have it at the state level, but it is important that we have it at the national level. We have moved for it consistently and it has been rejected consistently by both the Liberal Party and the Labor Party. It is time that we had a national commission against corruption so that we have the capacity for the
community to know that there are appropriate levels of investigation when corruption is alleged.

It is no use for the coalition to pretend that there is no alleged corruption. That is clearly the allegation that is being made here. Frankly, all it does is undermine the parliament and every parliamentarian to see this revolving door of people leaving politics, going into business, ending up at the heights of their political party, organising political donations, going back into parliament and going back into business. This revolving door has been one of the reasons why people have lost confidence in politics and in parliamentarians. That is why we need to clean it up and that is why we need an independent commission against corruption and it is why Senator Sinodinos should come in here. *(Time expired)*

**Senator BRANDIS** (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) *(09:51)*: Let us not forget the man against whom this disgraceful smear is being made. Arthur Sinodinos is one of the greatest Australians who has participated in the public life of this country over the last two decades. For more than a decade, he ran the Prime Minister's office of Australia's most successful recent government, the Howard government. He is an officer of the Order of Australia. He is a person of the highest integrity and the greatest personal decency.

_Agentor Kim Carr interjecting—_

**The ACTING DEPUTY PRESIDENT (Senator Marshall):** Senator Carr, stop yelling across the chamber.

**Senator BRANDIS:** Let us not forget the stature and the quality of the Australian against whom this disgraceful smear is being made. Those who are baying from the other side of the chamber would stop at nothing to smear anyone. It is their modus operandi. We have seen it from Senator Wong. We have seen it from Senator Conroy.

_Apposition senators interjecting—_

**The ACTING DEPUTY PRESIDENT:** Senator Brandis, just resume your seat for a moment. Senators on my left will come to order.

_Agentor Jacinta Collins interjecting—_

**The ACTING DEPUTY PRESIDENT:** Senator Collins, I have just called senators to order.

**Senator BRANDIS:** Those who may be listening to this broadcast should know one thing in particular. There has been no allegation of wrongdoing made by anyone against Senator Arthur Sinodinos—none. The Labor Party have been seeking to smear by innuendo—guilt by association—seeking to smear the reputation of this very distinguished Australian. But remember this, Mr Acting Deputy President: there has been no allegation of wrongdoing made against Arthur Sinodinos. Senator Arthur Sinodinos is a witness in proceedings at ICAC. Any citizen may be called as a witness in proceedings at ICAC. But neither counsel assisting ICAC, nor other witnesses before ICAC, nor the ICAC commissioner himself—no-one—has alleged any wrongdoing against Senator Sinodinos; nobody.

So the fact that this, one of the most grave motions that a parliamentary chamber can be debating, has been moved, in circumstances where no allegations of wrongdoing have been made against this man, tells you all you need to know about the motives and the modus
operandi of the Australian Labor Party. Would that there were anybody sitting on the benches opposite who had served Australia as well, over more than 20 years of public service, as Arthur Sinodinos, but we look around their depleted ranks and there is no-one. There is not one of them who can boast a record of public service as distinguished as that of Arthur Sinodinos.

This government upholds and demands the highest of ministerial standards, and those ministerial standards require the highest probity of every minister. Those are standards by which Senator Sinodinos has conducted himself just as every minister in the Abbott government has conducted themselves. Let me say it again because it cannot be stressed often enough: this motion—this disgraceful motion that has been foreshadowed by the Leader of the Opposition in the Senate, the former CFMEU official, Senator Penny Wong—is a motion designed to humiliate and smear a man against whom there have been no allegations made of wrongdoing, against whom Senator Wong in her speech was unable to formulate any allegation of wrongdoing, against whom no member of Labor Party has been able to formulate any allegation of wrongdoing merely because he is a witness. If the Labor Party have specific allegations of wrongdoing, let them come forward with them. They should put up or shut up before they smear the reputation of a man who is a greater Australian than any of them.

Senator FAULKNER (New South Wales) (09:56): In my view it is untenable and unacceptable for the Assistant Treasurer, if he is to remain in that position, to fail to make now a full, complete and comprehensive statement to the parliament about all aspects of his involvement in Australian Water Holdings, given the circumstances we face. The facts of the matter are these. Senator Sinodinos made a statement in the Senate about these matters on 28 February last year. That, of course, was before he was sworn in as Assistant Treasurer. Since that time, all Senator Sinodinos has been willing to do or say in the chamber is that he has stood by that earlier statement. I say that is no longer good enough. I certainly say that is no longer tenable.

Why? Because there is now incontrovertible evidence that Senator Sinodinos's statement of last year, for whatever reason, was not complete, was not accurate and cannot stand. My leader, Senator Wong, has mentioned three elements, and I would reinforce those. In Senator Sinodinos's statement to the Senate last year he said he had no role. He said:

I played no role in the awarding of the January 2012 contract to AWH by Sydney Water.

But we now know he wrote on 29 August a letter copied to the Premier and finance minister about the contractual relationship between AWH and Sydney Water. As a result of evidence in ICAC yesterday we now know further to that that he was present at a meeting about contractual arrangements on 6 September 2011 between AWH and Sydney Water.

We also know that Senator Sinodinos served concurrently as first a non-executive director of AWH and then as its chairman and, at the same time, in a role in the New South Wales division of the Liberal Party as both the treasurer and its president. He said in his statement last year that, at that time, donations from AWH were handled by the management of the organisation at their discretion. We now hear this from counsel assisting the Independent Commission Against Corruption in New South Wales: 'From the records I have seen it seems that Sydney Water has unwillingly, unknowingly, been a principal donor to the Liberal Party. But, at the time, Sydney Water could not and would not have known that this was occurring
and could not get access to the documents which would have established that it was occurring. All it knew was that the administration costs were excessive, and this blew up into a dispute.

I do believe it is untenable to argue, given the positions that Senator Sinodinos held, that either as a director or chairman on the one hand, or as an official of the Liberal Party on the other hand, he knew nothing about this. He should have, if he did not. Finally, I point out that the personal loan agreement with members of the Obeid family, which Senator Sinodinos informed the Senate about in his statement, is a sham as well. That personal loan agreement was in fact a 30 per cent shareholding in AWH. Yes, there are issues that should be addressed in this chamber. Yes, Senator Sinodinos's previous statement was incomplete, appears inaccurate and certainly demands further clarification. (Time expired)

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (10:01): Those opposite have not made a case for the suspension of standing orders. Those opposite have not made a case as to why government business should be suspended. They have not made a case as to why debate on the carbon tax repeal legislation should be further delayed. They have not made a case as to why debate on the minerals tax repeal legislation should be further delayed. If suspension of standing orders were granted, if we on this side supported that, we would be complicit in facilitating smear by motion. We would be complicit in facilitating an abuse of Senate procedure.

I think it is important to put some facts on the record in relation to the matters that are before us. They relate to matters that predated assumption of ministerial office by Senator Sinodinos. There have been no matters raised that relate in any way to the performance or execution of Senator Sinodinos's ministerial duties. Let me reiterate what Senator Abetz and Senator Brandis have said already. There are no allegations against Senator Sinodinos. There are no specific allegations against Senator Sinodinos. There is only smear and innuendo.

I listened very carefully to Senator Wong's contribution and I listened very carefully to Senator Faulkner's contribution. I think all of us in this chamber would accept that Senator Faulkner is one of the more forensic prosecutors in this chamber. As I have said previously, we know that, when a Labor attack is failing, 'in case of emergency break glass and deploy Senator Faulkner and his well honed gravitas'. Senator Faulkner did not, in any way, shape or form, level an allegation against Senator Sinodinos. I think it is very telling that the most forensic Labor senator—perhaps the Labor senator most capable of prosecuting cases—has not raised a single allegation against Senator Sinodinos.

I think all of us in this chamber, even those on the opposite side, when they quietly reflect and are being honest with themselves, recognise that Senator Sinodinos is a diligent minister. I think all in this chamber, including those opposite, when they privately and quietly reflect, would acknowledge that Senator Sinodinos is a man of great integrity. He is a man of strong character. He is someone I have known for the best part of 20 years. He is someone I see as a mentor. He is someone whose character and integrity are beyond reproach. He had a professional life before he entered this place. That is not in dispute. And, yes, there is an inquiry in New South Wales into certain matters, and Senator Sinodinos is cooperating in that forum. As has been mentioned, attendance as a witness at an ICAC hearing is not in any way an indication of wrongdoing. Senator Sinodinos has declared that he will be vindicated.

In talking about ICAC, I think it is important that we remember what the inception of ICAC was, what led to its creation by the incoming Liberal government in New South Wales
in 1988. It was a response to endemic, systemic corruption in the Labor Party in New South Wales and in the former Wran and Unsworth governments. That is why the ICAC was established, because of the corruption that was manifest in the New South Wales Labor government. I am sure we will hear in subsequent debates a little bit more about that systemic corruption.

Senator Sinodinos has given an account of himself, a good account of himself, in response to questions asked of him in this place. Senator Sinodinos has served this nation well. He was chief of staff to the Prime Minister and was made an officer of the Order of Australia in recognition of his contribution. He has made a magnificent and significant contribution to Australian politics, to Australian public policy and to the nation more broadly. He is a distinguished Australian. He is a respected Australian. I have confidence in Arthur Sinodinos's integrity. The smears should cease. The allegations should cease. If you have an allegation, make it.

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

The Senate divided. [10:13]

(The President—Senator Hogg)

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

AYES

Bishop, TM
Cameron, DN
Collins, JMA
Dastyari, S
Farrell, D
Furner, ML
Hanson-Young, SC
Lines, S
Lundy, KA
McEwen, A (teller)
Moore, CM
Peris, N
Rhiannon, L
Singh, LM
Tillem, M
Waters, LJ
Wong, P

Brown, CL
Carr, KJ
Conroy, SM
Di Natale, R
Faulkner, J
Gallacher, AM
Hogg, JJ
Ludwig, JW
Marshall, GM
Milne, C
O'Neill, DM
Polley, H
Siewert, R
Sterle, G
Urquhart, AE
Whish-Wilson, PS
Wright, PL

NOES

Abetz, E
Bernardi, C
Brandis, GH
Cash, MC
Edwards, S
Fawcett, DJ
Fifield, MP
Kroger, H

Back, CJ
Birmingham, SJ
Bushby, DC
Coppin, M
Eggleston, A
Fierravanti-Wells, C
Heffernan, W
Macdonald, ID
Question agreed to.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (10:13): I move:

That a motion relating to the conduct of the Assistant Treasurer (Senator Sinodinos) may be moved immediately and have precedence over all other business today till determined.

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

The Senate divided. [10:15]

(The President—Senator Hogg)

<table>
<thead>
<tr>
<th>Ayes</th>
<th>Noes</th>
<th>Majority</th>
</tr>
</thead>
<tbody>
<tr>
<td>34</td>
<td>28</td>
<td>6</td>
</tr>
</tbody>
</table>

**AYES**

| Bishop, TM |
| Cameron, DN |
| Collins, JMA |
| Dastyari, S |
| Farrell, D |
| Furner, ML |
| Hanson-Young, SC |
| Lines, S |
| Lundy, KA |
| McEwen, A (teller) |
| Moore, CM |
| Peris, N |
| Rhiannon, L |
| Singh, LM |
| Tillen, M |
| Waters, LJ |
| Wong, P |

| Brown, CL |
| Carr, KJ |
| Conroy, SM |
| Di Natale, R |
| Faulkner, J |
| Gallacher, AM |
| Hogg, JJ |
| Ludwig, JW |
| Marshall, GM |
| Milne, C |
| O'Neill, DM |
| Polley, H |
| Siewert, R |
| Sterle, G |
| Urquhart, AE |
| Whish-Wilson, PS |
| Wright, PL |
Wednesday, 19 March 2014

NOES
Abetz, E
Bernardi, C
Brandis, GH
Cash, MC
Cormann, M
Eggleston, A
Fierravanti-Wells, C
Heffernan, W
Mason, B
Nash, F
Payne, MA
Ruston, A
Scullion, NG
Smith, D
Back, CJ
Birmingham, SJ
Bushby, DC
Colbeck, R
Edwards, S
Fawcett, DJ
Fifield, MP
Macdonald, ID
McKenzie, B (teller)
O'Sullivan, B
Ronaldson, M
Ryan, SM
Seselja, Z
Williams, JR

PAIRS
Bilyk, CL
Ludlam, S
McLucas, J
Pratt, LC
Stephens, U
Thorp, LE
Boswell, RLD
Kroger, H
Johnston, D
Boyce, SK
Sinodinos, A
Parry, S

I move:

(1) the Senate requires the Assistant Treasurer (Senator Sinodinos) to immediately attend the Chamber to provide the Senate with a full explanation of his dealings as a director of Australian Water Holdings, with particular reference to political donations, his shareholdings and his role in contract negotiations and his statement made in the Senate on 28 February 2013 and reaffirmed during question time on 6 March 2014;

(2) at the conclusion of the statement a senator may move to take note of the explanation; and

(3) if no statement has been made by Senator Sinodinos before 12 pm today, the Leader of the Opposition in the Senate (Senator Wong) may immediately move a further motion relating to Senator Sinodinos' failure to comply.

We have heard a significant amount of hyperbole in the contributions of those opposite. I think it is useful if we go through what is being sought by the Senate and by the opposition.

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson): Senator Wong has the right to be heard in silence. I remind senators that interjections are disorderly.

Senator WONG: Thank you. The assertion has been made that the only things confronting Senator Sinodinos are smears and innuendo. I make this factual point: this senator is being investigated by two separate anti-corruption inquiries—Operation Credo and Operation Spicer. Rather, his activities have been the subject of those inquiries.
I also make this point. The opposition are seeking something very simple: we are seeking that Senator Sinodinos immediately attend the chamber to provide a full explanation on a range of matters that are set out in the motion. There are no allegations included in the motion, despite the hyperbole of those opposite.

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT: Senators, you will have your chance to debate this issue in a minute.

Senator WONG: Despite the assertions of those opposite and some of the overblown rhetoric on the other side, in fact all the opposition is seeking and has put before the chamber is a motion that requires the Assistant Treasurer to immediately attend the chamber to provide a full explanation. If the senator has nothing to hide, if the senator has—

Senator Ian Macdonald interjecting—

Senator WONG: Mr Acting Deputy President, I have Senator Macdonald just persistently interjecting. I would appreciate it—

The ACTING DEPUTY PRESIDENT: I remind Senator Macdonald that interjections are disorderly and Senator Wong has the right to be heard in silence.

Senator WONG: It has been asserted by those opposite that this is an abuse of process. I would make this point: the government say they want to have the carbon price voted on quickly, but they did not give leave for this motion to be moved, which required a suspension of standing orders today, and they sought to call a division even on a procedural motion around precedence, which also took up time, which seems somewhat odd if you really, as a government, do want to get on to voting on the carbon bills.

I return now to the issues before us, and I again say there are many matters in the public arena which, given Senator Sinodinos's past statements and his position as a minister of the Crown, really do demand that he come to the chamber and make an explanation. It may be that he has answers to the questions which are raised. It may be that he has a clear explanation for many of the apparent inconsistencies between what he has told the chamber and what counsel assisting the Independent Commission Against Corruption has asserted in his opening statement. It may be there are answers to all of these matters. If that is the case, there is a very simple course of action which the minister can take. He can come to this chamber and he can give a full statement. He has chosen not to do that. We gave him plenty of opportunity yesterday in question time, and he chose not to take the opportunity, other than to say he would be vindicated.

There are a few things I want to go through which explain some of the issues between the statement that was made on 28 February by the senator and statements on the public record. I go first to this assertion in the statement:

I played no role in the awarding of the January 2012 contract to AWH by Sydney Water.

I remind the Senate again that this was a statement made on 28 February 2013, acknowledged to be prior to Senator Sinodinos becoming a minister, but he has subsequently affirmed the statement as a minister, by way of his answer in question time on Thursday, 6 March. In relation to the assertion 'I played no role in the awarding of the January 2012 contract', there are two pieces of evidence which have come to light in the Independent Commission Against Corruption inquiry. The first is that Senator Sinodinos, as chairman of the company, wrote to
the chair of Sydney Water, ccd to both the Premier of New South Wales and the Minister for Finance, in relation to contractual negotiations. He requests in that letter:

I believe the best way forward is an urgent roundtable meeting that we attend with the Shareholding Ministers to resolve this matter once and for all. I would suggest that you and the Managing Director of Sydney attend this meeting.

In addition, yesterday in the Independent Commission Against Corruption, a Mr Rippon, who I understand is an officer of Australian Water Holdings, confirmed that, subsequent to that letter, a meeting was in fact held, on 6 September 2011, to discuss the contract negotiations which resulted in the awarding of the contract in 2012. I should say: the subsequent event to this meeting—and, presumably, some other discussions—was the awarding of the contract in 2012. He confirms that Mr de Girolamo and Mr Sinodinos were both at that meeting. It may be that Senator Sinodinos has a very clear explanation as to why he can say on the one hand that he played no role in the awarding of the contract but on the other hand he both cc'd to the Premier and attended a meeting to discuss the very issue which included the awarding of the contract and contractual relationships. Maybe there is an explanation, but I think a fair-minded person would say it is a little difficult to understand how you can assert you have no role in the awarding of the contract if, on the face of the public record, there is a letter which requests a meeting to deal with these issues and then a meeting to deal with these issues. It may be that nothing was discussed at the meeting. It may be that there is another explanation. But we do not know, because that question has not been answered by Senator Sinodinos.

The second point I would make is in relation to donations. Let us recall that this is at a time when, on the basis of the evidence, extraordinarily corrupt conduct appears to have been occurring within AWH. Amongst the allegations about the misuse of money, which has been made on the public record, is an allegation of the use of money from Sydney Water being used in effect to make donations to the Liberal Party. As far as I can see from the time frames, at all material times in relation to this issue, Senator Sinodinos was an office-bearer in both the Liberal Party and Australian Water Holdings. He was a director and then chairman, and I believe he held two different offices, one of which was treasurer, inside the Liberal Party. He asserts—he has very carefully worded it, and I will read it—in his statement on February 2013:

In relation to the political donations by Australian Water, these were handled by the management of the organisation at their discretion. I do not recollect donations to political parties being discussed at board level.

Then he goes on to talk about disclosure laws. So he does not go in his statement at all as to whether he knew that money that was being paid by Sydney Water was, amongst other things—it was not the only improper use of that money—being used to provide donations to the Liberal Party.

The assertion by counsel assisting the commission is as follows:

Australian Water Holdings were making big donations to the Liberal Party—$20,000 here, $30,000 there—and on what I have seen, those donations were bundled up into the expenses and charged back to Sydney Water. From the records I have seen, it seems that Sydney Water has unwillingly, unknowingly been a principal donor to the Liberal Party.

It might be that Senator Sinodinos can explain how it is possible to be a director and chair of an organisation that is engaging in this activity and not be aware of it. It might be that he can
explain how it is possible for him to be an office-bearer of the Liberal Party at this time and not be aware of substantial donations. I think it is even more difficult for him to explain how he can be an office-bearer of both organisations—the payer and the payee—and not know about it. He may have an explanation for these matters. If he does, I think it is incumbent upon him—and in my submission to the chamber it is incumbent upon him—to attend and make that explanation. I think the public is entitled to know how it is possible Sydney Water—and, remember, ultimately this is the users of Sydney Water who are paying for this—money was funnelled to the Liberal Party at a time that Senator Sinodinos was both an office-bearer of AWH and an office-bearer of the Liberal Party and for him not to know about it. I suggest that it would be in Senator Sinodinos's interests for him to explain that fact. A failure to do so leaves the public, and the Senate, with this observation: Senator Sinodinos omits discussing this in his statement to the Senate, but on the public record there are very serious allegations of the misuse of this money. That is the second apparent inconsistency between his statement and his—

Senator Brandis interjecting—

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson): Order! Senator Brandis, Senator Wong has the right to be heard in silence.

Senator WONG: As I said, it is an apparent inconsistency—it may not be inconsistent; he may have an explanation. But it does seem very odd, I am sure, to any reasonable person watching this debate or looking at these documents, for it to be believed that one could not know anything about what was occurring, when one was an office-bearer of both organisations.

The third point that Senator Sinodinos needs to address is in relation to the—I think it has been described as a sham—loan agreement with the Obeid family. Senator Sinodinos does go to this issue in his statement. He said, and again, the words are very precise:

I became non-executive chairman of AWH on 3 November 2010. I was not aware that, at around this time, the CEO of the company had negotiated what has been reported as a personal loan agreement with members of the Obeid family, secured against shares in Australian Water Holdings. I believe that there should have been such a disclosure made to me.

What we now know is that on 4 November 2010—so this is the day after Senator Sinodinos became chair—the loan agreement was struck. The heads of agreement was signed on 4 November 2010. This particular transaction has also been the subject of evidence and comment at the Independent Commission Against Corruption inquiry, and is one instance of apparently corrupt conduct within AWH. Senator Sinodinos in his statement deliberately does not go to when he knew about that arrangement—

Senator Abetz: Deliberately? How do you know that?

Senator WONG: Senator Abetz, I used the word 'deliberately', that is true; I should probably replace it, I agree with that. In his statement, Senator Sinodinos does not go to when he knew about the arrangement. I would say to the chamber: if you are the chair of a company, and a multimillion dollar agreement—which is described subsequently in the Commission Against Corruption inquiry as being a sham loan agreement—is entered into the day after you became chair—I do think it is incumbent upon Senator Sinodinos to explain when he became aware of that. It does seem somewhat odd that you could be chair of a company which enters into such an extraordinary agreement—on the day after you have
become chair—and you would have no knowledge about it. It may be that Senator Sinodinos
knows nothing about it. It may be that he knows something about it. It may mean—

Senator Brandis: Well, maybe you are just making something out of nothing!

Senator WONG: I will take the interjection. The suggestion from the first law officer of
the land is that I am making something out of nothing; I know that the Liberal Party does not
like to look at the facts in this matter. There are extraordinarily serious allegations being made
in the Commission Against Corruption inquiry that include—

Senator Brandis interjecting—

The ACTING DEPUTY PRESIDENT: Order! Senator Wong has the right to be heard in
silence.

Senator WONG: Thank you, Mr Acting Deputy President. There are extraordinarily—

Senator Brandis interjecting—

The ACTING DEPUTY PRESIDENT: Please take your seat, Senator Wong. I will
remind the Senate for the fourth time that senators have the right to be heard in silence and
that interjections are disorderly.

Senator WONG: Thank you, Mr Acting Deputy President. Unlike Senator Brandis, I do
not think the public is airily dismissing the allegations which are being made at the
Commission Against Corruption inquiry. I do not think the public thinks that having a corrupt
set of activities by an entity, whereby money from water users is channelled to inappropriate
purposes—including payments to the Liberal Party and a sham arrangement with the Obeid
family—is something that can be airily dismissed by a man who is supposed to be the first
law officer of the land.

It may be that Senator Sinodinos has a clear explanation as to how, the day after he became
chair, this sham arrangement which is the subject of a corruption investigation could have
been entered into. It may be that he did not know about it. It may be that he did know about it
but was misled as to its nature. I do not know. But I say to the Senate: if you come into this
place and you give a statement which references some of what has occurred but omits key
facts about what else has occurred, then you are entitled to be asked by this Senate to provide
further details. That is particularly so when there are assertions on the public record which go
specifically to the omissions in your statement, and it is particularly so when you are a
minister of the Crown. Whilst all of us in this place have an obligation to be truthful and frank
with this chamber, I would remind those opposite that, amongst other things, the Statement of
Ministerial Standards also requires in relation to ministers that 'their conduct in a private
capacity upholds the laws of Australia, and demonstrates appropriately high standards of
personal integrity'. That is what is required of ministers: that their conduct in a private
capacity upholds the laws of Australia and demonstrates appropriately high standards of
personal integrity. If Senator Sinodinos has something to say in response to the allegations
and assertions which have been put on the public record in the Commission Against
Corruption inquiry, I think that, as a minister, he should come in and make that statement.

I am going to close now. I just want to make a comment about the statement of standards.
This is a government that has been in office for around six months. In that short time we have
seen the trashing of ministerial conduct and accountability and a contempt for this parliament.
I would say this: this Prime Minister is a dangerous combination of arrogance and weakness.
He is arrogant in leading a government which refuses to be accountable to the public and weak in failing to uphold his own statement of ministerial standards. A prime minister who stood by the high standards of conduct which are expected of ministers in his own statement of ministerial standards would have required the Assistant Treasurer to attend this Senate and make an appropriate and full explanation.

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (10:37): 'In this country politicians are not judge and jury, and there are proper processes that have to be followed. We live in a society where there are proper processes. There are proper authorities who look at evidence and make decisions about how that evidence should be treated. They make decisions about enforcement. Those authorities are not the parliament.' So spoke, guess who? None other than Senator Wong, chief prosecutor in this case. Oh, what tangled webs we weave!

Senator Wong has really been caught out today, has she not? She has tried to be the Penny Mason of the Senate and she has failed—and failed dismally. She has not been able to make out any case against Senator Arthur Sinodinos—not a single case. Indeed, I am reminded that, in matters such as this, mere repetition is no substitute for evidence. If this presentation of Senator Wong had been heard anywhere else, there would have been no need for myself or anybody on the government side to get up to run the defence case, because there is simply no case to answer on any of the matters that Senator Wong tried to put before this place.

I have to give Senator Wong full marks—she gets 10 out of 10 for sanctimony, 10 out of 10 for smear—but she gets nil out of 10 for substance. There was absolutely no substance to any of the matters that she raised. I must say that Pecksniffian attitude of those opposite—of the Green-Labor alliance, yet again in full collusion with each other in support of this motion—is absolutely gobsmacking. At the very worst it appears that, somewhere along the way, somebody may have made, if you add them all up, donations to the Liberal Party of some $70,000-plus in this case.

**An opposition senator:** It was a bit more than that.

**Senator ABETZ:** Even if it was a bit more than that—$75,000 or whatever it may be—do we recall a leader of another national party personally negotiating a deal with somebody for the biggest donation ever in Australian history? He personally negotiated it, and the person who gave the money said afterwards, 'I think it was a good investment.' The person who negotiated it and received it said, 'I will be forever grateful.' That would not have been the Australian Greens by any chance, would it? Here they are running into the parliament and claiming somehow Senator Sinodinos should give an explanation with particular reference to political donations. When Senator Brown—when he was Senator Brown—was in this place, the Australian Greens and Labor were invited to provide such an explanation from Senator Brown, but where were they? Absolutely nowhere to be seen! Somehow a donation of on thirteenth of that—less than 10 per cent—is worthy of a full and detailed explanation!

It is interesting that in this motion there is absolutely no allegation made against Senator Sinodinos nor is there any suggestion of inconsistency in statements by Senator Sinodinos. All he has been asked to do is provide a full explanation of his dealings and his role in contract negotiations. I would have thought if you were to bring somebody before the Senate to explain something, you would ask them to explain one statement as opposed to another
statement to show some inconsistency—and then there would be some substance to the motion. Talk about a trawl! I thought Labor and the Greens, like us, were against supertrawlers, but this beats them all. This motion was a great supertrawl—an attempt to catch anything that might be in the water. Senator Wong, after 20 tedious minutes, pulled the net in and—do you know what?—there was nothing in the net. There was absolutely nothing in the net! There was no substance to those matters that she sought to assert.

What Senator Wong was saying was very interesting. She was saying, 'We're not actually making any allegations; we're just half hinting at them.' Yet, the smear was in, because Senator Collins was interjecting non-stop in the previous motion and saying, 'The facts speak for themselves.' I think Senator Collins has already prejudged the issue, as have all those on the other side. Let's not have this pretence that you have not prejudged the issue. Of course, you have. That is why Senator Faulkner came in and made statements such as that there was 'incontrovertible evidence'. The case is shut—it is closed—if there is incontrovertible evidence, is it not? It means that Senator Faulkner once again got out of the naphthalene—out of the mothballs. You always know when Senator Faulkner is about to make a speech in this place, because there is this waft of naphthalene across the chamber; you immediately know that Senator Faulkner has been brought out of the cupboard again because he is the past master at smear. The only reason he comes into this place is to either eulogise some Labor luminary that has passed on or to smear people on this side. Does he make a contribution to public debate? No, absolutely not. All he wants to do is play the very ugly partisan: 'All Labor good, all Liberal bad; all coalition bad, all Labor good.' We know what his tactic is. As Senator Fifield said, the Labor Party look around their ranks, depleted as they are in intellectual talent, and then they have to reach into the naphthalene and get out Senator Faulkner to make his character-destroying contributions. Senator Collins and Senator Faulkner have both already prejudged the issue, yet Senator Wong is pretending and claiming that they have not prejudged the issue. Well, I think the facts speak for themselves.

What has brought Senator Wong to this motion seeking a full explanation? It was the circumstances in which the very questions asked by the Leader of the Opposition in this place, yesterday, had to be ruled out of order. So incompetent and so incapable of understanding the processes under the standing orders of this place, the Leader of the Opposition was humiliated by having her own questions ruled out of order. Just in case anybody listening is thinking that, if there would be any bias, it might be just slightly towards the Labor Party. But he, as a Labor Party senator, as President of this place, could not bring himself to find some excuse to rule in favour of Senator Wong's questions. Having fallen flat on her face in one of the most embarrassing displays by a Leader of the Opposition in this place, she tries to regroup and regain her credibility by coming in here at 9.30 this morning to move this tawdry motion to try to smear Senator Sinodinos by implication.

We as a government will not have anything to do with those sorts of tactics, and that is why we have stood up to oppose this outrageous smear and this outrageous tactic. Let us make no
mistake; the other part of the Labor-Greens tactic is that they do not want to be seen as being on the record as having voted against carbon tax repeal, mining tax repeal, or the re-establishment of the Australian Building and Construction Commission. They are all matters that they want to hide under the carpet whilst the Western Australian Senate election is in the offing.

Senator Sinodinos has made a statement to this place. Has an allegation been made against Senator Sinodinos? No, there has not been any allegation. Has he been called as a witness to assist ICAC? Yes, he has. Is he assisting? Absolutely, and he has said that, when and as he is called, he will appear and give a full and frank account of himself. I think it is important to understand that nobody is suggesting that Senator Sinodinos should stand aside. Indeed, in this morning's *The Canberra Times* there was an article by Norman Abjorensen which said: Nowhere is it alleged that Senator Sinodinos acted improperly, dishonestly or corruptly. He will give evidence at a later hearing to explain his role, and that will be eagerly awaited.

I say amen to that. That is how it should be and, indeed, that is how it should be according to Senator Wong, whom I quoted at the very beginning of my speech. They are the standards that Senator Wong applied when she was a minister, yet now, in opposition, those standards seem to be out of the window.

When Andrew Leigh, the member for Canberra, was asked about the proposition that Arthur Sinodinos should step down he answered: 'I don't think so on the evidence that I have seen.' Mr Albanese, the attacking Rottweiler of the Labor Party, said, 'These are serious matters, but they are matters that are before proceedings and therefore should not be pursued.' You have to love this, don't you? The only person that has asked for Senator Sinodinos to stand down is the ALP member who rejoices in the name of Thomson, not Craig on this occasion but Kelvin Thomson. He said, 'Mr Sinodinos should step aside.' Mr Thomson enters this public debate about credibility and about ensuring the highest of standards in public life clothed with the fact that he was the MP who provided Melbourne gangland figure Tony Mokbel with a personal reference. The credibility that he brings to this debate is the great standard he set as an MP by providing a reference to a gangland figure, and he says, 'According to my standards, Senator Sinodinos should step aside.' Nobody else has said that in any way, shape or form. Indeed, you have heard time and time again that there has been no allegation against Senator Sinodinos and no suggestion that he has acted improperly, dishonestly or corruptly.

The suggestion is made by Senator Wong that, at all stages, Senator Sinodinos was a part of the board or was an office bearer. Well, yes, but was Senator Wong an office bearer within the Labor Party when Michael Williamson, who is now in jail, was the National President of the Labor Party? Should we clothe her with all his misdeeds? According to the Labor Party standards at the moment, yes, we should, but my own view is that, no, we should not. We need to be mature and consistent in relation to these matters.

Senator Wong suggests that, without an explanation from Senator Sinodinos, this parliament would somehow be treated with contempt. This is the same senator who, in cahoots with Greens senators, voted over 200 times in three years to guillotine legislation through this place. Oh, that is not contempt! Anything Labor does by definition must be good.

Can I simply say that, in relation to an explanation, Senator Sinodinos has provided one. He will provide whatever evidence is asked of him by ICAC. Therefore, the question is: why
should we be passing a motion which invites the Senate to further consider this matter in the event that Senator Sinodinos does not provide a statement before 12 noon today—a statement which supposedly tells us that he has to give a full explanation of his dealings as a director of Australian Water Holdings? This motion calls for a full explanation of his dealings in all areas—nothing is excluded—and with particular reference to political donations and his shareholdings. We all know that any entitlement that he may have had to shareholdings were renounced over 12 months ago—all on the public record. We know all about that, so why does that need to be spoken of—and 'his role in contract negotiations negotiations'? This is an example of how hurriedly and sloppily this motion was put together: 'and his role in contract negotiations negotiations'. They cannot even get the motion right. They were that excited that whoever did it typed the word twice. Senator Wong could not have even proofread it, and into the chamber it goes—defective on its face, defective in substance and defective in the effected sanctimony and self-righteousness that is behind this.

The Labor Party and the Greens know that there is no need for Senator Sinodinos to present himself to this chamber. What is more, they know by their own standards, according to Senator Wong on 30 April 2012 and indeed on 25 May 2012 in those statements that I read out at the very beginning of this debate, that when there is a proper process in place it should be followed, that the proper standards should be applied. Yet Senator Wong could not help herself. She told us—if I got the quote down right—'It's a little difficult for a fair-minded person to consider certain statements by Mr Sinodinos.' What she was suggesting, which was quite breathtaking, was that she, Senator Wong, was the epitome of the fair-minded person—I think not. And I think, as she reflects in her office, as we are in this chamber, she might think that chances are it is a bit over the top to try to claim that status for herself.

Very simply, there are no allegations against Senator Sinodinos, no substance and no reason why he needs to make a full explanation and talk about the 'negotiations negotiations'—whatever that might mean. Senator Faulkner, in his contribution, might actually deal with the substance of the motion rather than the smear. At the end of the day, there are proper procedures in place for these matters to be ventilated, and they will be. In the meantime—and I want to stress this—we as a government are absolutely committed to getting on with the business of running this country, of getting rid of the carbon tax, of getting rid of the mining tax, of re-instituting the Australian Building and Construction Commission and of cutting green and red tape. Chances are it is no coincidence that, on the very day that we announce hundreds of millions of dollars of extra red tape costs being removed from the Australian economy—something that we promised at the last election—the Labor-Greens alliance in this place come up with this stunt to try to divert attention from the fact that we as a government are getting on with the job of creating an environment where the Labor legacy of unemployment can be dealt with and people can be given hope again that they do have a future, that we will bring down the cost of living and that there will be a job for their children and their grandchildren. That is the real task of this place, and that is what we as a government will continue to pursue to the very best of our ability, and we will not be distracted by these pathetic stunts by Senator Wong, Senator Faulkner and the like.

**Senator WRIGHT** (South Australia) (10:57): I rise to speak in support of this motion on behalf of the Australian Greens. This is a motion calling on Assistant Treasurer Senator Sinodinos:
… to immediately attend the Chamber to provide the Senate with a full explanation of his dealings as a director of Australian Water Holdings, with particular reference to political donations, his shareholdings and his role in contract negotiations … and his statement made in the Senate on 28 February 2013 and reaffirmed during question time on 6 March 2014;

The motion goes on to say:
… if no statement has been made … before 12 pm today, the Leader of the Opposition in the Senate … may immediately move a further motion relating to Senator Sinodinos' failure to comply.

For those who may be listening to this debate and a little confused about the background to it, I just indicate that this motion to have the Assistant Treasurer attend the Senate and give a full explanation is in relation to statements that he has made in the Senate previously—statements which, in the view of many of us, are characterised by omissions. We are concerned about the omissions in those statements, as well as what has been said in those statements. We know that Senator Sinodinos served as a director of Australian Water Holdings for three years, at a time when it was lobbying for a lucrative state government contract, which could have earned the senator between $10 million and $20 million from his shareholdings in the company.

In relation to the hearings into Australian Water Holdings by the ICAC in New South Wales, Senator Sinodinos has been requested to attend and provide evidence. Counsel assisting the ICAC, Mr Watson SC, has said:

It's … difficult to offer observations on the conduct of Mr Sinodinos—

and we acknowledge that Senator Sinodinos has not given evidence before the ICAC yet. Mr Watson continued:

It's quite transparent that Mr Sinodinos's true role in Australian Water Holdings was to open lines of communication with the Liberal party and there will be evidence that he tried to do so.

This goes to the heart of why the Australian Greens are supporting this motion at this time. It is because, increasingly, there is a murky revolving door that the Australian public are becoming aware of, with great concern, where business is linked, by donations to political parties, to the parliament. It is a revolving door. We have business donations to political parties and representatives in the parliament—and it goes round and round. It is murky territory that we see more and more in Australian public life, and the public, I think, is becoming increasingly concerned about that.

We need to have transparency. We need to be able to get to the bottom of what is occurring in these kinds of dealings that we are hearing about all too often. Given that, at this stage, we do not have processes for a national investigation of this kind of conduct, unfortunately it is then left to the parliament to try and require full explanations to be given.

I go now to some of the key elements of ministerial responsibility, which is such an important aspect of the Australian system of parliament. I refer here to the key elements recognised in the code of conduct that ministers are required to sign up to when they take on that important role being a minister. They are obligations in relation to dealing with lobbyists, obligations to disclose investments, bans on lobbying after someone has become a minister and bans on fundraising at the Lodge and Kirribilli. They go to show the importance with which the whole parliament treats matters to do with the conduct of ministers. We know that, in our Australian system, ministers are clearly responsible for both their acts and their omissions, and ignorance of a matter does not excuse a minister. These are just fundamental principles that I am referring to here. These are important principles.
When it comes to actually being able to investigate those and having some means of ensuring that ministerial responsibility is upheld, academics in Australia have pointed out consistently that the code of conduct should be enforced by an independent commissioner such as a parliamentary ethics or integrity commissioner, because in the absence of the means of enforcing that concept of ministerial responsibility, too often there are allegations, there are concerns raised, which are never properly, fundamentally, dealt with. In the absence of that kind of national commission, we now find ourselves in this position, where we are trying to require the minister to come and face the Senate and provide the full explanation that we believe the Australian public and this House are entitled to.

Because we need to have this transparency, the Australian Greens have consistently said that we need to have a national integrity commissioner to look into these kinds of issues. We have had various matters over recent years, and probably not so recent years, where issues about ministerial responsibility have been of great concern but there has not been an ability for adequate follow-up. We have ICACs in some states, such as in New South Wales, which is of course where some of this information is being examined. There is a bill before this parliament that the Australian Greens introduced, the National Integrity Commission Bill 2013, a private senator's bill, because there is currently no national anticorruption agency that can investigate claims of misconduct and corruption across the federal parliament and Commonwealth agencies. This is a glaring omission in making sure that members of parliament and Commonwealth agents are acting with the degree of integrity that the Australian public has a right to expect.

A national anticorruption and integrity commission, as envisaged by this Australian Greens bill, would protect the integrity of the federal parliament, parliamentarians and all Commonwealth departments. It would maintain integrity and help prevent corruption. At the moment, South Australia and—well, that is not true anymore; South Australia does have an anticorruption commission now; so, according to my notes, Victoria is the only state that does not have an anticorruption commission.

Senator Fifield: Incorrect.

Senator WRIGHT: And that is incorrect too.

Senator Fifield: That's incorrect.

Senator WRIGHT: So these notes may be out of date. Then—thank you, Senator Fifield—that makes the case even more for why it is a glaring omission that the states have these commissions but there is no national one. The Greens private senator's bill will provide the infrastructure to challenge corruption by establishing the National Integrity Commission as an independent—and that is an important word: independent—statutory agency. It would establish three co-dependent offices. The National Office of the Integrity Commissioner would be based largely on the successful New South Wales Independent Commission Against Corruption model. It would absorb the existing Australian Commission for Law Enforcement Integrity, ACLEI, and create a new office of the Independent Parliamentary Adviser to advise MPs and ministers on entitlement claims and the ethical running of their offices that the public rightly expects. We know as members of parliament and senators that often there is a somewhat grey area in understanding the requirements in relation to entitlements, and I think many of us would welcome the ability to be able to go to an independent adviser who could tell us how we should be acting in that situation.
The Australian Greens' bill would also establish a parliamentary joint committee on the National Integrity Commission to see that that commission was accountable to the parliament. The National Office of the Integrity Commissioner would actively prevent and investigate misconduct and corruption in all Commonwealth departments and agencies, and among federal parliamentarians and their staff. As I said, at the moment there is no ability to look into those things. This would fill the largest gap in our country's anticorruption framework. Its powers would be based largely on provisions in the Law Enforcement Integrity Commissioner Act 2006.

Unfortunately, for the time being, we do not have such a commission. In the absence of such a body, when legitimate questions have been raised about the Assistant Treasurer's dealings and about the omissions from the statement he made on 28 February, the only means available to the parliament to pursue the matter is to require the Assistant Treasurer to attend the Senate and give a full explanation—today.

Senator FAULKNER (New South Wales) (11:07): I have been invited by the Leader of the Government in the Senate, Senator Abetz, to put a case in support of Senator Wong's motion and I certainly intend to do so. I believe that, in the circumstances we face, it is absolutely essential that Senator Sinodinos come into this chamber and make a full and comprehensive statement explaining all aspects of his involvement with Australian Water Holdings, a company of which he was firstly a non-executive director and then the chairman.

I have been very consistent in these sorts of circumstances, regardless of which political party has been in government, in taking the position that the proper course of action for any minister whose actions, behaviour or propriety have been questioned is to come into the Senate and lay out the facts. This is particularly important in this case because Senator Sinodinos, then a backbench senator, did make a statement to the Senate on 28 February 2013 about these matters. Since making his statement over a year ago, Senator Sinodinos has made it very clear that he has stood by that statement—in fact all previous statements—on the issue of Australian Water Holdings.

The problem that Senator Sinodinos faces is simply this: there is now incontrovertible evidence that that statement—the only statement that Senator Sinodinos has made about this matter—of more than a year ago was not a complete statement and not an accurate statement. We know that. As a result, a further statement is required. The original statement cannot stand, given the circumstances and given the evidence we have before us now.

I will focus on three elements of the statement. I touched on this in my brief contribution to the debate on the suspension of standing orders a little earlier this morning. We know that Senator Sinodinos was firstly a non-executive director and then became chairman of Australian Water Holdings. We know that concurrently he served first as treasurer and then as president of the New South Wales division of the Liberal Party. But we now also know that, while Senator Sinodinos was serving as an officeholder in both organisations, Sydney Water became a principal donor to the New South Wales division of the Liberal Party. But Sydney Water did not know this. We now know it; Sydney Water did not.

As counsel assisting the ICAC, Mr Geoffrey Watson SC, said:
From the records I have seen, it seems that Sydney Water has unwillingly, unknowingly been a principal donor to the Liberal Party.
At the time, Sydney Water could not and would not have known this was occurring and could not get access to the documents that would have established it was occurring. All it knew was that the administration costs were excessive, and this blew up into a dispute.

Courtesy of what has occurred at the New South Wales ICAC hearings, we also know that, as Mr Watson has said:

Based upon the PricewaterhouseCoopers valuation, if the PPP came through Mr Sinodinos would have enjoyed a $10 to $20 million payday.

It is presently difficult to offer observations on the conduct of Mr Sinodinos. He has other involvements which will come under scrutiny in Operation Spicer.

Mr Watson also said:

It is quite transparent that Mr Sinodinos's true role in Australian Water Holdings—

and I stress this—

was to open lines of communication with the Liberal Party. There will be evidence that he tried to do so.

Now, the fact is—

Senator Brandis interjecting—

Senator FAULKNER: You just listen to my contribution, Senator Brandis, and you will learn something. The truth is that the company, Australian Water Holdings, were making major donations to the Liberal Party and charging them back to Sydney Water. That is the first thing we now know, and, of course, that was not known at the time that Senator Sinodinos made his statement. I am concerned that credulity is being stretched to breaking point on this matter that a non-executive director, then chairman, of Australian Water Holdings, while at the same time Treasurer, then President, of the New South Wales division of the Liberal Party, had no knowledge, in either role, of this extraordinary amount of money being channelled to the New South Wales division of the Liberal Party from AWH.

The second issue that I would like to focus on in the brief time that is available to me relates to the awarding of a contract to AWH by Sydney Water. In Senator Sinodinos's statement to the Senate last year he said:

I played no role in the awarding of the January 2012 contract to AWH by Sydney Water.

But we do know now that Senator Sinodinos, as chairman of Australian Water Holdings, wrote a letter to Dr Thomas Parry AM, the chairman of Sydney Water Corporation, on 29 August 2011 about the contractual relationship between AWH and Sydney Water. We also know for the record—and completeness of the record—that that letter was copied to the New South Wales Premier and the New South Wales Minister for Finance. Further, according to the evidence in ICAC, we now know that there was a meeting about these contractual arrangements, on 6 September 2011, between Sydney Water and Australian Water Holdings. I commend page 153T of the ICAC transcript, where it is made clear that Mr Rippon, then Mr Sinodinos and Mr di Girolamo were present.

The third issue I raise is about Senator Sinodinos's statement of last year to the Senate in relation to the Obeid family, where he said:

I became non-executive chairman of AWH on 3 November 2010. I was not aware that, at around this time, the CEO of the company had negotiated what has been reported as a personal loan agreement with members of the Obeid family, secured against shares in Australian Water Holdings.
To be fair to him, he goes on to say:
I believe that there should have been such a disclosure made to me.

What we now know is that the personal loan agreement with members of the Obeid family that Senator Sinodinos referred to in his earlier statement to the Senate is a sham. We now know that that personal loan agreement was no such thing. It was, in fact, a 30 per cent shareholding in AWH. We know that Senator Sinodinos—then Mr Sinodinos—attended meetings with Eddie Obeid Jr, and we assume that Senator Sinodinos would have had some understanding of the Obeid family involvement—

Senator Brandis: Well, do not make the allegation if it is based on an assumption.

Senator Faulkner: I was going to say that he would have had some understanding of their involvement in the Labor Party and the Australian political process. But, although he had meetings with Eddie Obeid Jr—who is from a very notorious family, I might say—he has indicated that he did not know that the Obeid family had an interest in Australian Water Holdings. I am perplexed by that. I am perplexed that someone who has had such a long experience in politics attended meetings with the person about such matters and it apparently never occurred to him that he had interest in the company.

Let me be clear about this. I am not suggesting that Senator Sinodinos acted corruptly. Not for one moment am I suggesting that Senator Sinodinos acted corruptly. I would not do that. I am not doing it. I would not do that. But I do suggest that Senator Sinodinos, in these circumstances, should make a full and complete statement to the Senate about his involvement in Australia Water Holdings, particularly as the only statement he has made—which he stands by—was made more than a year ago and on at least three parts that statement warrants further explanation to this chamber.

I am not going to take the time of the Senate to make clear again my view about those individuals in the Labor Party who I do know have acted corruptly in certain matters. Everyone knows the contempt in which I hold those individuals. And I do not accept an argument, and I will never accept the argument that appears to be being mounted, that if someone acts improperly in one political party then that is apparently some sort of defence broadly for the political behaviours of others. I do not accept that and I state again: in fact, unlike others, I do not argue wrongdoing on Senator Sinodinos's part. I am not arguing he has acted corruptly. I am arguing he should make a full explanation to the Senate for the reasons I have outlined.

I happen to believe that that is even more important given Senator Sinodinos's ministerial responsibility for the Corporations Act, for corporate governance. I have mentioned before the duties of company directors: care and diligence, good faith, proper use of position and proper use of information. We all know that ministers in any government must be able to assure the parliament—and, of course, to assure the Australian public—at all times that, in their private capacity, they have upheld the law and have demonstrated high standards of personal integrity. Of course, any individual who is the director of a company also has serious responsibilities about their conduct.

But what I argue for is full transparency on these matters. That is what this motion calls for: a full explanation from Senator Sinodinos. In these circumstances I would say to the
Australian Senate that the case is absolutely overwhelming. I would urge Senator Sinodinos to make such a statement. I happen to believe, as I said yesterday, that it is very much in his interest to make such a statement. Any minister in that circumstance, I believe, should make such a statement, and I believe that Senator Sinodinos in this case simply has no choice.

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (11:26): This debate began at 9.30; it has been going for almost two hours. And we had to put up with almost two hours of the smearing and the trashing of and the attack by innuendo on the reputation of a great Australian, before the Labor Party, through Senator Faulkner, made the concession that disclosed and revealed the hollowness of their attack when Senator Faulkner said, 115 minutes into this debate:

I am not suggesting that Senator Sinodinos acted corruptly. Not for one moment … I would not do that.

Well, Senator Faulkner, what are you doing? What are you doing, with the stature you bring to this chamber as an experienced Labor Party elder statesman, by your contribution joining with the disgusting innuendo to that very effect that we have heard from Senator Wong, your leader? Nevertheless, let anybody who is listening to this broadcast know that Senator Faulkner, the Labor Party’s elder statesman in this chamber, asserts:

I am not suggesting that Senator Sinodinos acted corruptly. Not for one moment …

We have been, all morning, throughout the course of this debate, interjecting on Labor Party speakers, or demanding in our own speeches, that if the Labor Party has an allegation to make then let them make it. And it took two hours of the trashing of the reputation of this fine Australian before Senator Faulkner, their elder statesman, announced in the chamber: ‘We have no allegation to make. We make no allegation.’ So what has all this been about? What it has been about is a cowardly attack by Senator Wong and her colleagues on a much greater Australian than any of them will ever be.

Shakespeare defined a coward as a person who is ‘willing to wound but afraid to strike’. What we have seen this morning in the chamber is a Shakespearean example of cowardice by Senator Penny Wong and her colleagues. They have been willing to wound Senator Sinodinos; they have been willing to trash his reputation not only as an honest man but as a great Australian. But they have been unwilling to strike, because every time we have called upon them to make their allegations they have failed to do so. Now, at last, their elder statesman, their most forensic prosecutor, comes into the chamber and says, ‘We have no allegation to make.’

What a disgraceful performance from you. You should be ashamed of yourself. The case against Senator Arthur Sinodinos is the ‘When did you stop beating your wife?’ argument. That is all it is. It is smear, pure and simple.

What the debate has therefore been reduced to is a debate about whether or not a statement that Senator Sinodinos gave to this chamber on 28 February last year is full and accurate in all material respects in view of some evidence that was given at ICAC yesterday. Let us get this straight. No wrongdoing has been alleged against Senator Sinodinos at ICAC by counsel assisting, no wrongdoing has been alleged against Senator Sinodinos by any witness at ICAC and now we know, late in the piece, that no wrongdoing is being alleged against Senator Sinodinos by the Labor Party. But there has been a quibble about whether or not, in three
respects identified by Senator Faulkner in his contribution, Senator Sinodinos's statement of 28 February last year is adequate.

In most of the discussion from Senator Wong, in 24 wearisome minutes of sleaze and innuendo, and from Senator Faulkner, in 20 minutes of posturing outrage which culminated in the concession that they had no allegation to make, both speakers concentrated on these words of Senator Sinodinos:

I played no role in the awarding of the January 2012 contract to AWH by Sydney Water.

What they did not read to you or to the Senate are the words that follow. Senator Sinodinos went on to say:

I was by then in the Senate and Mr Michael Costa—

Senator Back interjecting—

Senator BRANDIS: Mr Michael Costa! You would not believe it, would you, Senator?

Senator Back interjecting—

Senator Ronaldson interjecting—

Senator BRANDIS: We have Senator Wong, and Senator Faulkner, the tribune of righteousness, here. But we are getting a bit weary of Senator Faulkner's Diogenes act, as he wanders around the landscape of Australian politics with a lamp, searching for an honest man like Diogenes in classical Greece. We are wearying of your Diogenes act, Senator Faulkner. If you are being really straight with the Senate, you would have read the next sentence:

I was by then in the Senate and Mr Michael Costa, who succeeded me as chairman, was responsible for securing that agreement. I understand from public statements by New South Wales government ministers that this process was conducted at arm's length between the two parties to the contract, AWH and Sydney Water.

One can but wonder why it is that that highly relevant sentence, immediately following upon the sentence on which the opposition seek to crucify Senator Sinodinos, was deliberately omitted, because it certainly gives you the context, doesn't it?

When one is seeking to establish what in fact happened in a course of commercial dealings—and that is what I used to do for a living, Mr Acting Deputy President: commercial cases—it is always wise to bear in mind the chronology. It is always wise to bear in mind the sequence of events.

Senator Faulkner lights upon two pieces of evidence that were given to ICAC yesterday: a letter of 29 August 2011 to the chairman of Sydney Water and a meeting on 6 September 2011 where it is said that Senator Sinodinos was present and perhaps he was. But Senator Sinodinos, on 13 October 2011, became a member of the Senate and the day he became a member of the Senate, on 13 October 2011, he resigned his position as a non-executive director of AWH and the contract was not awarded until January 2012.

What Senator Sinodinos said in his statement to the Senate is that he played no role in the awarding of the contract. Of course he didn't, because it was a contract awarded by Sydney Water, not a contract awarded by AWH. And the contractual negotiations, as we know, although the Labor Party decided to try to overlook this small, material matter, were conducted by Mr Costa in the months immediately prior to the awarding of the contract, in January 2012. That is why Senator Faulkner, who chooses his words very carefully, was not
able to characterise the letter of August 2011, almost five months before the contract was awarded, as being about the contractual relationship. It was deliberately vague, weaselly words about the contractual relationship. There was no contractual relationship in August 2011. There was a contractual relationship months after Senator Sinodinos had left the board, executed in January 2012.

Again, Senator Sinodinos's allegedly sinister presence at a meeting on 6 September, months before the contract was awarded, was, according to Senator Faulkner, about the contractual relationship. Senator Faulkner, I know that you are not a man of commerce. I know that Senator Penny Wong is not a woman of commerce. I know that on the entire Senate Labor benches there sits not one man or woman who has ever been a director of a public company or who has ever advised a public company. But, if there were, they would know what anybody with the remotest acquaintance with commerce well knows: that there is all the difference in the world between pre-contractual discussions, negotiations, and the award of a contract. The fact that a person, months before a contract has been entered into, might write a letter or attend a meeting at which the possibility of a contract coming into being at some unspecified time in the future may or may not have been discussed hardly contradicts the statement, 'I played no role in the awarding of the January 2012 contract to AWH by Sydney Water,' because plainly he did not. The contract was awarded to AWH by a company in which Senator Sinodinos had no involvement, Sydney Water, and the negotiations for the contract, as opposed to vague discussions about the possibility of a contract being entered into in the future, took place after he had left the board on 13 October 2011 and were conducted by his successor, Mr Michael Costa.

Senator Faulkner made two other observations. He quoted Mr Watson, the counsel assisting the ICAC inquiry, who apparently said yesterday, 'It is quite transparent that Mr Sinodinos's role was to open lines of communication with the Liberal Party.' Well, perhaps it was. That does not contradict a word, a syllable, in Senator Sinodinos's statement to the parliament in February last year. Senator Sinodinos is a Liberal and he is a man of commerce. I hate to tell you, Mr Acting Deputy President, but there is a relationship between the Liberal Party and the business community, and we are proud of it. We actually believe in private enterprise. We are not a protection racket for no-hopers and union officials like our political opponents. We actually believe in private enterprise. So Senator Faulkner's next killer point is that there was a relationship between Australian Water Holdings and the Liberal Party, and Senator Sinodinos as a prominent Liberal was part of their relationship. So what? It has got nothing to do with his statement. How is it wrongdoing? How is it wrongdoing for a director of a public company to have a relationship with the Liberal Party? I tell you what, Mr Acting Deputy President: if that were wrongdoing then there would be hundreds of public company directors in Australia today, if not thousands, who are guilty of that same wrongdoing. So that was, if I may say so with all due respect, hardly a particularly compelling point.

Finally, Senator Faulkner refers to the Obeid family. He settles upon a statement made by Senator Sinodinos in his parliamentary speech in which he says:

I became non-executive chairman of AWH on 3 November 2010. I was not aware that, at around this time, the CEO of the company had negotiated what has been reported as a personal loan agreement with members of the Obeid family, secured against shares in Australian Water Holdings. I believe that there should have been such a disclosure made to me.
So Senator Sinodinos has said he did not know about this. He said it unambiguously. And not a word has been said by the Labor speakers in this debate to suggest that there is any reason to doubt that fact. The best Senator Faulkner can do is to say, 'We assume that Mr Sinodinos would have had some knowledge.' That is it. Senator Sinodinos says that he had no knowledge. He considers that the matter should have been disclosed to him, but it was not. Why does Senator Faulkner say that Senator Sinodinos should have had that knowledge? Because he met Mr Obeid Jnr. How does it follow from the fact that Senator Sinodinos met Mr Obeid Jnr on one or two occasions that one should assume that Senator Sinodinos knew that the Obeid family had a personal loan agreement secured against shares in Australian Water Holdings? Where does that assumption come from?

Nothing that has been said in this debate reflects on the integrity of Senator Arthur Sinodinos. Nothing that has been said in this debate contradicts a word of what Senator Sinodinos said in his statement on 28 February last year. To those who say, 'Let Senator Sinodinos come into the chamber and give another statement,' might I remind you, Mr Acting Deputy President, that this week—yesterday, indeed, I think it was, or the day before yesterday—in question time, when asked about these matters, Senator Sinodinos said: 'I have nothing to add to my statement of 28 February 2013. It is accurate and I stand by it.' So as recently as this week Senator Sinodinos has given the Senate a statement affirming what he said last year.

So here we have it. For more than two hours now an attempt has been made on the basis of a 'When did you stop beating your wife?' type of argument to smear the reputation of a great and good Australian. For two hours we have demanded that the Labor Party formulate their allegations. Eventually their senior prosecutor declared they have no allegation to make. He declared—let me quote again—'I am not suggesting that Senator Sinodinos acted corruptly, not for a moment. I would not do that.' So we are reduced to the much more timid position, notwithstanding all this bold rhetoric we heard from the other side of the chamber, that there are contradictions between the statement on 28 February and the evidence disclosed in ICAC yesterday. In fact, there are not, because Senator Sinodinos did not negotiate that contract; Mr Costa did. That is a fact that the Labor speakers went out of their way to avoid disclosing. The signature of Senator Sinodinos on a letter and his presence at a meeting months before do not constitute securing the contract, and anybody with the remotest understanding of business would know that perfectly well. The other bases on which the statement is sought to be contradicted are suppositious, ephemeral and wrong. This is a great wrong done to a good Australian, and the Labor Party should be ashamed of themselves.

**The ACTING DEPUTY PRESIDENT (Senator Mark Bishop):** I call Senator Carr.

**Senator Fifield:** Mr Acting Deputy President, I rise on a point of order. There have been three speakers for the motion and only two speakers against the motion. In calling Senator Carr, there will have been four speakers for the motion and only two speakers against the motion. When Senator Whish-Wilson was in the chair, he called Senator Wright after Senator Abetz rather than calling Senator Faulkner at that time. This means that when you were making the call in the chair, Mr Acting Deputy President, and called Senator Faulkner you called two non-government speakers in a row, whereas the convention in this place is that debate in the chamber alternates between government and non-government speakers. If you can have two non-government speakers in sequence, there is no reason why, in order to
balance that, you should not at the moment have two government speakers in sequence. The pattern that is usually followed in relation to the calling of speakers has not occurred. If you grant Senator Carr the call, there will, as I say, have been four speakers for the motion and only two speakers against the motion. There will have been four non-government speakers and only two government speakers in relation to the motion.

Senator Moore: Mr Acting Deputy President, on the point of order: it is a longstanding convention in this place that you go to alternate sides of the chamber. I have to admit that I have not been here as long as some of the senior people in here, but debate usually goes to alternate sides of the chamber. The process was that we went from the ALP leading the motion, to the opposition and then to the Greens. Then we started again with the ALP opposition. The Greens could have been called, but we jumped up. The process consistently followed in this place is the chair has the discretion on who jumped at the time and makes that call. My proposition, then, is that we follow that call. You have the decision on who to give the call.

Senator Brandis: Mr Acting Deputy President, on the same point of order: I agree with what Senator Moore has said—that the call alternates between either sides of the chamber. So there seems to be unanimity between the government and the opposition on this. On this occasion it did not. The first speaker was Senator Wong from that side of the chamber. Then it was Senator Abetz from my side of the chamber. Then it was Senator Wright from that side of the chamber. Then it was Senator Faulkner, also from that side of the chamber. Then it was me. If you accept what Senator Moore has submitted to you, which is the same as what Senator Fifield has submitted to you, you will accept that the next speaker, in order to even the matter up, should be Senator Fifield because we had two speakers in a row from the other side of the chamber speaking in favour of the motion.

The ACTING DEPUTY PRESIDENT: On the point of order, if there was an objection to the order of speakers that was ruled appropriate by the chair I believe that would have been the appropriate time for a point of order to have been taken. When the call went to Senator Wright, a point of order should have been taken at that time. It was not. In any event, it is the practice of the chair to give the call to the first speaker who rises, absent a speaking list. In this debate a speaking list agreed between the parties has not been provided to the chair. In that case, the chair and successive chairs will give the call to the first person who stands and catches the chair's attention. I have done that in this circumstance. That is my ruling. I call Senator Carr.

Senator Fifield: Mr Acting Deputy President, I rise on a point of order in relation to the order of speakers given the call. You are right: a point of order could have been raised at the time that Senator Wright was given the call, but the government was operating on the assumption that the usual convention would be followed and that the speaker called after Senator Wright would, in fact, be a government speaker. I did, in fact, prior to the calling of Senator Faulkner make an informal petition to the chair that Senator Brandis be called rather than Senator Faulkner. So although a point of order was not raised on the floor in relation to Senator Wright, as I say, I had been operating on the assumption that the ordinary course of events would ensure that the matter was corrected and that Senator Brandis would be called. As you will recall, Mr Acting Deputy President, I did make an informal petition to you before the calling of Senator Faulkner that it would be appropriate for Senator Brandis to be called.
My purpose in so doing was to try to avoid this particular circumstance arising which we now find ourselves in.

The ACTING DEPUTY PRESIDENT: We were getting almost to a debating point then. It is correct, for the record, that you did approach me informally as to the order of speakers and I advised you, similarly informally, that the next speaker then would be Senator Faulkner. You had the option then, when the call was made, to take a point of order. None was taken. That matter is now resolved.

Senator Brandis: Mr Acting Deputy President, I rise on another point of order. Following from your ruling that, absent a speaking list, the practice of the chair is to give the call to the senator who seeks the call first or at least is noticed by the chair first, as I sat down Senator Fifield was rising to his feet. He, in fact, jumped before Senator Carr did. So applying your own ruling, you should have called Senator Fifield at that point.

The ACTING DEPUTY PRESIDENT: On the point of order, as I said, absent a speaking list it is the practice of successive chairs to call the senator he or she sees first. In this case, without equivocation I say that I saw Senator Carr rise first and gave him the call.

Senator Ronaldson: Mr Acting Deputy President, I rise on a point of order. I was in the chamber and quite clearly Senator Fifield rose almost before Senator Brandis had sat down. I witnessed that and I think the anxiety of Senator Carr—

The ACTING DEPUTY PRESIDENT: There is no point of order before the chair.

Senator KIM CARR (Victoria) (11:54): I move:

That the question be now put.

Senator Cormann: Mr Acting Deputy President, I rise on a point of order—

The ACTING DEPUTY PRESIDENT: Senator Cormann, resume your seat. A motion has been put. Without discussion it has to be put. The question is that the motion moved by Senator Carr be agreed to.

The Senate divided. [11:58]

(The President—Senator Hogg)

Ayes .....................33
Noes .....................26
Majority ..................7

AYES

Bishop, TM
Carr, KJ
Conroy, SM
Di Natale, R
Faulkner, J
Gallacher, AM
Hogg, JJ
Ludwig, JW
Marshall, GM
Milne, C
O'Connell, DM
Polley, H
Siewert, R
Sterle, G

Brown, CL
Collins, JMA
Dastyari, S
Farrell, D
Furner, ML
Hanson-Young, SC
Lines, S
Lundy, KA
McEwen, A
Moore, CM
Peris, N
Rhiannon, L
Singh, LM
Tillem, M

CHAMBER
Wednesday, 19 March 2014

AYES
Urquhart, AE (teller)
Whish-Wilson, PS
Wright, PL

Waters, LJ
Wong, P

NOES
Abetz, E
Back, CJ (teller)
Bernardi, C
Birmingham, SJ
Brandis, GH
Bushby, DC
Cash, MC
Colbeck, R
Cormann, M
Eggleston, A
Fawcett, DJ
Ferravanti-Wells, C
Fifield, MP
Heffernan, W
Kroger, H
Macdonald, ID
McKenzie, B
Nash, F
O’Sullivan, B
Payne, MA
Ronaldson, M
Ruston, A
Scullion, NG
Seselja, Z
Smith, D
Williams, JR

PAIRS
Bilyk, CL
Boyce, SK
Cameron, DN
Ryan, SM
Ludlam, S
Boswell, RLD
McLucas, J
Mason, B
Pratt, LC
Parry, S
Stephens, U
Edwards, S
Thorp, LE
Sinodinos, A

Ayes .....................32
Noes .....................25
Majority ............... 7

AYES
Bishop, TM
Collins, JMA
Dastyari, S
Farrell, D
Furner, ML
Hanson-Young, SC
Lines, S
Lundy, KA
McEwen, A
Moore, CM

Carr, KJ
Conroy, SM
Di Natale, R
Faulkner, J
Gallacher, AM
Hogg, JJ
Ludwig, JW
Marshall, GM
Milne, C
O’Neill, DM

The PRESIDENT (12:03): The question now is that the motion moved by Senator Wong be agreed to.

The Senate divided. [12:03]

(The President—Senator Hogg)

Ayes .....................32
Noes .....................25
Majority ............... 7

CHAMBER
AYES
Peris, N  Polley, H
Rhiannon, L  Siewert, R
Singh, LM  Sterle, G
Tillem, M  Urquhart, AE (teller)
Waters, LJ  Whish-Wilson, PS
Wong, P  Wright, PL

NOES
Abetz, E  Back, CJ (teller)
Bernardi, C  Birmingham, SJ
Brandis, GH  Bushby, DC
Cash, MC  Colbeck, R
Cormann, M  Eggleston, A
Fawcett, DJ  Fierravanti-Wells, C
Fifield, MP  Heffernan, W
Kroger, H  Macdonald, ID
McKenzie, B  Nash, F
O'Sullivan, B  Payne, MA
Ronaldson, M  Ruston, A
Scullion, NG  Smith, D
Williams, JR

PAIRS
Bilyk, CL  Boyce, SK
Brown, CL  Seselja, Z
Cameron, DN  Ryan, SM
Ladlam, S  Boswell, RLD
McLucas, J  Mason, B
Pratt, LC  Parry, S
Stephens, U  Edwards, S
Thorpe, LE  Sinodinos, A

Question agreed to.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (12:05): I move:

That the Senate—
(1) reaffirms the principle that ministers are accountable to the Senate, and through the Senate, to the Australian people;
(2) notes the failure of the Assistant—

The PRESIDENT: Order! Senator Fifield.

Senator Fifield: Mr President, I rise on a point of order. In order to stand up and speak, the senator is required to seek leave. Given that the vote has concluded on the previous matter, we should be returning to the order on the Notice Paper.

The PRESIDENT: The motion that has just been passed enables Senator Wong to take that action. The advice that I have received is that Senator Wong should be able to proceed to move her motion.
Senator Fiffield: On a point of order, Mr President: the opportunity for Senator Wong to move the motion was contingent on the failure by Senator Sinodinos to comply with the motion. The motion was passed after 12 o'clock. Point (3) of the motion says:
…if no statement has been made by Senator Sinodinos before 12 pm today, the Leader of the Opposition in the Senate (Senator Wong) may immediately move a further motion relating to Senator Sinodinos' failure to comply.
There has not been an opportunity for Senator Sinodinos to fail to comply, because the motion was passed after 12 o'clock, the vote on which has only just been concluded.

Senator Moore: I too rise on a point of order, Mr President: on reading the motion that we have just passed in this place, there is no limit on how or when Senator Sinodinos could come in before 12 o'clock and make a statement. He did not come into the chamber before 12 o'clock—

Senator Ian Macdonald: The motion had not been passed!

The President: Order!

Senator Moore: Point (3) of the motion we have passed says that if no statement has been made by 12. We have passed that motion. It could have been passed at any time. It has now been passed. Senator Sinodinos had every opportunity to come into this place before 12 o'clock—

Senator Brandis: He could not not!

Senator Moore: I am sure, Mr President—

The President: Order on both sides! Senator Moore, I am not going to tolerate this. If there are views to be expressed there is an appropriate way to take the appropriate point of order. Shouting across the chamber at each other does not resolve the issue.

Senator Moore: Senator Sinodinos was fully aware—I am sorry I will take that back. I believe that Senator Sinodinos was fully aware of the debate that was going on in this chamber this morning. We have a three-point motion that clearly identified a time—

Senator Ian Macdonald: It wasn't passed by then!

Senator Moore: In the end that motion was passed and that allowed a time for Senator Sinodinos to come in and take action. He did not choose to do that. My understanding of the motion we have passed allows us to take further action.

The President: I am going to recognise you, Senator Abetz, but you know that I insist that everyone who stands on their feet should be heard in silence, with respect.

Senator Abetz: Thank you, Mr President. On the point of order, the motion that the Senate has just passed said that it required the Assistant Treasurer to immediately attend the chamber. That has now passed.

Senator Fifield: At five past 12.

Senator Abetz: Yes, at five past 12, Senator Fifield—absolutely right. Point (3) of the motion says that if Senator Sinodinos has not abided by this motion by midday, he is deemed to have failed to comply.

Opposition senators interjecting—

The President: Order! Wait a moment, Senator Abetz.
Senator Abetz: And so, Mr President, if there is any suggestion of procedural fairness and decency, one would imagine that, if a senator is to be called upon to provide an explanation to the Senate, that senator should have a formal communication made to him or her indicating that the Senate requires something of that senator. In this motion that requirement is deemed to have been required before he actually receives the notice. In other words, this motion says that if he fails to comply to something before midday he will be deemed to be in breach, but the Senate only decided this after midday. The clever tacticians on the Labor side have really got themselves into a dilemma yet again. Like their own leader's questions being ruled out of order yesterday, we now have their own tactic in absolute disarray. How can somebody comply with something if the deadline is set and voted on after the deadline?

This is an absolute and utter shambles, but fairness clearly demands and determines that any resolution of the Senate be communicated to the senator so that senator can respond to it. If the deadline you give to the senator is midday but you actually pass the motion past midday and say, 'Guess what? You are caught already; you're already in breach because of our motion,' it shows how bad the Labor Party's tactics are or, indeed, that they have no understanding of what appropriate procedure or fairness is. If the Labor Party genuinely wanted midday, they should have curtailed their speakers and should have had Senator Carr move immediately that the motion be put, rather than wait until a circumstance where the vote was taken after midday.

Senator Conroy: I raise a point of order. What we have here is a further pathetic defence of Senator Sinodinos' refusal to turn up in this chamber to give an explanation.

Senator Ian Macdonald: This is not a point of order; it is a debate.

Senator Conroy: Let us be very clear—

The PRESIDENT: Order! If you did not interrupt me, that would be very helpful indeed. I am prepared to take a point of order, but I am not prepared to have this debated.

Senator Conroy: Senator Sinodinos had every opportunity to be in here at the conclusion of that debate, rise to his feet, stop hiding—

The PRESIDENT: Order! That is debating the issue now—

Senator Conroy: rise to his feet and speak on this matter.—

The PRESIDENT: Order!

Senator Conroy: He chose not to be in this chamber—

The PRESIDENT: Order! That is debating the issue. I will take representations on the point of order.

Senator Brandis: I am confining myself to the point of order, Mr President. The Clerk might be able to advise you, but, as far as I could tell, the motion was passed at eight minutes past 12. Until eight minutes past 12, there was no motion. At eight minutes past 12, a motion in the terms before you was passed; compliance with which was not possible, because, the hour of 12 having expired, it was not possible for Senator Sinodinos at eight minutes past 12 to make a statement in obedience to the motion by 12. If you look at subsection (3), Mr President, of the motion just passed, the key words are 'a motion relating to Senator Sinodinos' failure to comply'. The motion that we have just passed allows Senator Wong to move a further motion relating to Senator Sinodinos's failure to comply. Because there was no
motion with which Senator Sinodinos could have complied, there has been no fulfilment of the condition.

The PRESIDENT: I think we need to work our way through this. Let me say one thing on the points of order that have been raised today and then let us work our way through it. On the point of order about the time the motion was put, I am reliably informed, because I was not in the chair, that it was prior to midday. I am going on the advice of the Clerk because I was not here.

Honourable senators interjecting—

The PRESIDENT: Order! I need to work our way through this. Let me say one thing on the points of order that have been raised today and then let us work our way through it. On the point of order about the time the motion was put, I am reliably informed, because I was not in the chair, that it was prior to midday. I am going on the advice of the Clerk because I was not here.

Honourable senators interjecting—

The PRESIDENT: Order! I am not in this to debate it with you, Senator Macdonald; I am trying to assist the process. I can only go on the advice that I am given by the Clerk at the table. The advice that I am given by the Clerk at the table is that the motion was put prior to 12 noon, and the practice of the Senate is to dispose of the business that is before the chair. The next thing that happened was, as you found out, you cannot interrupt that process. In a not improper way you raised yourself to your feet and I refused to take the point of order. I have been consistent there, and the Clerk advises me that it was proper for Senator Wong, as the next matter, to stand to her feet to move the motion that she did.

Honourable senators interjecting—

The PRESIDENT: Order! I have Senator Macdonald, who has been seeking the call.

Senator Wong interjecting—

The PRESIDENT: I will respect that. Senator Wong.

Senator WONG: Thank you. As I understand it, the nub of the proposition the government is making is that Senator Sinodinos has had the opportunity to comply with the order and come to the chamber. I would make two points. The first is that we heard from Senator Brandis twice this morning, we heard from Senator Abetz I think twice this morning, and we heard from Senator Fifield many times this morning. With respect, they are not the senators we wish to hear from; it is Senator Sinodinos we wish to hear from.

Honourable senators interjecting—

The PRESIDENT: Order!

Senator WONG: By making an offer, if the Leader of the Government in the Senate indicates to me that Senator Sinodinos wishes to come to the chamber prior to question time, or later today in order to comply with this order, if the Leader of the Government in the Senate says that we should not move this motion because Senator Sinodinos has not had time to comply, my invitation to him is this: if he as Leader of the Government stands up in this place and says—

Senator Abetz: That is not a point of order, Chair.

Senator WONG: I am making you an offer.

The PRESIDENT: Order! If it is not a point of order, it is not a point of order.

Senator Abetz: She should be sat down.

The PRESIDENT: If you wish to work out a resolution to this matter with the Leader of the Government, I cannot do it by point of order.
Senator WONG: With respect, Mr President, I think this demonstrates the lie at the heart of those opposite because of their submissions. They are not interested.

The PRESIDENT: That is now debating it.

Senator WONG: I am making an offer. The opposition would be prepared to look at a deferral of this if Senator Sinodinos wishes to come to the chamber. If the Leader of the Government is not going to bring him to the chamber we will proceed.

The PRESIDENT: Senator Macdonald, I can see you are on your feet.

Senator Ian Macdonald: Mr President, at midday there was no requirement on Senator Sinodinos to do anything because the Senate had not then passed the motion calling upon him to do something. So at midday there was no requirement for Senator Sinodinos to do anything.

Honourable senators interjecting—

Senator Fifield interjecting—

The PRESIDENT: Order! Yes, you will get your point of order when your colleagues have become restful. Senator Fifield.

Senator Fifield: Mr President, I understand that there are some quirks and peculiarities about Senate procedure. For instance a Thursday sitting is sometimes considered to be continuing on a Friday, and that in a Senate sense a Friday can, in effect, be a Thursday. I understand that what you are suggesting is that because a sequence of votes commenced before noon, therefore, the passing of a motion after noon should be deemed to have occurred before noon—in effect, the Senate backdating time. I appreciate that for the records of the Senate—

The PRESIDENT: Order! I will just interrupt you. I do not mind you taking a point of order, but I do not like words being put into my mouth.

Senator Fifield: I am not putting those words into your mouth.

The PRESIDENT: You are.

Senator Fifield: I apologise if that was the way it was taken, Mr President. What I am referring to is the way that Senate procedure may apparently operate. If the motion is, in effect, backdated as having taken effect at five to 12 rather than eight minutes past 12, that may be the way the Senate seeks to record things. But, for those of us who follow eastern daylight saving time, I think it is only fair and reasonable to take it that, if there is a motion that calls upon something to happen before 12 and the motion is not actually determined until after 12, that is not reasonable.

Opposition senators interjecting—

Senator Fifield: Mr President, if I can continue, the question that was before the chair before 12 was 'That the question now be put'. The question before the chair was not the motion of Senator Wong. It is quite possible that the question 'That the question now be put' could in fact have been defeated. Therefore, I cannot see how the commencement of a vote on the question 'That the question now be put' can be deemed to be the time at which the question on Senator Wong's substantive motion took effect and was passed.
The PRESIDENT: Can I make one thing quite clear: I am operating in conjunction with
the advice that is coming from the Clerk, as I was not in the chamber. You have got to
understand that in the first instance. I am being fair to everyone on that. Obviously, we need
an action replay screen here somewhere but I have not got that at my disposal, so I am
listening to the points of order.

Senator Ian Macdonald: Mr President, can I raise a point of order?

The PRESIDENT: No.

Senator Ian Macdonald: Mr President, I have just asked the Clerk.

The PRESIDENT: You might have, but Senator Wong is on her feet.

Senator Ian Macdonald: He told me it was at five past 12.

The PRESIDENT: That is not the advice that the Clerk gave me.

Senator Ian Macdonald interjecting—

The PRESIDENT: Order! That is now debating it with me

Senator WONG: I make three points.

Senator Ian Macdonald interjecting—

Senator WONG: Mr President, the berating of the Clerk by government senators is not
appropriate.

Senator Ian Macdonald: I am asking a question.

Senator WONG: I am here and I can hear what you are saying.

Senator Ian Macdonald: You've got very good ears.

Senator WONG: This is bullying of the Senate Clerk. This is utterly inappropriate and it
should stop!

The PRESIDENT: Order! None of this is assisting the resolution of this matter.

Senator Fifield: Mr President, I raise a point of order. Senator Wong was reflecting on
Senator Macdonald. She made a very serious allegation and she should withdraw it.

The PRESIDENT: If you were reflecting on the senator, you should withdraw that

Senator Conroy: An accurate statement is not a reflection.

The PRESIDENT: Order!

Senator WONG: I withdraw whatever aspect that he was offended by. Mr President, I
make three points. The first is that the motion that the Senate has passed has three separate
paragraphs. It does require the Assistant Treasurer to immediately attend the chamber and
give some subject matter which the explanation should reflect. A separate paragraph, at
paragraph (3)—which I assert to you is a continuing obligation and separate from the
obligation in paragraph (1)—says that if no statement has been made by 12 noon today that I
may immediately move a further motion relating to his failure to comply. On that basis I say
to you that the Clerk's advice is correct and I should proceed to move this motion. I again say
to the Leader of the Government in the Senate that, if he says that Senator Sinodinos has not
had time to attend, we will defer this motion.
Senator Fifield: Mr President, on a point of order, which may assist the chamber: the Dynamic Red says that the motion moved by Senator Wong was put at 12.01 pm and that it was concluded at five past 12.

Senator Brandis: That is an official record, is it?

The PRESIDENT: I do not doubt what you say.

Honourable senators interjecting—

The PRESIDENT: Order! I am trying to be fair to as many points of view as I can. Senator Milne.

Senator Milne: Thank you, Mr President. The Senate agreed to a motion relating to the conduct of the Assistant Treasurer, saying that the motion that was to be moved would take 'precedence over all other business this day until determined'—and that is what was passed. The motion was then moved and debated to take precedence over all other business until it is determined. The motion was then moved and determined in the affirmative— that is, it does not matter what time; it was determined in the affirmative. Part (3) of that motion said—

Honourable senators interjecting—

The PRESIDENT: Order! I have asked other senators to be heard in silence. Senator Milne is entitled to be heard in silence as well.

Senator Milne: So the motion that was to be given precedence over all other business until it was determined said that if no statement had been made before 12 noon the Leader of the Opposition in the Senate may immediately move a further motion relating to Senator Sinodinos's failure to comply. When the motion that was given precedence over all other government business was determined in the affirmative, it automatically gave Senator Wong the right to move the motion that she has now moved, and that is why I support your ruling.

Senator Abetz: Mr President, I understand the information that has been provided to you by the Clerk and I believe that it was given to you in good faith. However, the motion that was put at one minute to 12 was in fact not the substantive motion but a procedural motion. Before the Senate at any time there can be only one question, and the question at one minute to 12 was that the question be put. That was dispensed with—

Senator Abetz: 'That the question be put'. That then was dispensed with. We then moved back to the substantive issue, the substantive question, which was the motion moved by Senator Wong; and that motion, without any shadow of doubt, was put after midday. It was put after midday and the Dynamic Red discloses that. I think, if you were to ask the Clerk what time the actual, substantive motion was put, you would find that it was put after midday, which meant that there was no capacity for the senator who is the subject of this motion to have actually complied with it. Indeed, Senator Milne in her point of order indicated to you that the motion moved by Senator Wong gave that issue precedence over all matters—which includes the capacity, if he wanted to or not, of Senator Sinodinos to give a statement. So as a result of Labor's own move, of this motion taking precedence over all matters, it was impossible for Senator Sinodinos to comply. I understand the situation you regretfully find yourself in, Mr President. But the actual motion, the substantive motion, there
is no doubt, was put after midday, and that is why the Labor Party are now the architects of their own demise in this matter.

Senator Brandis: On the point of order, Mr President: I adopt what Senator Abetz has said. What he said is plainly right. But, further to that, can I draw your attention to standing order 84, from which it is perfectly clear that the Senate may only deal with one motion at a time.

Senator Conroy: Eric said that. You don't need to clarify what he said.

Senator Brandis: What Senator Abetz has said is right. But my point is that the standing orders actually make it clear. That being the case, the only motion to which Senator Wong's motion relates was, according to the Dynamic Red itself—

The PRESIDENT: We are now debating it. I understand—

Senator Brandis: a motion put after 12.

The PRESIDENT: I understand your point of order.

Senator Fifield: Mr President, on the point of order—

Senator Conroy interjecting—

Senator Kim Carr interjecting—

The PRESIDENT: Order!

Senator Brandis interjecting—

The PRESIDENT: Order!

Senator WONG: How desperate they are to avoid him giving a statement.

Senator Fifield: Mr President, could I—

Senator WONG: They are filibustering their own—

Senator Fifield: On the point of order—

Senator WONG: Everybody knows what you are doing.

Senator Brandis: You're the one who screwed up your own—

The PRESIDENT: Order!

Senator Brandis interjecting—

Senator Ronaldson interjecting—

Senator WONG: Well, you don't need to listen to—

The PRESIDENT: Order, on both sides! Senator Fifield, make your point of order.

Senator Fifield: Thank you, Mr President. Can I offer the suggestion that this particular episode and the keeping of Senate time be referred to the Procedure Committee for examination? I think the fact that a senator is required to do something before they are asked to do something—

Senator WONG: Is this a point of order?

The PRESIDENT: That is—

Senator Brandis: It is a helpful suggestion. Penny, you're getting flustered.

The PRESIDENT: Order! Excuse me! I am not going to take barracking from my left—
Government senators interjecting—

The PRESIDENT: or my right.

Senator Fifield: Because at the moment, Mr President, the Senate is appropriating for itself a *Matrix*-like capacity to slow time!

Senator WONG: Like you’re doing.

Senator Fifield: I think all senators are entitled to operate in this place on—

Senator WONG: How desperate they are.

Senator FIFIELD: eastern standard, daylight savings time—

The PRESIDENT: That is now debating the issue.

Senator Fifield: If it could be referred to the Procedure Committee.

The PRESIDENT: All right. I am going to make—

Senator Ronaldson: Mr President, on a point of order—

The PRESIDENT: Order! I am making a ruling on this matter.

Senator Ronaldson: But I’ve got a point of order, Mr President.

The PRESIDENT: Yes, I know.

Senator Ronaldson: I am waiting for the call.

The PRESIDENT: Yes, well, wait until I have made my ruling, and then you can take your point of order. I am entitled to make a ruling. My ruling—

Senator Ronaldson: Mr President, you said that everyone who wanted to make a point of order would be able to—

The PRESIDENT: Yes, but there is a tolerance level as far as far as the chair is concerned as well.

Senator Ronaldson: But I was in the chamber when this matter was moved.

The PRESIDENT: Good!

Senator Conroy: So was Kim Carr!

Senator Kim Carr: I moved it!

The PRESIDENT: Order! This needs to be resolved by the chair. It is unresolved at this stage. I will be ruling that it is well within the province of Senator Wong to move as the first item of business following the consideration of that motion the motion as she moved. That has now got a ruling on the table. I have had consultation with the Clerk on this matter and I believe that is the position.

Senator Ian Macdonald interjecting—

Senator Conroy interjecting—

The PRESIDENT: Order, on both sides! Senators on both sides, this needs to be resolved by a ruling. I have now given the ruling.

Senator Fifield: Just on a point of order, Mr President: I am seeking clarification of your ruling. Are you ruling that the Senator Sinodinos has failed to comply with something—

The PRESIDENT: That is debating the issue. I am ruling—
Senator Fifield: before he was actually required to do so.

The PRESIDENT: Just wait a minute. I am not entering into the debate. I have ruled that it was in order for Senator Wong to move the motion, in accordance with paragraph 3 of the resolution of the Senate.

Senator WONG: I move:
That the Senate reaffirms—

Senator Ronaldson: On a point of order, Mr President: I just need some clarification of your ruling—

The PRESIDENT: Senator, I have now ruled.

Senator Ronaldson: I am seeking some clarification. Does your ruling say that despite the substantive motion being—

The PRESIDENT: There is no point of order. I have made a ruling that it was in order for Senator Wong to move the motion. Senator Wong—

Senator Brandis: A point of order—

The PRESIDENT: No, Senator Wong has the call.

Senator WONG: I move:
That the Senate reaffirms—

Senator Brandis: On a point of order, Mr President—

The PRESIDENT: One minute, Senator Wong.

Senator Brandis: Mr President, I have a new point of order, and it does not bear on any of the matters that were debated for the last 20 minutes on the question of the time at which the motion was put. My point of order is that the motion that Senator Wong now seeks to move may only be moved by leave, because the resolution—

Senator Conroy: No. Mr President, he is defying your ruling.

Senator Brandis: No, I am not. If I may, Mr President, have the call.

The PRESIDENT: I hear where you are coming from.

Opposition senators interjecting—

The PRESIDENT: Order!

Senator Brandis: Do I have the call, Mr President?

The PRESIDENT: Yes, you have. Yes, I am waiting for you—

Senator Brandis: I am just waiting for the interjections to stop.

The PRESIDENT: No, no. You are right. I am listening.

Senator Brandis: The motion that Senator Wong has been given the right to move without leave is a motion described in part (3) of the motion lately passed—that is:

(3) if no statement has been made by Senator Sinodinos before 12 pm today, the Leader of the Opposition in the Senate (Senator Wong) may immediately move a further motion relating to Senator Sinodinos' failure to comply.
It is those last seven or eight words—‘relating to Senator Sinodinos’s failure to comply’—which define the motion that Senator Wong has been given the right to move. If you look at the motion—

The PRESIDENT: That is now debating the issue. You have taken your point of order.

Senator Brandis: If you look at the motion Senator Wong has circulated, it is not a motion relating to Senator Sinodinos’s failure to comply. Irrespective of the debate we had just before about whether in fact Senator Sinodinos did fail to comply—and you have already ruled on that and I do not reflect on your ruling on that point—if you look at the terms of this resolution, it is not a motion relating to Senator Sinodinos’s failure to comply. It says—

The PRESIDENT: Now we are getting into the debating aspect of it.

Senator Brandis: But Mr President—

The PRESIDENT: Senator Brandis, I am not going to put up with debating points.

Senator Brandis: It is not a debating point.

The PRESIDENT: I have ruled. There is no point of order, Senator Brandis, and I have given Senator Wong the call.

Senator WONG: I move:

That the Senate—

(1) reaffirms the principle that ministers are accountable to the Senate and, through the Senate, the Australian people—

Senator Fifield: On a point of order, Mr President: it is not in order for Senator Wong to move this motion without seeking leave, because this motion does not relate—

The PRESIDENT: Order! That is now becoming a tedious point of repetition. I have—

Senator Fifield: to Senator Sinodinos’s alleged failure to comply.

The PRESIDENT: Order! I have ruled on that point of order. There is no point of order. I have given Senator Wong the call.

Senator Abetz: Mr President, if I may raise a fresh point of order? Just for absolute clarity, can you confirm that there is nothing in any way, shape or form in your ruling that suggests that Senator Sinodinos has failed to comply with any request of the Senate—

The PRESIDENT: Order! I have made a ruling on that.

Senator Abetz: because that is a fundamental proposition—

The PRESIDENT: I have made my ruling quite clear. That was raised earlier.

Senator Abetz: Well—

The PRESIDENT: I have, Senator. I have made it quite clear.

Senator Abetz: If I may then seek your indulgence, Mr President—

The PRESIDENT: No, there is no indulgence. You have had your chance at a point of order. I have given the call to Senator Wong.

Senator Abetz: On a fresh point of order, Mr President—

The PRESIDENT: No.

Senator Abetz: But—
Senator WONG: You cannot keep doing this!

Senator Cormann: On a point of order, Mr President—

The PRESIDENT: Order! I have two people on their feet. I call Senator Abetz.

Senator Abetz: Mr President, I heard your ruling in relation to allowing Senator Wong to proceed. With respect, I have a certain view on that, but I do not want to relitigate that aspect. I am, however, seeking to obtain from you clarification whether there is, in any way, shape or form, a suggestion that Senator Sinodinos has failed to comply with an order of the Senate.

The PRESIDENT: I have already made that very clear. I made no suggestions in my ruling.

Senator Abetz: Right, thank you. So there was—

The PRESIDENT: My ruling was quite clear. Senator Wong has the call.

Senator Abetz: no suggestion of Senator Sinodinos’s failure—

The PRESIDENT: No, I made no suggestions in my ruling about anything. I made that quite clear.

Senator Cormann: Mr President—

The PRESIDENT: No, Senator Wong is on her feet.

Senator Cormann: I am on—

The PRESIDENT: I know you are on your feet.

Senator Cormann: I was on my feet.

The PRESIDENT: I do not care. You will sit down because Senator Wong got to her feet.

Senator Cormann: I wanted to raise—

The PRESIDENT: Excuse me! I have had someone on this side of the chamber—

Senator Cormann: But I have a point of order, Mr President—

The PRESIDENT: You will sit down!

Senator Cormann: My point of order—

The PRESIDENT: Excuse me! You will sit down. Senator Wong is on her feet.

Senator Cormann: But—

The PRESIDENT: Order! Senator Cormann, you will resume your seat!

Senator Cormann: I still have—

The PRESIDENT: Senator Cormann! I am standing now, something I have not done in my time as President.

Senator Cormann: On a point of order, Mr President—

The PRESIDENT: No! Senator Wong was—

Senator Brandis: Mr President—

The PRESIDENT: Senator Brandis, I will give the call in due course as I have done fairly throughout this debate. But I am not going to be put to the test by people. Senator Wong has the call.

Senator Cormann: But I have a point of order, Mr President.
The PRESIDENT: No, Senator Cormann. Senator Wong might have a point of order. I do not know what Senator Wong is getting to her feet for.

Senator WONG: I move:

That the Senate—

(1) reaffirms the—

Senator Cormann: I have a very specific point of order, Mr President. I am seeking clarification on a very specific point. I have been here throughout the whole debate this morning. I have been here through every aspect of these proceedings and there is clearly a very important point in relation to the motion that was eventually passed by the Senate after 12 pm. It relates to the part that Senator Brandis pointed to before which makes the motion that is about to be moved contingent—

The PRESIDENT: This is becoming a tedious point of repetition and I have ruled on that point of order.

Senator Cormann: I am asking for a clarification, because if there—

The PRESIDENT: I have clarified everything in respect of that motion.

Senator Cormann: Have you made a ruling that Senator Sinodinos has failed to comply with an order—

The PRESIDENT: I have just answered that in respect of a point of order made by Senator Abetz.

Senator Cormann: I did not understand the answer.

The PRESIDENT: The answer is very clear, sir. You go and read the record.

Senator WONG: I move:

That the Senate—

Senator Cormann: On a point of order, Mr President—

Senator WONG: Ministerial accountability under the Abbott government is on display today!

The PRESIDENT: Senator Fifield has the call.

Senator Fifield: I am seeking clarification because it is still—

MATTERS OF PUBLIC INTEREST

The PRESIDENT: Order! It being 12.45 pm, I call on matters of public interest.

Western Australia Senate Election

Senator SMITH (Western Australia) (12:45): I rise to speak on a number of issues currently prominent in public discussions surrounding the upcoming re-run of the Western Australian Senate election on 5 April. Of course, I am not the first senator to do so, either from my own side or from other parties contesting the election in a few weeks time. I am sure all senators are aware—and I am sure those listening to or watching my contribution are aware—that, during the last sitting period, Senator Ludlam made a contribution to the adjournment debate on the subject of the WA Senate election. We have heard frequently during the past couple of weeks about Senator Ludlam’s speech. In particular, we have heard about it because, in current parlance, it has ‘gone viral’.
Apparently, there is no greater achievement in contemporary politics than to 'go viral', if you believe some of the commentary that has surrounded what Senator Ludlam said. It is perhaps testament to the transformative impact that the internet has had on modern society that to be described as 'viral' is now considered a positive attribute. It used to be that people avoided things that were viral. Sadly, I fear I am unlikely to scale the Olympian heights of Senator Ludlam's rhetorical achievements with my modest contribution to today's discussion. I do not make these comments, however, in the hope or expectation that they will go viral.

However, when you think about it, 'viral' is not a wholly inappropriate way of describing or characterising the influence of the Greens, over recent times. The 'virus' first infected the Australian Labor Party in the wake of the 2010 federal election, with the Greens using that once great party's weakened condition to attack those things that have been so essential to the success of Labor governments past: a commitment to free markets, an appetite for genuine economic reform and an ability to withstand the demands of the more extreme elements in the body politic. Having infected the Labor Party, the virus spread. It next infected Australia's economy, with the Greens' strident insistence on a return to the high-taxing, high-spend policies of an era that many of us had prematurely hoped had been banished forever by the success of the Hawke and Keating Labor governments.

The virus had by now rendered the Australian Labor Party delirious and clearly impacted on the function of its long-term memory. In their delusion, Labor had forgotten the lessons of the Hawke-Keating era and were instead persuaded by the Greens to employ a homoeopathic version of an economic remedy that was mainly Whitlam with a pinch of Calwell. Thus we began hearing senior Labor figures talking about rich miners and foreigners needing to pay their fair share. The only way to make this happen, we were told, was through the introduction of a huge new tax that would have an enormous impact on confidence in our mining and resources sector, which, as we know, has particularly significance in my home state of Western Australia.

But the virus worsened. The enfeebled patient's symptoms now extended to a loss of short-term memory to such an extent that the Labor Prime Minister, Julia Gillard, was seemingly unable to remember, in February 2011, that just six months earlier she had promised the Australian people that there would be 'no carbon tax under a government I lead.' Recall the scene in the Prime Minister's courtyard on that day in February 2011, with then Senator Bob Brown standing side-by-side with Prime Minister Julia Gillard at the podium, smiling for the cameras, delighted that the Greens' long-held dream of increasing taxes for all Australians was at last being realised, thanks to a Labor government that had first lost its majority and had now seemingly lost its collective mind.

All the while, the virus kept doing what a virus does if left untreated—it progressed. The symptoms worsened. Under its influence, the Australian Labor Party began exhibiting patterns of increasingly odd and irrational behaviour. There were elevated levels of paranoia, with members of the then government seeing enemies both within and without. By the start of 2013, this paranoia had become all-consuming, the result being that the Labor Party began to focus on its own affairs to the exclusion of everything else, such as its responsibility to deliver good government and keep its promises to the electorate.

Perhaps this goes some way to explaining why one-third of the GP superclinics that Labor promised are still not built or not operating. This includes GP superclinics promised to the
people of Northam, Wanneroo, Cockburn, Rockingham and Karratha in my home state of Western Australia. In fact, of the six GP superclinics promised by the former Labor government to the people of Western Australia, just one is operational as of today, according to the Department of Health. This is truly remarkable when you consider that GP superclinics were a cornerstone of Kevin Rudd's election campaign in 2007. So, after six years in office and having burned through two prime ministers, this is Labor's legacy in health to the people of Western Australia: a network of GP superclinics, 83 per cent of which at this very moment are still not operational.

Yet Labor and the Greens have had the hide to come into this chamber and question this government's efforts to fix the mess left to us by their inept attempt at governing. Perhaps if Labor and the Greens had spent more time focusing on project delivery, instead of attempting an unprecedented degree of media regulation last year, there might be a few more Western Australians enjoying access to the fast broadband Labor first promised them back in 2007. When the coalition took office last year and looked at what was actually happening in relation to the national broadband network, it was revealing. As opposed to the Walter Mitty-like imaginings that seemed to emanate from Senator Conroy's office during his time as minister, the news in Western Australia was particularly bleak. At the time that the strategic review into the NBN was published at the end of last year, 335,978 premises had been passed nationally. Only 16,891 were in WA. This compares with 15,492 in the ACT and 40,852 in Tasmania, both of which jurisdictions, significantly, have smaller populations than WA.

It is important to make a further distinction: premises 'passed' does not necessarily mean 'connected to the National Broadband Network'. To get that you need to look at the number of premises activated, and this is where the real story lies. Of the 16,891 premises passed in Western Australia, just 2,086—that is just over 12 per cent—were actually activated or connected to the NBN; 1,858 of these were new homes in new housing estates and only 157 were in existing premises or brownfields. The remaining 71 were fixed wireless connections. In Western Australia at present the NBN stands as another monument to the incompetence of the Rudd and Gillard governments supported by their allies, Senator Ludlam and the Greens, in this Senate chamber.

Then we have the former Labor government's cynical treatment of regional communities across Western Australia through the Regional Development Australia Fund and the Regional Infrastructure Fund. Well before last September's federal election, the former Labor government knew full well that its mining tax was falling well short of its projections. This meant, self-evidently, that the revenue projected to flow from that tax into the Regional Development Australia Fund was simply not going to be there.

Having that knowledge, surely any responsible government would have refrained from making extravagant promises to regional communities about funding their regional development and infrastructure priorities. Sadly, the former Labor government did not see fit to act responsibly. Instead, Labor ministers ran around Australia, including to communities across regional Western Australia, and cynically told local people that their priorities would be funded—in the full knowledge that there was simply no money available to fund these projects.

In fairness, I do not accuse Senator Ludlam and the Australian Greens of complicity in the act. Indeed, the Greens did manage to correctly point out to the former Labor government that
its flawed mining tax would not raise the revenue projected. The problem that arises is that
the Australian Greens' solution is not to scrap the tax which bogs down Western Australian
businesses in red tape and foists compliance costs upon them; the Greens' solution is instead
to expand the tax. Likewise with the carbon tax: the Greens fully recognise that this tax is not
producing any environmental benefit, but again their solution is not to abandon something
that clearly does not work; it is to compound the error by expanding the tax.

The Greens have an unerring ability to see a problem and come up with the wrong solution
every single time—which brings me back to Senator Ludlam's recent viral video hit. I know
Senator Ludlam has professed himself 'gobsmacked' by the reaction to his speech on various
social media sites—a speech which, as he told The Sydney Morning Herald, he composed
with a glass of red by his side as he made that long flight from Perth to Canberra.

Just in case Senator Ludlam is thinking of switching to champagne any time soon, I would
caution him that there are other views in the community about some of the things he said in
this chamber on that evening. True, there were some on Twitter and the like who rushed to
laud Senator Ludlam's speech, as is their right in our free country. Many seemed to be at pains
to stress the 'bravery' Senator Ludlam had displayed in making his speech. Again, everyone is
entitled to their own view. But I would point out that there are a good many Western
Australians who will participate in the Senate election on 5 April who did not find Senator
Ludlam's speech in the least bit brave. There is no bravery in playing the prejudices of those
who already agree with you. There is nothing brave about marching into this chamber and
using the protection of parliamentary privilege it affords to make a series of outrageous,
unsubstantiated and deeply offensive allegations about the Prime Minister, whatever your
political disagreements might be.

It is a measure of the new Prime Minister's character that he has not chosen to respond to
Senator Ludlam's undergraduate-style rant. That makes for a welcome contrast with the
approach of former Prime Minister Julia Gillard and her supporters, who never missed and
still never do miss an opportunity to exploit the cult of victimhood to suit their own political
ends.

It is cheap and easy, not brave, to come into this Senate chamber and prate about
compassion in relation to asylum seekers—especially when you adamantly refuse to
acknowledge the role your own policy approach played in the senseless loss of more than a
thousand lives at sea over the last six years. Outdated, windy Marxist rhetoric about 'predator
capitalism' may well find an audience in the echo-chamber of the Twitterverse but does not do
an awful lot to enhance the credibility of the Greens in a modern, open, market based
economy like Australia's.

If Senator Ludlam and the Greens truly wish to do something brave, they could try going to
visit families across regional Western Australia struggling with high electricity bills. They
could explain to them why they think we should keep the carbon tax, which is needlessly
adding pressure to household budgets, and why they are working with the Labor Party in this
place to prevent its repeal. Maybe they could try explaining to the many companies and
businesses across Western Australia why it is better that $626 million be spent on a tax that is
having no environmental impact whatsoever rather than be invested in a manner that actually
creates jobs for Western Australians and their families. Or perhaps they could try visiting the
tens of thousands of refugees languishing in United Nations camps around the world and
explaining to them why they should continue to languish there while Labor and the Greens pursue allegedly compassionate politics and policies that encouraged illegal boat arrivals, the loss of more than 1,100 lives at sea and denied a place in Australia's humanitarian refugee program to those who tried to do the right thing.

Governing is about making difficult choices and decisions. The Abbott coalition government has demonstrated that it is prepared to get on with the job of fixing the damage done to Australia by six years of misrule by Labor and the Australian Greens. The fact that Senator Ludlam and his supporters can offer little but Senate obstructionism and sneering contempt for anyone who dares to disagree with them says much about the Greens and what they really think about Western Australia and the priorities of Western Australians and their families and businesses.

Middle East

Senator CAMERON (New South Wales) (12:59): I rise on a matter of public interest—that is, the urgent need to progress peace talks between Israel and Palestine. I rise to make a small contribution to the United Nations International Year of Solidarity with Palestine and to indicate my personal support for the inalienable rights of the Palestinian people to have an independent, viable and sovereign state.

I rise to condemn Israel's use of excessive force in the West Bank, which continues to result in the inexcusable death and injury of Palestinian civilians.

I rise to condemn the violation of human rights, the lack of freedom for Palestinians in the West Bank, the breaches of international law by the Israeli government and the so-called deliberate de-Arabisation of the West Bank through illegal settlements and the construction of a separate wall.

I rise to condemn terrorist attacks on Israel and the loss of innocent lives in Israel as a result of the ongoing conflict. I support the remarks of the UN Secretary-General Ban Ki-moon in launching the International Year of Solidarity with Palestine. On 16 January this year the UN Secretary-General issued the following statement:

Today marks the launch of the International Year of Solidarity with the Palestinian People. This will be a critical year for achieving the two-State solution, bringing an end to the occupation that started in 1967, and securing an independent, viable and sovereign State of Palestine living in peace and security with the State of Israel where each recognizes the other's legitimate rights.

I call on all members of the international community and, in particular, Israelis and Palestinians, to work together for justice and a durable peace. Israel and Palestine need to live up to their commitment to a negotiated two-State solution and resolve all permanent status issues, in accordance with Security Council resolutions, the Madrid principles, the Road Map, the 2002 Arab Peace initiative and existing agreements between the parties.

The leaders of Israel and Palestine will need political will, a sense of historic responsibility and a clear vision for a better future for this and future generations. I pledge to do my utmost in support of their efforts.

The remarks from the UN Secretary-General have been put into practical action by US Secretary of State, John Kerry, who has visited the Middle East on 11 occasions. The Australian Financial Review, on Wednesday, 5 March 2014, reported that Israeli leaders were angered by recent remarks from Mr Kerry that he fears Israel would face deepening isolation and boycotts from the international community if the peace talks collapse.
The Australian Financial Review also reported that Mr Obama had reiterated those fears last week in an interview with a Bloomberg View columnist and said he planned to emphasise to Mr Netanyahu that this could represent Israel's final chance for a lasting deal. The President of the United States said:

When I have a conversation with Bibi, that’s the essence of my conversation—

President Obama was using Mr Netanyahu’s nickname—

"If not now, when? And if not you, Mr. Prime Minister, then who? How does this get resolved?"

In my view, this issue must be resolved in the interests of peace in the Middle East and peace in the world.

In a similar vein to the comments from President Obama, the former director-general of the Israeli Ministry for Foreign Affairs, during the Ehud Barak government, Mr Alon Liel, said the following:

Israel has arrived at an important juncture in its history, and I say this as someone who was born with the state and has never been (and will never be) the citizen of another country. We must choose now, immediately, between the two options—do we divide the territory between the Jordan River and the Mediterranean Sea into two states, or do we build a common state?

There is no consensus regarding this issue among the Israeli public. Not even in the government or the ruling party. There are intense deliberations in Israel, and this is also the moment when world Jewry should carefully examine its stand on this issue.

The Israeli decision this time is different, not only because it must make decisions regarding borders and the future of the country, but also because this time Israel faces the consolidated and organized world opinion—a global consensus—that a Palestinian state should be established alongside Israel. The next Israeli decision that is upon us—for better or for worse—will therefore determine our size and our national character, and also the question of our international standing. This is probably the most fateful decision since the creation of Israel, and as felt by many, the last chance to decide our fate before things will get out of control.

Mr Liel went on to say:

I am not saying that the Jewish world should be quiet silent at this time. But on the other hand, I also don’t think that with the issue at hand—an Israeli withdrawal from the West Bank—any Jewish “establishment” in the Diaspora has the authority to speak on our behalf. This is the moment to put aside all the clichés, all the conventions, and all the brainwashing of three generations. This is the moment to think—not only for us here in Israel, but for every Jew in the world who genuinely cares about Israel’s character and future. Every such Jew should put himself in our shoes, and reflect on whether he would be willing to live in a country that denies 2.5 million of its residents their citizenship.

He continues by posing a question. He says:

There is another question that must be asked: Are you, dear Jew in Melbourne, Toronto or Paris, ready to support a decision that would make Israel a pariah state in the international arena? What would you do, dear Jew, if the risk of such isolation was hovering over the heads of Australia, France and Canada, countries whose passports you hold? Would you be willing to approve a decision that would isolate the country in which you live and raise your family?

He goes on to say:
You cannot, at this crucial moment for the future of the state of Israel, continue to recite outdated slogans recited for generations. Now is the moment when we must all together hit the reset button and rethink our destiny. Without a reset we risk the destruction of the magnificent edifice we have built here over the past 66 years.

Alon Liel is a brave and farsighted man. His courage and commitment should not be diminished by comments made by our foreign minister, Ms Julie Bishop, quoted in The Times of Israel on 15 January this year, suggesting that, contrary to conventional diplomatic wisdom, Israeli settlements may not be illegal under international law. UN Security Council resolution 465 of 1980 labelled Israel's policy of population transfer into the occupied Palestine territory, including East Jerusalem, as a 'flagrant violation of the fourth Geneva Convention and a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East'. I call on the foreign minister to follow the example of the General Secretary of the United Nations, follow the example of the President of the United States, and work constructively to ensure that the peace process commences and works towards a two-state solution which guarantees peace, dignity and security for the Palestinians and Israelis. Foreign Minister, ditch the outdated slogans.

Failure by the Australian Israeli community and political leadership to take note of the words of Alon Liel will mean that we are not playing our part in supporting the peace process. Failure to ditch our outdated slogans will mean continuing insecurity, more deaths and more violence in the Middle East.

I have read with great concern the recent Amnesty International report Trigger happy—Israel's use of excessive force in the West Bank. This is a detailed exposition of Israeli breaches of international humanitarian law, the law of occupation, breaches of international human rights law and breaches of the right to freedom of peaceful assembly. Amnesty International in its report calls on the Israeli authorities to rescind military order 101 and relevant articles in military order 1651 and fully respect the right of Palestinians in the West Bank to freedom of expression and peaceful assembly. Amnesty International go on and call for an assurance that the Israeli army, border police and other security forces policing demonstrations or performing other law enforcement duties at all times comply fully with the UN Code of Conduct for Law Enforcement Officials and the UN basic principles on the use of force and firearms by law enforcement officials. They go on and call for the assurance that law enforcement officials apply non-violent means before resorting to the use of force, including use of handcuffs or other restraints, which should be used only if non-violent means have proven to be, or are likely not to be, effective. They call for the prohibition of the firing of live ammunition and rubber or plastic coated metal bullets unless it is strictly unavoidable for fully trained firearms officers under effective regulation, monitoring and control. They call for the prohibition of the discharge of 'less lethal' projectiles or baton rounds, such as those made purely from rubber or plastic. They go on and make a number of other recommendations, including establishing strict rules for training in the use of hand-held batons; and establishing a transparent system open to public scrutiny, including an independent body of medical, scientific and judicial experts to review and report on the safe development and dangers of non-lethal incapacitating weapons and 'less lethal' weapons in order to establish effective regulations.

There is a range of recommendations that are far too lengthy to me to go through at the moment. But one of the key recommendations is to conduct independent, impartial and
prompt investigations into all reports of Palestinian civilians killed or seriously injured by the actions of Israeli forces in the OPT.

This is a very serious issue and this is an issue that in the United Nations International Year of Solidarity with the Palestinian People all politicians should place serious emphasis in trying to assist, in any small way they can, in achieving peace between Israel and Palestine. I just think it is unacceptable that we continue to see mainly young Palestinians being killed when they are protesting for what they believe is their inviolable right to have a state. There were 22 killed last year and six are dead in the last two weeks. This is unacceptable. I call on our government and I call on the Israeli government to do everything they possibly can to make sure we have peace in the Middle East, because that means peace in the world.

Asylum Seekers

Senator HANSON-YOUNG (South Australia) (13:14): I rise today to speak on behalf of the many Australians in this country who are very concerned by the treatment of refugees and asylum seekers under the watch of our government, our parliament and, indeed, our political leaders at large. For far too long the situation of refugees and asylum seekers has been used as a political issue. It has been used to win elections. It has been used to increase poll numbers. It has become a toxic political debate, where the only winners are fear and hate, and the losers are the moral character of our nation and, tragically, the fate of the refugees, who are people, just like Australians, who are desperate for peace and safety for their families. The treatment of refugees in Australia is not simply a political issue and it should not remain just an issue of political debate. It is a moral issue. It is about how we treat some of the most vulnerable people. Our response as a nation defines our national character. This issue reveals how we want to view ourselves as a nation within the rest of the world.

Many Australians are becoming more and more concerned about the harsh and brutal treatment of refugees. We have seen that very recently as a result of the horrific scenes at the Manus Island detention camp, where one man was tragically killed and many others injured. But we are also seeing it through the eyes of people who work in immigration detention facilities, who see the desperate reality of those who have come to Australia seeking help. We see the response from the Australian people to the issues of children who are detained indefinitely—hundreds and hundreds of them throughout Australia, Christmas Island and Nauru. Increasingly, more and more Australians are questioning the harsh and brutal policies that Australia has in place. They are asking, 'Have we gone too far? At what cost are these harsh policies?'

I want to read a little bit of an email that I received last night. It is from a refugee who is detained in one of our detention centres. His email is a plea for help. He is asking very sincerely for us to hear his cry for help because he has lost all hope. It reads: 'I came to Australia by boat as a refugee. It has now been one year and six months and I've spent all this time in detention in Australia. I was married in Afghanistan but after a year and eight months I had to run away to seek asylum from the Taliban. When I arrived in Darwin I heard that my wife back home was pregnant. I was in detention. My wife's family did not think it would be appropriate to support a family. They therefore decided to abort the pregnancy. For six months I had been looking forward to being a father, only to be told by my wife's mother that the pregnancy had been aborted three months ago. After that I felt so terrible. I thought that my infant's death was due to my inability to be a good father, that it was my fault. I fell into
deep depression. I cut myself to punish myself for not meeting my responsibilities as a father. I tried to kill myself, eating 100 tablets. I did this because I could not forgive myself for my infant's death. This suicide attempt was unsuccessful. I was admitted to hospital. I was in the Perth Hospital for one month and in Toowong hospital for three. I am now back in detention. One hope for me was that at least my family back home would be safe from the Taliban. But three days ago my case manager told me that my private information, such as my name, date of birth and prior address in Afghanistan, was released onto the internet to the public. So now my mother is not safe. When the Taliban find this information they will know where I used to live and they will kill my mother as punishment. I am very afraid for my mother. I am really tired of the detention centre, and I do not know what to do. Every day I die 100 times in my head. This is the situation I find myself in. For one year Immigration told me the delay was due to a security check. I am not an animal. I am a human. I came here to seek asylum, to have a life, not to be put in jail. With so much hope I brought myself to Australia, but already I have lost everything. I have lost my child, my wife, my family and my mental health.' That is just one story I received as recently as last night.

Many Australians are wondering, 'Can't we be a better country? Can't we find a kinder way? Can't we have a policy that we as a nation can be proud of?' If somebody comes to our country begging for our help, we have a responsibility to do what we can to protect them and not hinder their journey for protection. Some of these Australians in the last week have started to put their views online and join in campaigns right across the country. I want to read some of the things that people have said. One said:

Compassion is not a sign of weakness. It takes courage to stand up for what is right and it takes courage to search for a policy that will save lives and give safety to vulnerable people. When someone begs for your help, only a coward would turn their back. We are a better country than this.

Another said:

I want to live in a better Australia, a more humane Australia and a more compassionate Australia. I want to welcome new arrivals. I don’t want them alienated and imprisoned and made to feel like criminals. I want our government to accept responsibility and find a kinder way.

If I was in another country and my homeland was riddled with war and violence and the only way to find safety for my daughter was to flee as a refugee, I would take it. I would go. Any of us would. That is precisely the point. Refugees are just people too.

Yes, we need to ensure that we assess people's claims and that we know where they have come from and how best to help them. But let us not let fear, myth and hate dictate a policy that is meant to be about helping people and not harming people. The toxic political debate relating to asylum seekers and refugees in this country has got to the point where the facts do not seem to matter anymore. Over 90 per cent of those who arrive in Australia by boat are found to be genuine refugees who need help and protection. That is a fact. Yet it is not what you hear in the political debate.

It is indeed not illegal to seek asylum in Australia. In fact, it is a right. It is a human right and it is a right because we have proudly drafted and signed the refugee convention. International law is something that we, as a fair-minded, forward-thinking nation, adhere to—or at least we should. Asylum seekers coming to Australia by boat often have to flee in the most disorderly ways. To flee for your life and run, as a refugee, away from the people who are torturing you, brutalising you and threatening your family is in its very nature disorderly.
These people do not deserve to be punished for the fact that they had to flee their homelands. What we need to find is a better way to help them without harming them.

Millions of people from around the world have no other choice but to leave their homelands to escape war, genocide and brutality. Australia is a lucky country, but with that luck comes a responsibility to help those who are in need. It seems that now more than ever—as people wonder about how far our policy has gone—our policy is in such a brutal and harsh state. It was designed to break people's spirits; force them to give up hope; force them to give up on their dream of safety, freedom and peace; and force them to go home. Many of these people cannot do that, which is why they fled in the first place.

That policy that is designed to break people unfortunately is doing so. The man who wrote the email to me last night has already tried to take his life more than once and he probably will again, because he has lost all hope. Yet this is in an institution guided by a policy that has been ticked off by this chamber, implemented by the government and paid for through Australian taxpayers money. Our policies are harsh. They are brutal. But they are even more than that: they are an attack on Australia's generous heart. Many of us think we have just gone way too far.

People want a better way. There are other options and there are better ways: adhering to the rules that we have signed up to under the Refugee Convention; treating people with humanity and dignity; and treating people as people and not as animals, as my friend who emailed has described. After the Vietnam War, Australia's political leaders from both sides agreed to be a warm-hearted, generous nation. We offered our skills, our resources and our will to help process and assess people's claims as refugees, as they were coming in in their thousands. We helped those who arrived in boats on the water, we helped people to have their claims for refugee status assessed closer to home and we then brought them to Australia.

That is precisely the type of policy we should be enlisting today. It is not our borders that are broken and it is not our borders that are under threat; it is our humanity and it is the spirit of our nation. We are a country that prides itself on being fair and having a fair go. Well, it is time that we supported the call from many Australians for a fair go and say, 'This brutality is not in my name.' (Time expired)

Mental Health

Senator WILLIAMS (New South Wales) (13:29): I rise today to speak about an extremely important issue throughout Australia, particularly in rural Australia, and that issue is mental health. There has been a severe drought in northern New South Wales, many parts of western New South Wales and huge areas of Queensland, and it is not a good wet season in many parts in the Top End in the Northern Territory and Northern Queensland. It does take its toll on people. We have seen, especially in the cattle industry, cattle being forced to be sent off to market in very poor condition, unfortunately with some not even strong enough to make the journey in the transport.

I want to talk about this very serious issue of mental health, which I was reminded of in recent days with the tragedy of the partner of Mick Jagger from the Rolling Stones and what he would be going through now. What a terrible outcome it is when people seem to have lost hope. I have been told—and make no mistake about it, I am no mental health expert, a doctor
or whatever—from good source that mental health is actually an illness. It is like catching a cold or the flu. The pressures get you down and you become ill—and it can be cured.

It is a sad fact of life that approximately 2,000 Australians take their own lives every year. Men are four times more likely to die from suicide than women. Farmers, unfortunately, have twice the suicide rate of any other occupational group in the country. Last month an article in the Australian newspaper suggested that 16 farmers had taken their own lives across rural Queensland in the past year. Although there are more farmers in NSW, statistics show that from 2000 to 2009, a total of 239 farmers in both states, Queensland and New South Wales, took their own lives, with 147 of those deaths occurring in Queensland and 92 in NSW. I have been told by wives that they wonder if their husband will return from the paddock that evening. The wives and children are constantly on edge, not knowing what their husband and father is thinking as he stares out at the dry landscape, and of course as the bills keep mounting in the office.

There is no shortage of groups in the mental health field—beyondblue is probably the best known. There are many community groups and government-funded groups. There is also the Caravan of Hope which was funded by Rotary and is run by the Salvation Army in north-west NSW. The Caravan of Hope pulls up to a farmhouse and the counsellors sit around the kitchen table over a cup of tea and have a yarn with the farmer and his wife. Sometimes it is just the words of encouragement that can make all the difference.

But today I want to talk about a program called SCARF, which stands for Suspect, Connect, Ask, Refer, Follow-up. SCARF has been developed by Farm-Link, which is run under the University of Newcastle's Centre for Rural and Remote Mental Health. A few weeks ago, the Farm-Link coordinator, Meg Perceval, from my home town of Inverell, came to my office here in Canberra and introduced Professor Prasuna Reddy, director of the University of Newcastle's Centre for Rural and Remote Mental Health, and Mr Trevor Hazell, director of Community Programs.

The SCARF program is innovative and is achieving a number of Australian firsts. It is the first program to:

(i) target a specific rural audience;
(ii) take a truly primary prevention approach to suicide prevention with a focus on health and wellbeing;
(iii) translate the interpersonal theory of suicide to the rural community and clinical audiences;
(iv) evaluate its impact using externally created and previously validated scientific scales to measure changes in stigma and literacy of suicide as well as mental wellbeing for participants; and
(v) provide a comprehensive evidence-based time-economical program accessible to both community and clinicians.

The first half of the SCARF program focuses on physical, mental and social wellbeing. Participants are given evidence based information about the state of health in rural Australia and how diet, sleep, exercise, a sense of meaning and purpose, social interaction and the role of one's physical environment all impact on all dimensions of health. The interpersonal theory of suicide is then introduced, which gives three critical factors for why people die by suicide.
The SCARF action plan—Suspect, Connect, Ask, Refer, Follow-up—for helping others is then presented in both the clinical and community versions of the program. Relevant factors are taken into account and there is room for discussion and interaction, for example, about how a banker may have a conversation that perhaps is normally out of their comfort zone or how a GP may quickly assess underlying problems regardless of what the person has presented with.

What makes SCARF unique is the wide cross-section of people it encompasses. The program is delivered to agribusiness bankers, livestock agents, agronomists, those working in natural resource management, animal health and veterinarian services, employment agencies, accountancy firms, financial consultants, human support agencies and the general community. These are the people and organisations who have a close affinity with the farming sector.

Next month the program will be delivered to rural financial counsellors from across NSW at their state conference. The demand for SCARF continues and Farm-Link is currently piloting a feasibility study in partnership with Lifeline to test a train-the-trainer model with the view of the training becoming more widely available across NSW, and hopefully Australia in the future. With further future funding a more comprehensive train-the-trainer program will be able to be developed and implemented.

Farm-Link also continues to deliver the clinical version of SCARF to general practitioners and mental health service providers to ensure that they are better able to identify, assess and manage mental health issues in their patients. With the community SCARF program aiming to increase help-seeking and referrals from community members, the clinical training focuses on clinicians being able to heed this call and provide quality care, supporting them in areas known to have a higher suicide rate. Again, further future funding could see the expansion of this much-needed clinical training. Farm-Link is accredited through the Royal Australian College of General Practitioners and the Australian College of Rural and Remote Medicine to offer continuing professional development points to attending general practitioners. The SCARF program has been taken to many parts of northern and north-western NSW and just today it is being presented at the Landcare Adventure at Glen Innes in the New England area.

The Australasian Centre for Rural and Remote Mental Health does a lot of work in mining communities, and they say that each year, one out of every three men and women in the mining and construction sector will have a mental illness. Depression, anxiety, acute stress disorder, social phobias and alcohol- and drug-related problems are all ingredients of mental illness.

The federal government is doing something about the mental welfare of regional Australia, and this is very pleasing. The Minister for Agriculture, Mr Barnaby Joyce, has done an outstanding job delivering a $320 million drought package, and of that amount $10.7 million will be set aside for the delivery of social support, because both Minister Joyce and Prime Minister Abbott understand the impact that drought has on the mental health and wellbeing of farmers, farm families and communities. Minister Joyce was born on the land, he has lived all his life in regional Australia, he is back on the land in New England and he does not have to read about the plight of farmers, as his Labor predecessors had to because they never got out of the city. Minister Joyce could walk into any saleyard, onto any property or into any farmers' meeting in Australia and be warmly welcomed because those on the land know he is one of them and he understands their issues. Minister Joyce, when he became minister,
immediately set about restoring hope in rural Australia, visiting and talking to those on the land. We had the disaster of the banning of the live cattle export trade by the previous government, which put so much stress and financial pressure on so many. Thankfully, those wounds are now being repaired.

Just in the past week there has been a significant announcement by my colleague the Minister for Veterans' Affairs, Senator Michael Ronaldson. The minister has announced the establishment of a new prime ministerial advisory council with a renewed focus on mental health. Senator Ronaldson said one of the four pillars of the federal government's plans for veterans' affairs was to tackle mental health challenges facing veterans and their families, especially following the draw-down of troops from Afghanistan. That group will comprise experts in mental health matters, including the veterans community and representatives of the Australian Defence Force. Those who go to war for their country, even if they do not see active service, can be confronted with scenes most of us could not imagine, and they need all the support they can get when they return. We need to ensure they get back on their feet and into family life and the community as easily as possible, and I applaud Minister Ronaldson for his announcement.

As health minister in the Howard government, Mr Tony Abbott introduced the Better Access to Mental Health Care initiative in 2006. This $1.9 billion initiative was Australia's largest ever mental health boost at the time and provided for the establishment of headspace. The coalition government will deliver more efficient mental health research and services. Eighteen million dollars will be provided over four years to the mental health provider Orygen to establish the country's first National Centre for Excellence in Youth Mental Health. More broadly, the coalition will ensure that existing resources in the mental health sector are being targeted as effectively and productively as possible. To do this we will task the National Mental Health Commission with assessing the effectiveness of existing mental health programs to ensure waste and duplication are minimised. This assessment will drive a genuine evidence-based approach to future policy with a focus on productivity and on what really works.

Today I have concentrated on the husbands, the fathers and the sons—the male side of the family. We should never forget that the wives, the mothers and the partners also need support so they can be strong, because life is a partnership and mental health is not a stigma.

**Homelessness**

Senator LINES (Western Australia) (13:40): I rise today to speak on a matter of public interest: the National Partnership Agreement on Homelessness, NPAH, which has been in operation since 2009. NPAH funds a range of innovative programs supporting homeless people with mental health, drug and alcohol or correctional issues and is supporting people who have been sleeping rough; it supports them into accommodation. Across the country, there are around 180 community services and 3,000 staff supporting 80,000 clients relying on NPAH funding. In Western Australia, there are around 80 NPAH-funded organisations.

I want to mention two of those organisations, St Pat's in Fremantle and St Bart's in Perth, both of which do amazing work with homeless people. Both operate as hubs, offering meals, food banks, health services and referrals to other organisations. In the case of St Pat's, they have a wonderful choir that meets every Monday morning and has also produced a CD. These services are welcoming and busy. There is a vibrancy about them. They are critical to the
wellbeing of people who have fallen through the cracks, and they play a vital role in the lives of vulnerable people.

COAG agreed to negotiate a new long-term agreement and, in the meantime, put in place transitional arrangements to extend funding to 2014 while the long-term agreement was being negotiated. Both the transitional agreement and the desire to negotiate a long-term agreement were agreed by state governments and the Commonwealth government, and they were entered into in good faith. But this agreement is not being honoured by the Abbott government. The Abbott government has undertaken no negotiations and given no guarantees to states about this very important and successful program funded by NPAH. In fact, what we are now seeing across the country is that community organisations providing services to the most vulnerable in our community are reaching a crisis point, as their funding will cease in just 12 weeks and they have no certainty about their ability to continue to support homeless people.

When the question was put directly to the PM recently, he said his government 'will not let people down'. But we have heard similar words before. There was a 'unity ticket' on school funding, yet the government has let the Australian people down by backflipping on school funding. Again, despite promises, Mr Abbott, our PM, cut Indigenous legal services after saying he would not do so. So why would these words, 'We will not let the people down,' be of any comfort to homeless people or homelessness services in Australia?

Mr Abbott went on further to say the sector will get 'an answer on budget night'. If the PM does indeed let the sector down—and letting the Australian people down has been his track record, as we have seen with school funding and legal aid for Indigenous Australians—it gives services just six weeks, if they wait until the budget, to absorb any changes. This will leave vulnerable people relying on those services in a precarious state.

Undeterred, Mr Abbott went on to say on Fairfax Radio that he had 'given them what I think are important words of comfort.' He also said:

There is no need to be agitated on this.

But of course we need to be agitated. There is no certainty or commitment to the current NPAH funding for the future. The sector's peak body, Homelessness Australia, saw no comfort in those words and, indeed, reiterated that the sector needs to know the government's plans right now, not later.

They are not alone in expressing this view. Mr Abbott seems to want to emulate the WA Liberal government. He wants to be like the Barnett government in WA. We know what they are about. They are clearly about cuts: cuts to education, cuts to health. They are unable to manage the budget, and this is what Mr Abbott wants to emulate. But the WA Liberal government has been very clear and very firm with the Prime Minister that certainty is needed for WA's 81 services that provide services under NPAH funding—services like St Pat's and St Bart's, which are hubs that provide absolutely vital services to homeless people in Western Australia.

To me and to my colleagues on the Labor side, this demonstrates that the Prime Minister and WA senators in this place have no regard for vulnerable people in Western Australia. They have no regard or respect for the 80-odd service providers in Western Australia who in just 12 weeks will be left stranded by the Abbott government.
It is not as if the NPAH service has not been reviewed. The state department with responsibility in Western Australia reviewed the NPAH services, and the reviewers spoke not only with service providers but also with some 345 clients, who shared their stories with the reviewers. The review, as I said, was undertaken by the WA government and came through with flying colours. The report states:

The NPAH has been an important catalyst for improving integration with mainstream services. NPAH services have provided clients with intensive case management, including linking clients and their children with mainstream services such as education, training, employment, mental health and drug and alcohol services.

In Western Australia not only do those organisations provide services for homeless people in the city; they provide services for remote Western Australians. And they go further than that. They provide services for children. Let's not forget that children are also part of our population of homeless people. They provide services on domestic violence outreach. Certainly the Prime Minister would like us to believe that that is something he really cares about. Domestic violence is a critical issue in Western Australia. We have seen some tragic deaths of women at the hands of their violent partners, and yet the very funding that supports them, enables them to leave their unsafe homes and provides them with safety is now under threat because of the lack of commitment and care of the Prime Minister of Australia and the Western Australian senators in this place.

There are programs about keeping children safe. There is rental tenancy advice. There is housing support for people with mental illness and housing support for people with drug and alcohol issues—clearly services that are vital, working and a very important part of the kind of support that we provide in Western Australia.

Ms Stevens, the CEO of Homelessness Australia, in a recent ABC Radio interview said 'service providers need to know as soon as possible if a new agreement will be put in place'. She went on to say:

Already we're seeing a great deal of stress amongst service providers, staff are actually looking around and leaving and finding other employment because they're uncertain as to whether their job will still exist in a few months' time.

Here we have workers who have built a rapport with clients and who have been able to do very good work in supporting homeless people now moving on, leaving those clients in a much more vulnerable state because the person they had a relationship has had to leave because they have to feed and provide for their own families and because of the uncertainty of the Abbott government in not getting on board with NPAH funding. It is playing out right now in communities in Western Australia. Of course, when trusted and respected staff leave, that impacts on clients. They are not receiving the support that they would from the trusted worker they have learnt to work with. Again I remind the Senate that Ms Stevens was talking on behalf of 180 services, 3,000 staff and 80,000 clients across the country.

These NPAH services are the difference between life and death, between hope and hopelessness. They are the lifeblood of those doing it tough, of those sleeping rough, of those with mental health issues, of those with drug and alcohol issues, of those clients who have recently been released from correctional facilities. These are people who do it tough every day, but it appears that the Abbott government and Western Australian senators simply do not care.
It is a human right to have food and shelter. It is a human right to be respected and treated with decency. It is not okay for these services to lurch from year to year, wondering if their funding will be renewed. It is not okay for women attempting to flee domestic violence to be trapped in that situation because there is nowhere to go. It is not okay for the children involved and caught up in domestic violence to continue to witness that day after day, night after night, week after week, because the Abbott government refuses to give certainty around the NPAH funding. This is a basic human right. It is a human right for people in our community who are struggling every day with a range of issues to be treated with respect, to have some certainty about being able to get on with their lives and do the best they can every day in difficult circumstances.

Service providers have no idea whether the service they are providing today will be able to be provided in 12 weeks time. That is a disgrace. It is an absolute failure by the Abbott government. The vulnerable people in our community who front up every day to organisations like St Patrick’s Community Support Centre and St Bartholomew’s House have no idea whether in 12 weeks the workers will be there, the health service they relied on will suddenly be gone or the support they needed fleeing a domestic relationship will suddenly be pulled out from under their feet. It is an absolute failure of the Abbott government to leave those services in the dark and not provide certainty around the NPAH funding.

The Abbott government should be concerned about the wellbeing and the future of vulnerable people in our community, and about the wellbeing in the future of community organisations. It is not okay for vulnerable people to have to wait on the whim of a new minister in a new government. And it is not okay for homeless people and community organisations to wait on the dry recommendations of business leaders, who sat as commissioners on the government’s secret Commission of Audit report, to see whether NPAH funding survives the cut of the audit commission—a report that the government will keep secret until after the half-Senate election in Western Australia. It is a shame on the Abbott government. We need certainty around NPAH funding now and Western Australia will not be silent about this.

**Australian Water Holdings**

Senator SINODINOS (New South Wales—Assistant Treasurer) (13:55): I rise to make a statement in regard to the current inquiry into Australia Water Holdings Pty Ltd by the Independent Commission Against Corruption in New South Wales. I have been called as a witness to the ICAC and, as I have said on the public record on numerous occasions, I will be cooperating with the inquiry. I do not want this sideshow to be an unnecessary distraction to the important work of the government which I am proud to serve. Whilst this process is underway, I will therefore be standing aside as Assistant Treasurer. I thank my colleagues for their strong support and for their ongoing faith in my integrity. The ICAC is an important forum—the appropriate forum for me to answer any questions in relation to this matter. Thank you.

**Australian Water Holdings**

Senator WONG (South Australia—Leader of the Opposition in the Senate) (13:56): I am pleased that Senator Sinodinos has attended the chamber. It is obviously disappointing that—

Senator Heffernan: The wind has gone out of your sails.
Senator WONG: Thank you, Senator Heffernan. I walked somewhat quickly—

Government senators interjecting—

The PRESIDENT: Order! Senator Wong has the call.

Senator WONG: I note Senator Sinodinos's statement to the chamber. It is regrettable he has not provided the Senate with a detailed explanation of some of the matters which were canvassed at length this morning. It is interesting that the government so wished to not have Senator Sinodinos attend the chamber to make such an explanation that it was willing to delay proceedings such that it did not get a vote on its own carbon tax repeal legislation. We have had the Prime Minister thumping the table, demanding that the carbon legislation be passed. You would have got the carbon bill this morning, but instead all you want to do is have another cover-up so that Senator Sinodinos is not required to attend the chamber to answer questions.

Some substantial questions remain for the government about the extent of Prime Minister Abbott's knowledge of the matters which have been the subject of evidence at ICAC prior to or subsequent to the time that he appointed Senator Sinodinos to the ministry. Those questions should be answered by the government. When did Mr Abbott know about some of the matters that have been the subject of evidence and submission at the commission against corruption? When did he know about the funnelling of Sydney Water funds through to the Liberal Party? When did the Prime Minister know about the sham loan arrangement that evidence has been given about? When did the Prime Minister know that Senator Sinodinos was involved in both a letter in relation to the lobbying for the new contract—

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

MINISTERIAL ARRANGEMENTS

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:00): by leave—I inform the Senate that, given the announcement by Senator Sinodinos that he has voluntarily stood aside from his role as Assistant Treasurer while the Independent Commission Against Corruption's inquiry into Australian Water Holdings Pty Ltd is underway, Senator Cormann will take questions on behalf of the Treasury portfolio until further notice. In addition, I can inform the Senate that Senator Johnston will be absent from question time today and tomorrow due to his attendance at the Jakarta International Defence Dialogue. Senator Brandis will take questions on behalf of the defence portfolio, and I will take questions for the portfolio of infrastructure and regional development.

QUESTIONS WITHOUT NOTICE

Australian Water Holdings

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:00): My question is to the Minister representing the Prime Minister, Senator Abetz. I refer to the decision of the Assistant Treasurer to stand aside. What steps did the Prime Minister take to satisfy himself Senator Sinodinos was a fit and proper person to serve as a minister in his government before he appointed him?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:01): I would
remind the Leader of the Opposition in the Senate that she was an official in the Australian Labor Party when their national president happened to be one Michael Williamson, so let us not come in here with any pretence about this particular senator's background. But let us be very clear: I have no doubt—but I will take it on notice if need be—that the Prime Minister satisfied himself that Senator Sinodinos not only was but is a fit and proper person. Senator Sinodinos, as we were told by The Canberra Times this morning, has had no allegation made against him in relation to corruption, unlawfulness or illegality. So let us be absolutely clear on this. The sort of person that Senator Arthur Sinodinos is, he will always put his country first, he will always put his government first, he will always put his party first, before himself. And that is why he very selflessly has decided to withdraw from the ministry until such time as the ICAC matters are dealt with. I simply remind Senator Wong and all those opposite, and anybody listening, that Senator Sinodinos's involvement in ICAC is simply as a witness. I understand that Senator Doug Cameron has been there, Greg Combet has been there and many people have been there giving evidence in circumstances where they would have preferred not to have been called as witnesses. But just because they are called as a witness does not mean that you should attach a smear, as Senator Wong and the Labor Party have been doing for the last few weeks.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:03): Mr President, I ask a supplementary question. At the time Senator Sinodinos was appointed to the ministry, what knowledge did the Prime Minister have of Senator Sinodinos's dealings as director and chair of Australian Water Holdings?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:03): I do not know what knowledge the Prime Minister had in relation to Senator Sinodinos's dealings, and it would not be surprising if it was not any great degree of knowledge, given there would be no reason for him to inform himself about those matters. But, should the Prime Minister wish to provide any further information to this chamber, I will provide it.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:04): Mr President, I ask a further supplementary question. In light of Senator Sinodinos's dealings as director and chair of Australian Water Holdings, can the minister explain why the Prime Minister appointed Senator Sinodinos to administer the Treasury portfolio?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:04): I am sure the Prime Minister appointed Senator Sinodinos to the ministry because of his competence and personal integrity and the knowledge that he provides to the place. Let us be absolutely clear: the only person that actually called for Senator Sinodinos to step aside was the man that provided a personal character reference to Tony Mokbel, one Kelvin Thomson. So let us just be clear here. Many other Labor members, such as Andrew Leigh and others, have been quite clear as to how this matter should be handled, but Senator Sinodinos, always the team player, always putting others and other interests first, has decided to step aside. We regret that decision but we also respect that decision.

Mining

Senator EGGLESTON (Western Australia) (14:05): My question is to the Leader of the Government in the Senate and Minister for Employment, Senator Abetz. Is the minister aware
of any new proposals to revise the mining tax and can the minister advise the Senate of the impact that another revision of the minerals resource rent tax would have on jobs and investment in my home state of Western Australia?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:06): I thank Senator Eggleston for his question and acknowledge his very keen interest not only in all matters Western Australian but especially in the resources sector and the jobs-rich sector that it has been, can be and will be under us if our package to get rid of the mining package is finally passed by those opposite.

**Senator Sterle:** Rubbish!

**Senator ABETZ:** Let us be absolutely clear. First of all we had Senator Sterle's hapless Labor Party giving us the resource super profits tax.

When that was a debacle, they moved onto the minerals resource rent tax. And, as of last week, we now have the third version, courtesy of Mr Shorten, who is considering yet another revision of the tax. There is uncertainty, upon uncertainty, upon uncertainty and job destruction, upon job destruction, upon destruction in the state of Western Australia that used to have a '3' in front of its unemployment figure. It is now nearly at six per cent, at 5.9 per cent, because of the huge damage being done to the Western Australia economy by the mining tax and the carbon tax—both of which we seek to repeal.

So what we have now is Mr Shorten, in Western Australia, hand on heart: 'I empathise with those people in Western Australia. We will revise the mining tax. We will look after their jobs.' He says one thing in Western Australia and then he comes to this place in Canberra and says and does exactly the opposite. He pretends to empathise and then he comes to Canberra to betray the people of Western Australia—the jobseekers of Western Australia—and all the opportunities that we can see blossoming for Western Australia are being frustrated by Greens and Labor senators in this place who are more interested in the cheap politics; whereas we are interested in job creation and we will continue on that path. *(Time expired)*

**Opposition senators interjecting—**

**The PRESIDENT:** Order! I remind senators on my left that interjections are disorderly. The minister is entitled to be heard in silence.

**Senator EGGLESTON** (Western Australia) (14:08): Mr President, I ask a supplementary question. Can the minister inform the Senate of any recent statements supporting the need for certainty in Australia's tax environment?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:08): We all know that there has been a collapse in mining investment in this country and, therefore, it is no surprise that organisations such as the Australian Chamber of Commerce and Industry, the Business Council of Australia and the Minerals Council of Australia have said in a joint statement:

What the mining sector needs now is a reduction in costs, and certainty about the tax environment it operates in. That will help bring home the next wave of investment in this important sector.

And, with that wave, will come jobs. That is why we as a government are wanting to get rid of the mining taxes and the carbon tax and the red and green tape; so we can provide jobs.
Senator Wong interjecting—

The PRESIDENT: Senator Abetz, will you just resume your seat. As you are entitled to be heard in silence, I remind honourable senators that interjections are disorderly. Continue, Senator Abetz.

Senator ABETZ: We say to the Labor Party in particular—at least the Greens are quite clear on where they stand. They dislike mining, they do not want any mines and they do not want anybody employed in the mining sector. At least we understand their position. (Time expired)

Senator EGGLESTON (Western Australia) (14:10): Mr President, I ask a further supplementary question. How can Western Australians be certain of a next wave of investment in the mining sector?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:10): Senator Eggleston is absolutely right to concentrate on the importance of the need for the next wave of investment in the mining sector, especially for the state of Western Australia, a state that is suffering a surge in its unemployment because of the crippling taxes that the Labor-Greens alliance is this place imposed upon the sector and is now refusing to remove.

Senator Sterle interjecting—

Senator ABETZ: Let's be absolutely clear: we want this new wave of investment because it will create a new wave of jobs and job opportunities for our fellow Australians, and especially for our fellow Australians that live in Western Australia. That is why on 5 April the people of Western Australia will have an opportunity to vote to get rid of the carbon tax, to get rid of the mining tax and to bring the CFMEU into line by voting for the coalition at the Senate election.

Australian Water Holdings

Senator KIM CARR (Victoria) (14:11): My question is to Senator Abetz, the Minister representing the Prime Minister. I refer to the decision to stand aside the Assistant Treasurer, Senator Sinodinos. When did the Prime Minister become aware that, as a director of Australian Water Holdings, Senator Sinodinos stood to gain a personal benefit of $10 million to $20 million if the company was awarded a contract for a public-private partnership by the New South Wales government?

Senator Ronaldson: What about Michael Williamson with the printing contracts?

The PRESIDENT: Order! I am waiting to call the minister to answer the question. Senator Ronaldson, if you wish to debate it, the time is after question time. Senator Abetz.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:12): As I understand the situation, all these events occurred prior to Senator Sinodinos becoming a senator and a minister and—listen carefully—before Mr Abbott became Prime Minister. If we want to trawl through everybody's history and what the Prime Minister may or may not have known about somebody well before or some time in the past, this person's—

Government senators interjecting—

The PRESIDENT: Resume your seat, Senator Abetz. There is a point of order.
Senator Moore: My point of order is direct relevance. The question was quite clear: when did the Prime Minister become aware of certain issues. If we could have an answer to that, if you could direct the minister to answer the question—

The PRESIDENT: That is debating. There is no point of order. The minister has one minute and twenty-six seconds remaining.

Senator ABETZ: Can I simply say to those opposite that, if there are any friendships, any relationships, between honourable senators in this place and members in the House of Representatives, why don't you get the people over there to ask the question of the Prime Minister, because he might actually be able to tell you what was or was not in his mind.

Senator Kim Carr: Is that how you treat the Senate?

Senator ABETZ: But, if the Prime Minister wants to add to anything that I have said in my answer, I will of course report back to the chamber in due course.

Senator KIM CARR (Victoria) (14:14): I remind the minister that he is responsible to this chamber to answer on behalf of the Prime Minister—and I ask: when did the Prime Minister become aware that, at the same time that Senator Sinodinos held office in Australian Water Holdings and the Liberal Party, the company was bundling up its donations to the Liberal Party and charging them back to Sydney Water as expenses?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:14): Thank you, Mr President. Once again, Senator Carr is peddling allegations as absolute facts. These are all matters that need to be, and will be, thoroughly tested by ICAC—and so be it. And that is the way that these matters should be dealt with. Indeed, Senator Wong has herself said that matters of this nature should be dealt with by the proper authority—

Senator Wong: Mr President, I rise on a point of order. It is relevance: the question is about the Prime Minister's state of awareness of this issue associated with the donations from AWH to the Liberal Party. If the senator cannot answer—if he is not aware—I accept that he may wish to take it on notice, but we are simply asking: when did the Prime Minister become aware of the facts as outlined by Senator Carr?

The PRESIDENT: There is no point of order. I have been listening to the minister's response. I believe the minister is addressing the question.

Senator ABETZ: Thank you, Mr President. What Senator Wong has not understood throughout this whole matter is that, at the moment, there are a whole range of assertions being made—assertions that ICAC are testing by hearing evidence from a range of people. And I am sure, in her former life, Senator Wong would have known that sometimes a case sounds very strong until the other side is heard. What I would simply say to her is: take a deep breath, and allow ICAC to undertake its task. And we will then see where the cards fall.

Senator KIM CARR (Victoria) (14:16): I ask a further supplementary question: when did the Prime Minister become aware that the Obeid family owned 30 per cent of Australian Water Holdings at the same time that Senator Sinodinos was chair of the company?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:16): I dare say, if the Prime Minister ever became aware of that percentage holding to which Senator Carr
refers—I emphasise 'if'—I reckon it was long after Senator Conroy—and who was that other fellow at the ski lodge?—

Senator Cash: Mr Burke!

Senator ABETZ: and Mr Burke were at the Obeid ski lodge. So, to come in spinner with me and try to suggest that we on this side somehow knew about the intricate workings of the Obeid family, when you and your party are so thoroughly enmeshed with them—

Honourable senators interjecting—

The PRESIDENT: Order! Wait a minute, Senator Moore. Order on my right and on my left! Senator Fierravanti-Wells, Senator Cormann, Senator Back. Senator Wong, commenting is disorderly, as you are well aware.

Senator Wong: It was a friendly conversation!

The PRESIDENT: I do not care how friendly or otherwise the commenting was across the chamber. I remind honourable senators: friendly commenting or otherwise is out of order during question time.

Senator Moore: Thank you, Mr President. My point of order is again on relevance. The specific question was about the knowledge of the Prime Minister and the timing of that knowledge. If the minister and Leader of the Government in the Senate would like to, he can take that on notice—but at least make some attempt to answer the question.

The PRESIDENT: There is no point of order.

Senator ABETZ: Mr President, part of the difficulty for the Labor Party in this place today and yesterday has been the way they have framed their questions—yesterday, you had to rule them out of order. What I am saying is that there is an assertion in this question that has never been made out. But one thing we do know is that the Labor Party knows about the intricacies—(Time expired)

Racial Equality

Senator WRIGHT (South Australia) (14:18): My question is to the Attorney-General, Senator Brandis. Regarding your plans to amend section 18C of the Racial Discrimination Act and remove the law against offending, insulting or humiliating a person on the basis of their race, Mr Ken Wyatt told The Sydney Morning Herald last week that his belief that these racial vilification laws should remain is shaped by 10 years of experience in Western Australia's Equal Opportunity Commission tribunal and by witnessing how racial vilification has significant impacts on people in ways that we do not fully appreciate. Given Mr Wyatt's experience, and given the strong views of ethnic communities and of the chairman of the Prime Minister's Indigenous Advisory Council, Mr Warren Mundine, why is the government proceeding with its bid to repeal the law against racial slurs?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:19): Thank you, Senator Wright, for that question. Senator Wright, you do not appear to be aware that there is in fact no Commonwealth law which proscribes racial vilification. Racial vilification is not conduct described by section 18C of the Racial Discrimination Act. One of the problems with this debate, if I may—through you, Mr President—say so, Senator Wright, is that people make commentary on laws which they have not read. And you have just done that,
Senator Wright. It is the view of the government that we can have strong protections of freedom of speech and appropriate laws to protect people from racial vilification; and that the two are not inconsistent objectives. Senator Wright, might I direct you to what I regard as a very wise editorial in this morning's *The Australian* newspaper, in which the editorial writer makes the point that the problem with public debate in this area in Australia is that it is impossible to have a discussion about race without being accused of being a racist. That is the problem—

*Opposition senators interjecting—*

**The PRESIDENT:** Just wait a minute, Senator Brandis. On my left! Senator Wright is entitled to hear the answer without people interjecting. Order! On both sides—Senator Brandis is entitled to be heard in silence.

**Senator BRANDIS:** So, Senator Wright, these are not inconsistent objectives: to have the best laws protecting Australians from racial vilification, and to have laws at the same time which do not impinge upon the right of citizens to hold and to express opinions without being told what to say, or to think, by government. And that legislation will be introduced before the middle of the year.

**Senator WRIGHT** (South Australia) (14:22): Mr President, I ask a supplementary question. In fact, the term 'racial vilification' was a quote from Mr Wyatt—and that leads me to the supplementary question. Did the Prime Minister need to intervene to limit coalition dissent about the repeal of these laws in a dispute between your coalition colleagues in cabinet yesterday, as reported in *The Australian* today?

**The PRESIDENT:** Order! I will not give the minister the call until there is silence on both sides.

**Senator BRANDIS** (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:22): Well, Senator Wright, there actually was not a cabinet meeting yesterday but, nevertheless, Australia is having a discussion about the Racial Discrimination Act and there is a variety of points of view. Just as the Australian people are having a discussion about the Racial Discrimination Act, so are members of the coalition parties.

You illustrate the very problem that I pointed to a moment ago, Senator Wright, as if there is something impermissible or dangerous about having a discussion about what is, on anybody's view, a vexed social issue. I tell you what, Senator Wright: when you find a social practice like racism, which does exist in certain quarters of Australian society, political censorship is not the answer.

*Honourable senators interjecting—*

**The PRESIDENT:** Senator Wright, you are entitled to be heard in silence.

**Senator WRIGHT** (South Australia) (14:24): Thank you, Mr President. Thank you, Senator Brandis, for your answer. My further supplementary question then is: why are you and the Prime Minister ignoring the voices of reason both inside and outside your party and pushing ahead with a law that licenses the public humiliation of people because of their race—an amendment that should perhaps be called the 'protection of Andrew Bolt' bill?
Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:24): Well, Senator Wright, all voices in the coalition parties are voices of reason. But, Senator Wright, let me tell you something: reasonable people, decent people, can disagree in good faith and still be reasonable people.

Honourable senators interjecting—

The PRESIDENT: Senator Brandis, resume your seat. This outbreak in the chamber is disorderly. I know that you are reaching out to each other, but it is—

Senator Cameron: Cory is on his way back!

The PRESIDENT: Senator Cameron! I remind honourable senators that this is completely disorderly. Senator Ronaldson and Senator Cameron! Senator Bernardi, Senator Wright is entitled to hear the answer in silence without you people interrupting Senator Brandis. Senator Cameron! Senator Carr!

Senator BRANDIS: I think we see, Mr President, in Senator Wright's supplementary question, the very problem here is that there is a view amongst some, but not among us, that only one point of view or one set of opinions ought to be allowed to be expressed and, if you dissent from that set of opinions, there is something wrong with you—that you are a bad person or a wicked person or a racist. Let me tell you something else, Senator Wright: Mr Andrew Bolt has just as much right to his point of view as you, Senator Wright, have to yours.

Honourable senators interjecting—

The PRESIDENT: When there is silence, we will proceed.

Carbon Pricing

Senator SMITH (Western Australia) (14:26): My question is to the Minister for Finance representing the Minister for the Environment, Senator Cormann. I refer to figures released by the Clean Energy Regulator, which showed that the carbon tax has slugged Bluewaters Power with at least $60 million in increased costs in 2012-13. What broader impact is the carbon tax having on major employers in my state of Western Australia and on the broader economy?

Senator CORMANN (Western Australia—Minister for Finance) (14:27): I thank Senator Smith for that question. Senator Smith is, of course, a passionate advocate for stronger growth in Western Australia and for reducing the tax and regulatory burden on the Western Australian economy. As I may have shared with the chamber on one or two occasions before, the Labor-Green carbon tax pushes up the cost of electricity; it pushes up the cost of gas; it pushes up the cost of living for families; and it pushes up the cost of doing business in Western Australia and across Australia. It is doing all of that without doing anything to help reduce global greenhouse gas emissions. All it does is to help overseas businesses, which Australian businesses are competing with, including and in particular businesses in Western Australia. It is helping those overseas businesses take market share away from us and all of the emissions along with the jobs go overseas to locations where those emissions are arguably going to be higher for the same amount of economic output as they would have in Australia.

In Western Australia, Senator Smith is quite right, Bluewaters Power was slugged with a $60 million tax. Now, Senator Pratt, who has been absent from this chamber all week—I
wonder where she is?—told people in Western Australia, in the lead-up to the last election, that the carbon tax had gone—that the carbon tax had been removed by Kevin Rudd and Labor. Guess what, Mr President? The carbon tax is alive and kicking. It is my solemn duty to inform the Senate that the carbon tax continues to hurt families and businesses in Western Australia and it continues to push up the cost of doing business. It has hit businesses like Woodside with a $172 million bill; BHP Worsley Alumina for $56 million; BHP Burrup, $55 million; and Yara Pilbara, $35 million on top of the $190 million to the Western Australian Electricity Generation Corporation. (Time expired)

Senator SMITH (Western Australia) (14:29): Mr President, I ask a supplementary question. Can the minister inform the Senate what views business leaders have expressed regarding the impact that the carbon tax is having on investment decisions?

Senator CORMANN (Western Australia—Minister for Finance) (14:29): Yes, I can, Senator Smith. Business leaders across Australia want this carbon tax to go. They understand that to take Australia back to a global competitive edge we need the carbon tax to go. We need to bring down the cost of doing business in Australia. We need to ensure that businesses across Australia, in particular in Western Australia, can be more competitive internationally again. I will just add to the numbers that I shared with the Senate before. Australia's manufacturing industry has been hit with a bill of at least $1.1 billion as a direct result of the Labor-Green carbon tax. I will share that again: the Australian manufacturing industry has been hit with a tax bill, a carbon tax bill, of at least $1.1 billion—the mining sector, $530 million, the oil and gas extraction sector, $450 million. Of course, this has a serious impact on our economy. (Time expired)

Senator SMITH (Western Australia) (14:30): Mr President, I ask a final supplementary question. Can the minister advise the Senate whether there is any reason to delay a decision on the future of the carbon tax?

Senator CORMANN (Western Australia—Minister for Finance) (14:31): The answer is no, there is absolutely no reason, Senator Smith. This is an issue that has been extensively debated across the Australian community for a very long time. It was the issue at the heart of the last election. The Australian people, including people across Western Australia, were able to pass judgement at the last election about what they thought of the Labor-Green carbon tax imposed on them in direct breach of an explicit promise in the lead-up to the 2010 election. Guess what? The Australian people said, very clearly, that the carbon tax must go. If Labor genuinely cared about our economy and about jobs in Australia they would vote today to scrap the carbon tax. If Labor genuinely cared—

Senator Wong interjecting—

Senator CORMANN: Here we go. I take this interjection from Senator Wong.

The PRESIDENT: Order! Interjections are disorderly, Senator Wong.

Senator CORMANN: For the last six months they have been running the biggest filibuster in the history of the Commonwealth. (Time expired)

Education

Senator STERLE (Western Australia) (14:32): My question is to the minister representing the Prime Minister, Senator Abetz. I ask the minister: why has the Prime
Minister, who promised no cuts to education, cancelled all future trades training centres and cut no less than $1 billion from the program?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:32): The very short answer is that there will be no cuts to the overall expenditure in the portfolio, but we did say that we would always look to spend those rare dollars more efficiently to achieve a better outcome for the Australian people, and we have said the same in health. Does that mean that we have to continue with schemes that, regrettably, we can no longer afford because of the huge debt legacy left by Labor? Regrettably, that is part of the consequence of the six years of Labor and, in particular, the last three years of the Labor-Green government. There are consequences of economic mismanagement. The government have said that education will be quarantined, but we may well rejig money within the portfolios to ensure that the money, the scarce dollars that are about, are better focused to get a better outcome for the people of Australia.

**Senator STERLE** (Western Australia) (14:33): Mr President, I ask a supplementary question. Could the minister inform the Senate how many students in Western Australia will miss out on trades training as a result of this $1 billion cut?

Honourable senators interjecting—

The **PRESIDENT**: Order! You have asked the question and I am waiting to call the minister. Minister.

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:34): Thank you, Mr President. The young people of Western Australia can be well satisfied that this government is looking to develop a new VETiS national framework designed to address skills shortages and to differentiate between vocational learning and VET in Schools, which involves a nationally recognised qualification, and is seeking to reduce red tape so that educators, industry and students can work productively. Even more important than training is having a job afterwards. Senator Sterle, I say to you, if you are genuinely concerned about the future of young Western Australians, then get rid of the carbon tax, get rid of the mining tax, get rid of the green and red tape and help re-establish the Australian Building and Construction Commission so that the economy can get on with the job of creating jobs for our young Australians, especially those in your state of Western Australia.

**Senator STERLE** (Western Australia) (14:35): Mr President, I ask a further supplementary question. Can the minister inform the Senate how the Prime Minister's broken election promise will help address skills shortages in my great state of Western Australia? Try that!

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:35): This is the wont with all Labor questions; they are nearly always built on a supposition that is false and incorrect. I say to you, Senator Sterle—through you, Mr President—there is no breach of promise in relation to this matter. What I would simply remind Senator Sterle is that the legacy you have left these young Western Australians is a legacy of debt and joblessness, which we are trying to overcome through measures which you are deliberately blocking in
this Senate because you do not want to see the recovery occurring, you do not want Western Australians to see the juxtaposition between your economic mismanagement and our plan for the future that will provide jobs, that will provide a future. That is what we are doing with our economic management.

Aged Care

Senator KROGER (Victoria—Chief Government Whip) (14:36): My question is to the Assistant Minister for Social Services, Senator Fifield. Can the minister advise the Senate of what the government is doing to ensure that older Australians who wish to stay in their own homes rather than entering residential care can do so for as long as possible.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:37): I am very pleased to inform the Senate that the government has recently announced the opening of the Aged Care Approvals Round for May 2014. The Aged Care Approvals Round is, as colleagues will be aware, the major funding round in the aged care sector and provides new Australian-government-funded aged care places to service providers through a competitive assessment process. The government recognises, and I think all colleagues recognise, that many older Australians are keen to stay at home for as long as they possibly can, which is why this round will continue to expand the Home Care Packages Program, which provides individual tailored packages of home care services to help older Australians remain living independently in their own homes. This funding follows a $240 million investment by the government earlier this year in the Home and Community Care program, which provides funding for critical basic maintenance support and care services, again, where most people prefer to receive them, at home. To encourage greater investment in areas of need, the government will also make funding available for capital grants under the Rural, Regional and Other Special Needs Building Fund, as part of the Aged Care Approvals Round. The government is committed to an aged care sector that provides choice and quality for older Australians.

Australians are living longer than ever before, which is indeed cause for celebration. Mr President, you might be interested to know that in Australia today there are over 3,500 centenarians and that by 2050 there will be over 50,000 centenarians. What a great national resource that is to draw upon. There are many here aspiring to join those ranks!

The government is going to be working very closely over the coming years to adapt to the increased demand and to encourage our system to be one focused on quality and choice.

(Time expired)

Senator KROGER (Victoria—Chief Government Whip) (14:39): Mr President, I ask a supplementary question. I thank the minister for his answer and ask if he can inform the Senate of how the government is working with the aged care sector ahead of the implementation of the changes on 1 July this year to support the sector and its workforce as they work to adapt to these changes.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:39): The government recognises the importance of working very closely with the aged care sector through what will be a period of change. Earlier this month, I announced the establishment of the Aged Care Sector Committee to be chaired by someone we all know well, Professor Peter Shergold AC. The Aged Care Sector Committee will be tasked with building the foundation for a lasting partnership between
government and providers and other participants in the sector. It will be an important conduit between all the players in the sector and government. It will also provide guidance to help the aged care sector adapt to the new demands of an ageing population and also, particularly importantly, to provide guidance on the greater movement toward consumer choice and the greater consumer focus that there will be as part of the changes coming into effect on 1 July. I think it is an important thing for colleagues to realise that the direction is inexorably heading one way, and that is for greater consumer choice in aged care.

Senator Kroger (Victoria—Chief Government Whip) (14:40): Mr President, I ask a further supplementary question. Can the minister advise the Senate of the government's red tape reduction agenda in the area of aged care.

Senator Fifield (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:41): Given that today is the government's first repeal day, I want to reiterate that the government is absolutely committed to doing whatever it can to reduce the red tape and compliance burden in the aged care sector. We have already taken some steps to simplify the pricing system for aged care by scrapping what was proposed by the previous government, which was a confusing and cumbersome requirement for providers to follow quite a prescriptive process in setting prices and also the need to document and certify that process, which we thought was unnecessary. This is just one of the first things that we will do to streamline the administrative process in the aged care sector. What we ultimately want to do is to free up the staff and the management of aged care providers from being over burdened by compliance requirements. Obviously, there will be no compromise to safety, no compromise to quality, but we want to let the aged care sector do what they do best, and that is provide high quality care.

Export Finance and Insurance Corporation

Senator Xenophon (South Australia) (14:42): My question is to Senator Cormann, representing the Minister For Trade and Investment. An article in the Sydney Morning Herald yesterday reported that the Export Finance and Insurance Corporation will be providing BHP Billiton and Rio Tinto over $110 million in finance for a mining joint venture in Chile. EFIC has previously come under criticism, not least from the Productivity Commission in 2012, for focusing its activities on large corporations rather than meeting its mandate to offer loans and insurance where it would otherwise not be available. EFIC’s own website states: 'EFIC supports the growth of Australian companies in their international activities by providing tailored financial solutions when the private market faces constraints.' Can the minister please provide information on what market constraints were faced by these two companies, which together made nearly $20 billion profit between them last year.

Senator Cormann (Western Australia—Minister for Finance) (14:43): I thank Senator Xenophon for that question and for some notice of it. The Export Finance and Insurance Corporation was established by the then Labor government in 1991. The way it was set up and continues to operate is important to note: it is completely independent of government, within an established commercial framework, supporting viable companies where there is a financial gap in the market. My advice is that this transaction was approved under such a market gap test. I am further advised that, when working within global supply chains, our small and medium sized enterprises need the opportunity to be drawn into the orbit of larger projects. This is a decision taken by EFIC, fulfilling its role and responsibilities as it sees fit.
and, as I said, entirely independently of government, as is appropriate. The advice I have also been given is that this will assist small and medium sized enterprises to enter the global supply chain. If we are going to compete globally in this supply chain, they need to be in that orbit. In the case of this particular loan, I am advised that the financing will be to the benefit of some 80 Australian companies, large and small, who are engaged in the global mining supply chain. In this case, the longer loan terms required could not be met by the financial market in Chile, and EFIC of course does not undertake projects that do not have any Australian content.

Senator XENOPHON (South Australia) (14:44): Mr President, I ask a supplementary question. Can the minister advise whether the government will be acting on the Productivity Commission's criticisms of EFIC back in 2012; and, given the government has spoken at length about ending 'the age of entitlement' for Australian businesses and have refused to provide assistance to Holden and SPC Ardmona on this basis, can the minister explain how this loan from EFIC is consistent with the government's views and policies?

Senator CORMANN (Western Australia—Minister for Finance) (14:45): The government is not at present planning any changes to EFIC other than, of course, to work through the issues as a result of Labor in government, when they were last short of cash—which was a permanent state of affairs—raiding their capital reserves. We are having to deal with some legacy issues there, potentially. But beyond that we are not currently planning any changes. If there is anything further to add to that after I have consulted the minister, I will come back to the chamber and add to my answer.

Senator XENOPHON (South Australia) (14:45): Mr President, I ask a further supplementary question. Does the government consider that the Productivity Commission's criticisms of EFIC were without merit, therefore; and, given the complaints I receive regularly from SMEs about the hurdles and difficulties they face in obtaining EFIC loans and assistance, can the minister provide a breakdown of what percentage of EFIC's assistance goes to SMEs in both dollar terms and the number of businesses assisted, and how SMEs are defined by EFIC for this purpose?

Senator CORMANN (Western Australia—Minister for Finance) (14:46): Let me first reassure Senator Xenophon and the Senate that the government always takes very seriously the advice that is provided by the Productivity Commission. We of course consider Productivity Commission findings and recommendations as we make judgements on how the operations of government can be made more efficient, better targeted and generally improved. Having said that, as I have said in a previous answer, we do not have any current plans to make changes to EFIC.

In terms of the latter part of the question, I am advised that small and medium sized enterprises signing continues to dominate EFIC's business and it is at a level of 80 per cent. Global financial markets, I am told, are not continually efficient, as this case demonstrates and as the small business sector has experienced in Australia over the last six years. The longer loan terms required could not be met by the financial market in Chile. When working within global supply chains, as I said earlier, our small and medium sized enterprises need the opportunity to be drawn into the orbit of larger projects—(Time expired)
Superannuation

Senator MOORE (Queensland) (14:47): My question is to Senator Cash, the Minister Assisting the Prime Minister for Women. Can the minister confirm that the government is committed to removing the low-income superannuation contribution, which will hurt 50 per cent of the female workforce and which has been raised as a real concern by a number of women's organisations across the country?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:47): I thank Senator Moore for her first question to me in this place in my capacity as the Minister Assisting the Prime Minister for Women. In relation to the ending of the low-income superannuation contribution, abolishing contributions made under the low-income superannuation contribution on or after 1 July 2013 is consistent with the government's commitment to abolish the LISC whilst in opposition. We made a commitment in opposition; we have followed through with it in government—unlike those on the other side, who said one thing in opposition and then did a completely different thing in government.

But the important thing in relation to the low-income superannuation contribution is this: where was the funding for this contribution derived from? In fact, I think we have been debating that bill for some time today. It is called the mining tax—the mining tax which the former government stated would raise a certain amount of money, in the billions of dollars. They spent that money making commitments to Australians, some of them the most vulnerable in this country, knowing full well they would never, ever be able to meet those commitments.

You come into this place and you have the audacity to ask us why we are keeping a promise that we clearly made to the Australian people. The mining tax was a failed tax. The mining tax did not raise the money that you said it would raise. A fiscally responsible government is what we are. We told the people of Australia prior to the election exactly what we would be doing. The Australian people cast their vote—

Opposition senators interjecting—

The PRESIDENT: Order! Whilst there are only five seconds remaining for the minister's answer, there needs to be silence on my left so Senator Cash can be heard.

Senator CASH: The only reason this has to go is the actions of those on the other side.

Senator MOORE (Queensland) (14:50): Mr President, I ask a supplementary question. Thank you, Minister, for your answer, and I hope your throat feels better soon—

Opposition senators interjecting—

The PRESIDENT: Order! Senator Moore, it is people on your own side who are drowning you out. On my left: I am waiting to call Senator Moore.

Honourable senators interjecting—

The PRESIDENT: Order, on my left and my right! I am waiting to give Senator Moore the call.

Senator MOORE: Can the minister confirm that it would be the government's consistent policy to take the axe to the retirement savings of Australian women so as to give a tax break to mining companies?
Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:51): Clearly, the answer to that question is no. But I will tell you what this government is doing to help low-income earners, despite the actions of those on the other side: we are abolishing the carbon tax—the carbon tax that you promised you would never introduce in opposition; the minute you got into government you did a backflip. This government is committed to getting rid of the carbon tax, which clearly places an unfair burden on everybody in society but in particular on those who earn less. I will tell you the other thing we are doing for low-income people in this country: we are adding superannuation to the Paid Parental Leave scheme, something those on the other side just completely forgot about when they designed their scheme. They stand up in this place and they go on about retirement savings, but their own paid parental leave scheme did not include superannuation. Do not come into this place and accuse us of not taking care of low-income workers.

Senator MOORE (Queensland) (14:52): Mr President, I ask a further supplementary question. Can the minister confirm what further cuts that will hurt women on low incomes—which would be consistent with government policy—are recommended in the secret Commission of Audit report which has now been with the Prime Minister for over a month?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:53): It shows remarkable audacity to come into this place and ask about cuts we may or may not have to make because of the fiscal incompetence of those opposite during their six years in government. Do you remember the $22 billion surplus we left you? It took us 10 years to pay off the debt you racked up the last time you were in government. We paid it off, we gave you $22 billion and we gave you zero interest. We gave you money in the bank, and what did you do? You blew it all away.

Senator Wong: Mr President, I rise on a point of order on the issue of relevance. I know the Minister Assisting the Prime Minister for Women may not wish to talk about women on low incomes, but that was the question.

The PRESIDENT: There is no point of order.

Senator CASH: I have nothing further to add to my answer.

Education

Senator McKENZIE (Victoria—Nationals Whip in the Senate) (14:55): My question is to the Minister representing the Minister for Education, Senator Payne. Can the minister please advise the Senate how the coalition government is supporting the improvement of teacher quality in Australia?

Senator PAYNE (New South Wales—Minister for Human Services) (14:55): I thank Senator McKenzie for her interest in this area, noting the professional experience she brings to her role as a senator. What this government understands is that improving student outcomes is not just about funding; it is also about quality teaching, a robust curriculum, principal autonomy and parental engagement. We think that quality teaching is critical to the future prosperity of young Australians and to their productivity, and we are committed to building an absolutely world-class education system. We intend to lift the quality and status of the
teaching profession and believe that action needs to start when teachers are gaining their qualifications.

In February, the Minister for Education announced the Teacher Education Ministerial Advisory Group, the TEMAG, which will advise how teacher education programs can be improved in their preparation of new teachers and in ensuring those teachers have the right mix of academic and practical skills for the classroom. The advisory group is going to undertake a consultation process. It will host up to four national meetings with key stakeholders across the country. It will also consult with the Australian Institute for Teaching and School Leadership, Universities Australia, the Australian Council of Deans of Education, teacher employers, teacher regulatory bodies, key representative bodies of the education sector and relevant education experts.

This is all about a much broader, much more focused approach to what makes quality teachers. It is about giving participants in the sector an opportunity to have their input into the advisory group and making sure that their views on quality teaching, a robust curriculum, principal autonomy and parental engagement are heard loud and clear by the advisory group. Professor Greg Craven will chair the advisory group and there will be a number of other leading experts in the area on it. They will ensure that, as they undertake their public consultation process, all those voices are heard.

Senator McKENZIE (Victoria—National Whip in the Senate) (14:57): Mr President, I ask a supplementary question. Could the minister further explain to the Senate the government's expectations of the Teacher Education Ministerial Advisory Group and what it will be required to achieve?

Senator PAYNE (New South Wales—Minister for Human Services) (14:58): The advisory group will adopt an evidenced based approach because we think that is the best way to identify world's best practice in teacher education. There is going to be a particular focus on pedagogical approaches, on subject content and on professional experience. The terms of reference themselves, which were made public by the minister at the time, state that the work of the advisory group will focus on three areas. The terms of reference identify these as:

1. Pedagogical approaches—Ways of teaching and learning, including assessing learning related to specific areas and matched to the capabilities of students
2. Subject content … and
3. Professional experience … Improved university and in-school professional experience opportunities for pre-service teachers and better support from experienced mentor teachers.

The third area is about making sure that those who have already grown and learned in the profession can assist those who wish to engage in the profession to learn more and to learn the best.

Senator McKENZIE (Victoria—National Whip in the Senate) (14:59): Mr President, I ask a further supplementary question. Can the minister advise the Senate of the membership of the Teacher Education Ministerial Advisory Group?

Senator PAYNE (New South Wales—Minister for Human Services) (14:59): I can advise the Senate, as I mentioned earlier, that Professor Greg Craven, who is the Vice-Chancellor of the Australian Catholic University, is the chair of the group. He is joined in the TEMAG by Dr Ben Jensen, the School Education Program Director at the Grattan Institute; by Professor
Field Rickards, Dean of the University of Melbourne's Graduate School of Education; by Professor Eeva Leinonen, Deputy Vice-Chancellor of Education at the University of Wollongong—an excellent New South Wales university; by Professor Kim Beswick, Professor in Mathematics Education at the University of Tasmania; by Ms Michelle Green, the Chief Executive of Independent Schools Victoria; by Mr Trevor Fletcher, the Principal of Eastern Fleurieu School in South Australia; and by Mr John Fleming, the Deputy Principal at Haileybury College, also in Victoria. Members of the public are able to access further information about the TEMAG at studentsfirst.gov.au. But, most importantly, we intend for this country to have a first class education system with first class teachers who have the best possible access to training. (Time expired)

Science

Senator KIM CARR (Victoria) (15:00): My question is to the Minister representing the Minister for Industry, Senator Ronaldson. I refer the minister to the government's election promise to boost investment in clinical trials—a promise repeated by the industry minister on Monday night. I ask the minister: why is the high-level advisory body on clinical trials, announced and funded by the Labor government in February of last year, still waiting to attend its first meeting? Why is the government stalling on an election promise and bipartisan policy position?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (15:01): It is always nice to get one of those rare questions from Senator Carr, so I thank him at two minutes past three for doing so. I am still waiting for one from his little mate beside him, but that might come in due course.

The PRESIDENT: Order! Senator Ronaldson, come to the question.

Senator RONALDSON: What I will say is there has been a lot of talk by Senator Carr in the last week about the importance of science, and that has been intermingled with a bit of sleazy attack on Senator Sinodinos. We have had a mixture of science, and we have had a mixture of sleaze on the way through. But he is not on his own there. I noticed there was a Senate inquiry that Senator Carr has been pushing for in relation to science and innovation. You have to look at this release to really see what drives Senator Carr and what drives the Australian Labor Party. What they have said—

The PRESIDENT: Order! Senator Ronaldson, resume your seat.

Senator Moore: Mr President, I rise again on a point of order on relevance. We have gone to 58 seconds and the minister has gone nowhere near the question, which was specifically about the advisory body on clinical trials.

Honourable senators interjecting—

The PRESIDENT: Order! I do draw the minister's attention to the question. You now have 58 seconds remaining to answer the question.

Senator RONALDSON: I will, of course, continue the entirely accurate answer I was giving to that question from Senator Carr. I just want to read a paragraph from this press release. It has to be read to be believed. This is from Senator Carr, who was the in-out, in-out industry minister—
The PRESIDENT: You need to address the question, Senator Ronaldson. I have drawn your attention to it.

Senator RONALDSON: Through you, Mr President: he was the in-out, in-out industry minister. Under Rudd he was in; under Gillard he was out; then he was back in again.

Honourable senators interjecting—

The PRESIDENT: Order! Wait a minute, Senator Conroy. You know you need to wait until you have got the call. You have people behind you who are disrupting question time at this moment.

Senator Conroy: Mr President, I rise on a point of order regarding relevance. I think you have kindly suggested he might want to address the question, but he will be giving us his tips for who is going to play for the Melbourne footy club on the weekend next and defining that as relevant. I would ask you again to draw his attention to the question.

The PRESIDENT: I did draw the minister's attention to the question at the 58-second mark. Senator Conroy, you should not interpret my remarks as anything other than drawing the minister's attention to the question. That is all I did.

Senator RONALDSON: Senator Conroy is right. I am deeply concerned about the outcome of my team's match over the weekend, but not nearly as concerned as I am about the comment from Senator Carr. I will just read this. Now, just remember, Senator Carr, the man who ripped manufacturing jobs out of this country over six years, was the science minister for four, five or six years. (Time expired)

Senator KIM CARR (Victoria) (15:05): Mr President, I ask a supplementary question. This will give you a chance to find your brief, Minister. What action has the government actually taken to ensure that Australia remains an attractive place for global investments in the field of clinical research?

Senator Jacinta Collins: I wonder if he can say the word 'clinical research'.

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (15:05): You are getting so smart in your old age, aren't you!

The PRESIDENT: Order! Senator Ronaldson, ignore interjections. All you need to do is address the question that has been asked. Ignore interjections; they are disorderly.

Senator RONALDSON: I thank Senator Collins for her much needed interjection. I want to go through this press release, which I have been trying to do now for about three minutes. Can I just go through it. Now, Senator Carr—

Senator Moore: Mr President, I rise on a point of order on relevance. I am fascinated about the media release, Minister, but I would like to hear the answer to the question.

The PRESIDENT: There are seven seconds remaining to address the question. I do draw the minister's attention to the question.

Senator RONALDSON: As I have been trying to do now for two questions, I want to refer—
Senator Wong: Mr President, I raise a point of order on relevance. As I understand it, Senator Ronaldson is seeking to read from a media release of the opposition. He was asked a question about government policy, not about opposition policy.

The President: I have ruled on the matter. I have asked the minister to address the question that has been asked. The minister does have four seconds remaining.

Senator Conroy: Four seconds: who's in, who's out?

Senator RONALDSON: Well, Senator Carr was in and Senator Carr was out, Senator Conroy, as you well know. And you actually had a bit to do with that— (Time expired)

Senator KIM CARR (Victoria) (15:08): Mr President, I ask a further supplementary question. I would remind the minister that my question was about clinical trials, and I would ask him: is this not another example of a broken election commitment to the Australian science and innovation community?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (15:08): I am not entirely sure what Senator Carr is missing here. His question was about the future of science. I have been trying to answer this question now for nearly five minutes.

Opposition senators interjecting—

The President: When the interjections on my left cease we will continue. Senator Ronaldson—

Senator Fifield: This is called delayed gratification.

The President: Senator Fifield, I am waiting to hear from Senator Ronaldson.

Senator RONALDSON: I will try again to talk about the future of science, as I have been trying to do now for some time. Senator Carr was the science minister for five years. In his press release with the Leader of the Opposition—

Senator Moore: Mr President, I rise on a point of order. I am desperately trying to take a point of order on relevance.

Honourable senators interjecting—

The President: Order on my left and on my right! I have got Senator Moore on her feet seeking to take a point of order.

Senator Moore: Mr President, again, my point of order is on relevance. The minister has 30 seconds. The issue is about whether this was a broken election promise to the Australian science and innovation community around the issue of clinical trials and research.

The President: The minister needs to address the question. The minister has 30 seconds remaining, and I call the minister.

Senator RONALDSON: I am trying to talk about the future of science. As I was saying, Senator Carr, who was the science minister for six years, put out a press release with the Leader of the Opposition—for six years he was the science minister—and I will read from it. This was an inquiry that got through the Senate. The press release on it said: The Inquiry will help define a much needed long term strategy for science and innovation …

You were the minister for six years— (Time expired)
Senator Abetz: Mr President, it is my melancholy duty to inform the Senate that I ask that further questions be placed on the Notice Paper.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Cambodia: Election

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (15:11): I seek leave to add to an answer I gave to Senator Milne yesterday.

Leave granted.

Senator BRANDIS: Yesterday, Senator Milne asked me some questions about irregularities in elections for the Cambodian National Assembly in July 2013 and what the Australian government’s attitude and initiatives in relation to those alleged irregularities were. I can inform the Senate that the Australian government has called on all concerned parties to ensure a transparent investigation of those alleged irregularities. There was an investigation but, regrettably, the government and opposition parties were unable to agree on the modalities for a joint investigation.

Ultimately, these are matters for the people of Cambodia to determine, but we encouraged the government and opposition parties to remain in dialogue. It is important that the door is kept open for successful opposition candidates to take up their seats in the National Assembly.

The Australian government has urged the Cambodian government to undertake electoral reforms to ensure credible elections. We welcome the agreement of the Cambodian government and opposition on 18 February to establish a joint committee on electoral reform.

Senator Milne further asked about the diversion of aid to civil society organisations. I can inform the Senate that Australia's aid program is delivered in partnership with a range of entities including civil society organisations, multilateral organisations and partner governments. We aim to work with those organisations that are the best fit for the program activities. Using a range of delivery partners, including the government and NGOs, enables Australia's aid program to maximise its impact and reach, and ensures that it is effective. A significant portion of our aid to Cambodia is already delivered through more than 100 civil society organisations—for example, in the health sector and in community development.

Finally, Senator Milne asked me some questions about Minister Bishop's visit to Cambodia. I stated that Minister Bishop, during the course of that visit, met with Cambodia's opposition leader, Sam Rainsy. In fact, Ms Bishop, during her visit to Cambodia, had a telephone discussion with Mr Rainsy but not a face-to-face meeting.

Senator MILNE (Tasmania—Leader of the Australian Greens) (15:14): Mr Acting Deputy President, I seek leave to make a short statement to note Senator Brandis's reply.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Senator Milne, you may seek leave to do that. The Clerk has advised me, though, that there is a further opportunity for you to pursue this matter if you would like to. But I will put the question to the Senate. Is leave granted?

Senator Abetz interjecting—
The ACTING DEPUTY PRESIDENT: Leave is granted for two minutes, Senator Milne.

Senator MILNE: Thank you, Mr Acting Deputy President. I appreciate that and I thank the Senate on this occasion. Sam Rainsy is the leader of the opposition in Cambodia. An election was held on 13 July last year. Subsequent to that, many irregularities in the election were identified. However, since the period to which Senator Brandis refers, there has been a complete breakdown in negotiations between the government and the opposition in Cambodia to actually resolve those election irregularities. That is why there has been a call for the international community to step up efforts to put pressure on Prime Minister Hun Sen to now reform the electoral commission. That is, the United Nations Special Rapporteur came out and said that, firstly, the electoral commission should be reformed and that an independent electoral commission be run. Secondly, there needs to be an international investigation into the election irregularities, ensuring that there is in fact an early election in Cambodia following the reform of the electoral commission.

So, whilst I thank Senator Brandis and the minister for that further information, it implies that the Australian government is going to stand by and allow this stalemate to continue. We need to ensure that we have intervention. There is now a growing body of opinion around the world that there should be an independent investigation. I call, again, on the government to take a leading role in the same way that Australia took a leading role in the Paris Peace Accord in 1991. Australia has very strong role to play in furthering the democracy of Cambodia. I would urge the minister to meet with Mr Rainsy while he is in Australia at the moment.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Australian Water Holdings

Senator WONG (South Australia—Leader of the Opposition in the Senate) (15:16): I move:

That the Senate take note of the answers given by the Minister for Employment (Senator Abetz) to questions without notice asked by Opposition senators today.

There are so many legitimate unanswered questions about the Prime Minister's knowledge of the issues which have been ventilated in this place and also before the Independent Commission Against Corruption in relation to Senator Sinodinos's dealings. Let us recall what occurred today.

Over the last two days the coalition government has chosen to do everything in its power to prevent Senator Sinodinos answering questions or providing information to the Senate on the allegations and facts which have been ventilated in the Commission Against Corruption hearing. We saw that yesterday, when questions were refused to be answered and points of order were taken. We saw that this morning when the government went through extraordinary procedural shenanigans in order to avoid having to have Senator Sinodinos attend the chamber, as per an order of the Senate, to provide a statement. This is not an abstract discussion. This is in the context of some very serious allegations of corrupt behaviour in relation to Australian Water Holdings, which have been put on the public record before the Commission Against Corruption. I refer senators to my discussion earlier today about some of
those matters and how Senator Sinodinos's previous statement to the Senate did not adequately address the facts which have subsequently been put on the public record.

Today we saw the Minister representing the Prime Minister being asked a number of questions about the state of the Prime Minister's knowledge when he appointed Senator Sinodinos to the ministry—what he knew about Senator Sinodinos's dealings, as both director and chair of Australian Water Holdings; whether he knew that his minister stood to gain a personal benefit of $10 million to $20 million, described as a 'payday' in the Commission Against Corruption; and whether he knew, in particular, about donations provided to the Liberal Party, which were Sydney Water money being funnelled through Australian Water Holdings.

These are legitimate questions and Senator Abetz was not able to answer them. Whilst I appreciate he was in his representative capacity, I would make the point that these are matters which have been on the public record for a period of time. One would have thought that he could have been briefed but, more importantly, I make this point: questions have been asked for months about Senator Sinodinos's appointment to the ministry. I recall a lot of commentary about why it was that Senator Cormann was appointed to cabinet and not Senator Sinodinos, as had previously been touted. Why was it that, out of the potential list of, I think, 30, Senator Sinodinos was in fact the last on that list when he was, as those opposite have continued to assert, a man of great capacity?

That gave rise to the question as to whether there were reasons why it was that the Prime Minister chose to not only not put him in the cabinet and to prefer Senator Cormann but put him so low down in order of precedence. Those questions have been raised. The Prime Minister himself has said that there was no cloud over Senator Sinodinos.

Given that backdrop, it is somewhat surprising that the Prime Minister's representative in this place cannot answer legitimate questions about what the Prime Minister knew when. What I would say to this chamber is this: it is reasonable for the Australian people to know the answer to a number of questions. They are entitled to know what the Prime Minister knew about Senator Sinodinos's activities, dealings and conduct at AWH at the time he made the decision to appoint him to the ministry. They are entitled to know if the Prime Minister took appropriate steps to consider whether or not Senator Sinodinos ought be appointed to the station of minister in the light of those facts. The Prime Minister may well have made proper inquiries and he may well have come to a view. I think, given the circumstances that we have seen in the last 72 hours, it is incumbent on the Prime Minister to explain that. (Time expired)

Senator RYAN (Victoria—Parliamentary Secretary to the Minister for Education) (15:21):
I have only been here just under six years but I never cease to be amazed at the gall of those opposite. Whether it is on this side of the chamber or the other, all the contrived and confected outrage of Senator Wong, Senator Conroy, Senator Carr and various imitators of Statler and Waldorf cannot hide the profound duplicity of the Labor Party. I should add that it is not just those opposite; it is their Greens cousins down the corridor here. We sat in this chamber for the last few years and witnessed nothing less than a protection racket Tony Soprano would have been proud of. It was a protection racket to protect one of their own in the other place—a racket to protect Craig Thomson, who is now awaiting sentencing. The Labor Party and the Greens voted to prevent information that was presented in camera to a Senate committee getting to the Australian public. We knew what was in it because we could
sit in those committees, Senate or joint. You knew what it was because some of you knew what it was like beforehand, and what he was like before he got here. Yet you have the gall to come in here and criticise someone else through sledging, slurring and making unfounded allegations. The Labor Party has absolutely no credibility on these matters.

The New South Wales ALP is so debased that the best people can do now is to come into this chamber to defer and deflect attention from the fact that a former ALP national president has been convicted and is going to jail and a former one of their parliamentary party is awaiting sentencing. So the best they can do in true Labor style is to sledge and to slur. At no point, as Senator Brandis and Senator Abetz have outlined, has there been an accusation of illegality or corruption. They stand behind 'We are just asking questions'—questions they would not let be asked about their own colleagues; questions they would not let be asked about Craig Thomson. They are asking questions in this chamber but they prevented information going to the Australian public about Craig Thomson, and they knew what it was: the unprecedented corruption in the Health Services Union; the use of members' money that has been found to be illegal. And they come in here and complain about an upstanding contributor to public life such as Senator Sinodinos with all the contrived and confected outrage that only a racketeer could muster. The Labor Party has become nothing more than a corrupted cabal of cronies where all the people opposite come here representing part of an alphabet soup because their union shareholders own a seat on those benches. When they are in office they launder money by giving it to the trade unions through training funds which then flow back to the Labor Party in donations and employment of organisers that campaign in seats. They have the gall to criticise people that have made a contribution to the private sector.

If I could turn to Senator Sinodinos, as Senator Abetz has said, his decision is one we regret but respect. As the Prime Minister has said this afternoon in the other place, it reflects the best and most honourable of Westminster traditions and this is the sign of the character of a man who has given our country such faithful service. Today Senator Sinodinos's actions point out the emptiness and the hollowness of the Labor Party. We sat here and witnessed the Labor Party protect their own because power is all they care about. I have seen them hand over $10 million to the Trade Union Training Authority, which then means that unions do not have to pay for training like every other business does. They are free then to employ more people or make more donations or pay higher affiliation fees or, dare I say it, get more hotel movies and more after executive committee entertainment.

The Labor Party by its attack on Senator Sinodinos has shown up its own failings—the fact that it has no standards, the fact that all it has is the ability to sledge and to slur, the fact that it seeks to hold other people to standards to which it will not hold itself. I notice Senator O'Neill shaking her head. The only thing a member of the New South Wales ALP should do is to bow their head, because it is the most corrupted organisation in the history of Australian political parties—

*Opposition senators interjecting—*

**The ACTING DEPUTY PRESIDENT (Senator Bernardi):** Order! Senators on my left, interjecting is disorderly.

**Senator Ryan:** and the best it can do is to sledge. It is a sign of the character of the man and the Labor Party has been found wanting.
Senator KIM CARR (Victoria) (15:27): Today we had a situation where the Leader of the Government had to be reminded of what his responsibilities were to this chamber and to represent the Prime Minister and on behalf of the government be accountable to this chamber when it came to very basic questions about what the Prime Minister knew about the details surrounding the operations of Australian Water Holdings, and in particular the operations of Australian Water Holdings when the Assistant Treasurer had in previous arrangements been the chairman of that company and simultaneously Treasurer of the Liberal Party and later President of the Liberal Party in the state of New South Wales—situations which have now come to light as a result of proceedings in ICAC which we have seen reveal quite extraordinary developments.

I notice that Senator Macdonald is with us today. Senator Macdonald has been able to offer us all advice on what he saw as the Prime Minister and his chief of staff, Peta Credlin, enforcing 'a culture of obsessive centralised control phobia'. I quote from the Sydney Morning Herald of 4 December last year. They were out of touch with voters, according to Senator Macdonald, who had shown that the government of this country had come to the points of centralisation where every staff appointment from every backbencher, every committee appointment, every ministerial appointment, every parliamentary committee appointment into cabinet and other actions within the Liberal Party and the National Party were being determined by a vetting process made in the name of the Prime Minister but by the chief of staff of the Prime Minister. So on the very point of the Assistant Treasurer's appointment to the ministry, the question arose: what did the Prime Minister actually know of the circumstances surrounding the events in New South Wales and the corrupt activity of Australian Water Holdings? This was a question that was asked on 16 September, the very day of Senator Sinodinos's appointment to the ministry.

Mr Abbott made it clear that, as far as he was concerned, there was absolutely no cloud whatsoever over Senator Sinodinos. We simply ask this question: what did the Prime Minister do to satisfy himself—or, more importantly, what did the Prime Minister's chief of staff do to satisfy herself—that Senator Sinodinos was a man able to fulfil the role of Assistant Treasurer given the circumstances that have now been revealed at ICAC? In February of last year Senator Sinodinos put forward a proposition that he was the director of a company which had been surrounded by the stench of corruption. We know that he was the director of Australian Water Holdings for two years. He claimed to the Senate that he had no knowledge of the involvement of the Obeids in that company. He was shocked, he said, when he discovered this. He said he had no knowledge about the capacity of this company to divert donations to the Liberal Party when he was the treasurer of the Liberal Party. So the chairman of the company, the treasurer of the Liberal Party, knew nothing about the operations of the company and knew nothing about the fact that the Obeids actually owned one-third of the company at the time.

We have, as I said, an obsessive, centralised control and phobia in this government, yet the Prime Minister did not choose to establish the facts in this matter prior to the appointment of Senator Sinodinos. So I can understand why Senator Macdonald would be unhappy about the circumstances. I can understand why, faced with the circumstance where he was not able to secure a place on the frontbench, he might feel a little aggrieved at what is going on, just as many Liberal-National senators and members of the House of Representatives are very
aggrieved that the vetting of staff in members' offices is being conducted by the chief of staff of the Prime Minister. You have to ask yourself this question: why was this situation allowed to develop when there is this level of centralised control within the government? I am sure that there are many senators in this chamber—(Time expired)

Senator IAN MACDONALD (Queensland) (15:32): I commence my contribution by indicating that I totally support and agree with the comments of the Prime Minister when he said:

Senator Sinodinos has done the right and decent thing … as you'd expect from someone who has given our country such long and faithful service.

He continued:

I look forward to his restoration to the ministry.

I think every fair-minded senator in this chamber would agree with those comments from the Prime Minister.

Labor has this confected outrage about the Obeid family. I say to the Labor Party senators: if you have a problem with Mr Obeid, if you want to know what he did with his money, if you want to know who he 'imposed upon'—if I can use those words—to get favours for his company, there is no-one better to ask than yourselves, because, after all, Mr Obeid was a Labor member of parliament. He was a colleague of many of those opposite. Senator O'Neill, who is to follow me, was a colleague of Mr Obeid's. She would have been subjected to the influences of the Obeid family.

We know that Senator Conroy was very close to the Obeid family because he actually stayed in their chalet for a night or two. Mr Tony Burke, a former senior member of the Gillard and Rudd governments, also shared in Mr Obeid's largess. Senator Cameron gave my namesake, the New South Wales Labor Ian Macdonald, a reference for Mr Obeid's preselection. If Labor senators want to know about the Obeid family, why doesn't Senator Cameron ask the other Ian Macdonald from New South Wales Labor all about them? He was obviously very much involved with Mr Obeid.

I noticed a rather interesting article in The Sydney Morning Herald by Ms Jacqueline Maley. She said:

The Labor Party has a surplus of corporate knowledge in the anti-corruption inquiry "space". In recent years the appearance of one of its MPs before the Independent Commission Against Corruption has been such a regular occurrence it has almost become a comfort - a reminder that, even in this crazy, fast-paced world of ours, some things can always be counted on: death, taxes, and the strong civic interest colourful Labor characters take in the awarding of mining and water licences.

I think that sums it up very well. Ms Maley also drew our attention to the fact that the only Labor person who has actually called upon Senator Sinodinos to resign is Mr Kelvin Thomson, whose own credibility is somewhat circumspect when you recall that it was he who admitted providing a reference for the Melbourne crime figure Tony Mokbel.

The Labor Party come in here with these false accusations, trying to defer attention from the union movement—into which here is shortly to be a royal commission—and from many union officials. I would have thought the Labor Party would be more interested in pursuing this story where the Newcastle Trades Hall secretary said in the recent 'march in March' protest that Qantas boss Alan Joyce 'should be shot somewhere in the back of the head'. I
would have thought that if the Labor Party were interested in standards and proper public activities in this country they would be calling upon the Trades Hall secretary in Newcastle to withdraw that or to explain himself. This is an absolutely outrageous thing to say. This is the Labor Party, of course.

*Senator Lines interjecting—*

**Senator IAN MACDONALD:** Senator Lines is only in the chamber because of people like the New South Wales Trades Hall secretary who show that sort of bile in a public forum. You can understand why the Labor Party so protect the union movement. It is because every single one of their senators is here thanks to the efforts of the union movement. Without the union movement, they would not be here. So they should get real. If they want to have an inquiry, why don't they have a look at the Trades Hall secretary in Newcastle?

**Senator O'NEILL** (New South Wales) (15:36): What a sight we have seen here today. In fact, I probably should not call it a sight, because we have not really seen what we should have seen. Instead, we have been treated to a minister in hiding—no less than the Assistant Treasurer of Australia. While this place was trying to get answers to some very simple questions about the senator's former business dealings, he could not even present himself to this chamber. Then on the cusp of question time—at 1.58—he disappeared again, but this time from the front bench. He was minister no more. That was without a good question being answered and without any indication of a fulsome explanation of the gap between what he has put on the record in this place and what is now emerging in the public place.

To disrespect the Senate in that way is a shameful indication of the modus operandi of those who are running this government. There has been no statement given and there has been no accountability to this chamber. That is a failure of the government to own up to the responsibility they have. Now that they are those opposite are in government and they are the ministers, they deserve to respond to this house. It is a fair and reasonable expectation. Instead, what we are seeing are dodgy deals done behind closed doors with the Prime Minister and his chief of staff.

'Command and control' is a term that we have heard used by this government, but in fact the command and control central has been operating out of the Prime Minister's office. It is well-documented in the media. I stand here this afternoon finding it very difficult to believe that the determination was for Senator Sinodinos to put the shutters down, to run and to hide from the scrutiny of the Senate, and to do it in such sneaky and unparliamentarily way at 1.58—just before question time.

Now, further, he has made his colleague Senator Abetz come in here, take questions and respond for him. I am here to take note of answers, but really we cannot take note of answers because today we have seen—one again—a failure by this government to give answers in the manner that is the custom of this place and the expectation of the people of this nation. We on this side are trying to get answers from Senator Abetz, the Leader of the Government in this place, about why Senate Sinodinos did not get the job of Minister for Finance after the election. What did Tony Abbott know as far back as September last year about the dodgy deals of Senator Sinodinos?

In the press today, we have seen an article by Mark Kenny, who asks the questions. These are the sorts of questions that the public—
Senator Fifield: I rise on a point of order. Senator O'Neill was reflecting on a colleague. She referred to dodgy deals by Senator Sinodinos. No Labor senator, to this point, has made any allegation against Senator Sinodinos. So are you the first, Senator O'Neill, to do so? You may want to consider what you have said and withdraw.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): I would ask Senator O'Neill to consider those remarks and do what she considers is appropriate.

Senator O'NEILL: I think, with respect, that Senator Fifield has actually connected two completely different paragraphs in his conflation of those points.

The ACTING DEPUTY PRESIDENT: Senator O'Neill, perhaps there might be another way in which you could word those previous comments.

Senator O'NEILL: I am going to say that there are many concerns in the public place about dodgy deals going on behind the scenes in many contexts. The scrutiny of the government has to be observed at the highest standard. Concerns are being expressed in the public place which are well represented in articles today by Mark Kenny in the Canberra Times and also by Norman Abjorensen. They want to know. Norman Abjorensen says, 'Answers are required from this charming man.' Mr Mark Kenny argues, 'Is Abbott's pass over of Sinodinos becoming clearer?'

These questions about the uncertain nature of why Senator Sinodinos—who was expected to take the finance portfolio—was given the position of Assistant Treasurer, have been lingering in the public place for a long time. It really makes us question, once again, what we know. When did the Prime Minister actually know and have concerns about some of the issues that are now being debated in the public place? But, sadly, we are not able to get a response here in the chamber?

It is hard to think that somebody would not have tapped the Prime Minister on the shoulder at some stage and raised his awareness about the minister being a director on the AWH board and funnelling money into the Liberal Party. Surely somebody knew and raised this question with the Prime Minister. But it seems it is not enough to stop someone from entering the ministry of a Liberal government. If it comes to public attention, their response is simply to hide, to cover up, and to then demote them out to the side for a short period of time. So, we will see.

Those opposite and Senator Abetz have made much about the importance of ministerial conduct, but the really serious questions that have faced this government are the standards of ministerial conduct by Senator Nash and now Senator Sinodinos, who has stepped aside while the inquiries of the Independent Commission Against Corruption are underway. (Time expired)

Question agreed to.

Racial Equality

Senator WRIGHT (South Australia) (15:43): I move:

That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator Wright today relating to proposed changes to the Racial Discrimination Act 1975.
Along with many stakeholders who have been working hard to strengthen ethnic communities and to protect people's rights in Australia, I want to see the details of the Attorney-General's proposed changes to the Racial Discrimination Act. That is because we have certainly heard a lot about them since 2011, when the Andrew Bolt case was handed down by the Federal Court.

These changes have been on the coalition's agenda for a considerable amount of time now, at the behest of Andrew Bolt and the Institute of Public Affairs. The repeal of section 18C of the Racial Discrimination Act is one of their radical ideas to transform Australia. We can see that the coalition government is working systematically through that list.

Since 2011, when the Federal Court determined that Mr Bolt had breached section 18C of the Racial Discrimination Act, which covers behaviour that offends, insults, humiliates or intimidates a person because of their race, colour, national or ethnic origin, these changes have been mooted by Senator Brandis. And, in the midst of the faux outrage on the part of Andrew Bolt and his barrackers about the court's decision, let us recall what the court actually found. They found that Mr Bolt's articles were written with inaccurate facts and not written in good faith. They found that he breached that section of the Racial Discrimination Act. There is no doubt that Mr Bolt has a very loud voice, and a significant platform from which to vociferously express his own personal views and opinions. The suggestion that there is a limitation on Mr Bolt's ability to get his message out would seem a bit laughable, as his are columns syndicated in Mr Rupert Murdoch's various News Limited newspapers, and he has his own television program. He also has some very powerful friends, as the current debate indicates.

Maybe today is an opportunity to share with those who are listening some of the stories heard from people who are coming to me and appealing to have those laws preserved—because they have personally, and often on a daily basis, experienced the mischief, the discrimination, the humiliation and the vitriol, with corrosive effects on their health and sense of wellbeing in Australia. Indeed, that is one of the only positives that has come out of this proposal, which is hanging over some of the most vulnerable people in society—that is, the way in which various groups have come together and spoken with one voice in vehement opposition to the changes to these laws. They are groups from diverse religious and ethnic backgrounds, including Australia's first peoples, and people from the Greek, Chinese, Jewish, Arab, Armenian and Korean communities, among others. They have all said very clearly that they do not want this amendment to the Racial Discrimination Act that is being proposed by Senator Brandis. They do not want to see, in Australian society, a licensing of public humiliation against people because of their race. And that is because there is so much at stake here.

We know there is clear evidence that exposing people to racist abuse causes real damage. There is evidence that behaviour like this harms not only individual victims but also society as a whole. Section 18C was introduced 19 years ago in response to a critical mass of evidence, calling for such protection against racial abuse. It was not an authoritarian whim; it was a thoughtful response to bodies of work including the Royal Commission into Aboriginal Deaths in Custody, the National Inquiry Into Racist Violence, and the Australian Law Reform Commission's investigation into Multiculturalism and the Law—all of which recommended that protections against racist abuse should be enhanced. Thus, we ended up with section 18C
of the Racial Discrimination Act. The Australian Greens support freedom of speech as a fundamental human right but, as with many other human rights, it needs to be balanced. It is certainly balanced in other areas of Australian society, including in protections against defamation.

The Australian Greens are hearing the voice of the community on this issue. We have a strong track record on human rights, including a commitment to freedom of expression. On the issue of affording people protection from discrimination, we will stand strong against the licensing of racial hate. We will not be party to a weakening of protections of some of the most vulnerable people in Australia, and we will not be party to the passage of the bill which is going to be put forward in the Senate by the Attorney-General, Senator Brandis, and in the House of Representatives—which we are proposing should probably be characterised as the Protection of Andrew Bolt Bill.

Question agreed to.

NOTICES
Presentation

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:48): I give notice that, on the next day of sitting, I shall move:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:
- Civil Aviation Amendment (CASA Board) Bill 2014
- Farm Household Support Bill 2014
- Farm Household Support (Consequential and Transitional Provisions) Bill 2014
- Quarantine Charges (Collection) Bill 2014
- Quarantine Charges (Imposition—Customs) Bill 2014
- Quarantine Charges (Imposition—Excise) Bill 2014
- Quarantine Charges (Imposition—General) Bill 2014.

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

Leave granted.

The statements read as follows—

STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2014 AUTUMN SITTINGS

FARM HOUSEHOLD SUPPORT BILL 2014
FARM HOUSEHOLD SUPPORT (CONSEQUENTIAL AMENDMENTS) BILL 2014

Purpose of the Bill
These bills will establish the Farm Household Allowance (FHA) and amend related legislation to provide for financial assistance to farmers and their partners who are experiencing financial hardship. They provide a time-limited payment and support to help them improve their situation.

The bills will also repeal the Farm Household Support Act 1992 to remove redundant provisions, including provisions relating to the Exceptional Circumstances Relief Payment (ECRP).
Reasons for Urgency

Introduction and passage in the 2014 Autumn sittings is required to allow commencement of the FHA no later than 1 July 2014. The FHA is the Australian Government’s key commitment under the Intergovernmental Agreement on National Drought Program Reform (IGA), agreed on 3 May 2013, and was announced in the 2013–2014 Budget. The IGA requires that programs forming part of National Drought Program Reform, including the FHA, are to be implemented prior to or on 1 July 2014.

The FHA will replace the existing ECRP and Transitional Farm Family Payment (TFFP). The Department of Human Services (DHS) has undertaken considerable work on the Information Technology (IT) system to administer the FHA. Any changes to the settings as a result of the legislative process will need to be included in the IT system.

Passage of the bill in the 2014 Autumn sittings will allow the Government to make the FHA available to farmers in hardship, which would coincide with the expiration of TFFP. Without passage of this legislation in the Autumn sittings, the existing Exceptional Circumstances (EC) arrangements will remain in place, requiring an EC declaration in order for assistance to flow to affected farmers.

Given climatic conditions are deteriorating in some states, in particular Queensland and New South Wales, it is essential that the Government can provide financial support to farmers and their partners in hardship, whether it is caused by drought or other circumstances.

STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2014 AUTUMN SITTINGS

QUARANTINE CHARGES (COLLECTION) BILL
QUARANTINE CHARGES (IMPOSITION – GENERAL) BILL
QUARANTINE CHARGES (IMPOSITION – CUSTOMS) BILL
QUARANTINE CHARGES (IMPOSITION – EXCISE) BILL

Purpose of the Bills

The purpose of the bills is to enable the imposition and collection of charges associated with operating Australia’s biosecurity and quarantine imports system. Specifically it will enable cost recovery of services that provide general benefits to users of the biosecurity system.

It is important to note that this action will not lead to any change to the quantum of charge imposed on clients. Rather, the legislation will ensure that quarantine and biosecurity cost recovery arrangements are consistent with the Australian Government Cost Recovery Guidelines.

Reason for Urgency

Introduction and passage during the 2014 Autumn sittings is required to ensure that Australia’s biosecurity imports system is supported by an appropriate cost recovery structure. The risk based operating model that underpins biosecurity services has shifted the emphasis from high rates of direct intervention (funded through fees for service) to targeted interventions informed by risk assessments and supporting information (derived from compliance history, intelligence, assessments, surveillance and audit programs). These supporting services benefit users of the system generally and are not adequately cost recovered through a fees-for-service model.

The bills will provide the appropriate legislative basis to recover costs associated with biosecurity services that provide broad benefits to users of the biosecurity system. The legislation will complement the existing fee-for-service cost recovery mechanism and support Australia’s capacity to manage biosecurity risks into the future.

The amount of the charges will be detailed in subordinate legislation. Three fees for service will be converted to charges under this legislation.
STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2014 AUTUMN SITTINGS
CIVIL AVIATION AMENDMENT (CASA BOARD) BILL 2014

Purpose of the Bill
The Bill amends the Civil Aviation Act 1988 (the Act) to give effect to the Government's commitment, announced on 30 August 2013 in the Coalition's Policy for Aviation, to expand the membership of the Civil Aviation Safety Authority (CASA) Board by two members and allow for more aviation experience on the Board.

The Bill would also make minor amendments, consequential to the expansion of the Board, to increase the number of Board members required to constitute a quorum at a Board meeting and to increase the number of Board member requests required to call an ad hoc Board meeting.

Reasons for Urgency
The Government expects to receive the report of the Independent Aviation Safety Regulation Review in May 2014.

It is important therefore that the expanded and strengthened CASA Board be in place and stand ready to implement the Government's response to the Review. This response will include the Government issuing a new Statement of Expectations to CASA, establishing a new strategic direction for the Board.

Accordingly, the Government requests that this Bill is debated and achieves passage through both Houses during the current Autumn sitting period.

If the Bill is not introduced into the Senate until the Winter sitting period, the process for strengthening the Board's aviation experience would be unnecessarily delayed.

This delay would result in a situation where the new Board would not be in place before the commencement of the next financial year when the new strategic direction for CASA is intended to take effect.

Senator Carr to move:

Senator Wright to move:
That the Senate—

(a) notes the 2014 Resilient Youth Australia survey’s findings, that 34 per cent of girls and 28 per cent of boys in years 7 to 12 feel constantly under strain and unable to overcome difficulties;

(b) affirms that every school student in Australia should be able to access the tools to develop emotional resilience; and

(c) calls on the Commonwealth Government to:

(i) facilitate nationwide monitoring of adolescents’ emotional resilience and wellbeing, and

(ii) ensure every school provides an environment conducive to students’ wellbeing, including access to qualified mental health support personnel, to support school students during adolescence.

Senator Edwards to move:
That the Declaration of ‘corresponding State laws’ under subsection 7(1) of the Research Involving Human Embryos Act 2002 be disallowed.
Senator Singh to move:
That the following bill be introduced: A Bill for an Act to amend the Privacy Act 1988, and for related purposes. Privacy Amendment (Privacy Alerts) Bill 2014.

Senator Di Natale to move:
That the Senate—
(a) notes proposals by the Abbott Government to repeal the provisions of section 18C of the Racial Discrimination Act 1975 which provide protections against racial vilification;
(b) commends the words of the Member for Hasluck, Mr Ken Wyatt, who said he did not support repeal of these provisions because ‘Australia has come a long way in the last 30 or 40 years and what I wouldn’t like to see is a regression that allows those who have bigoted viewpoints to vilify any group of people’ and ‘I support the whole concept of free speech, but I think there are boundaries that you have to draw and this is one of them’; and
(c) reaffirms its strong stance against racial vilification.

Senator Williams to move:
That the Environment and Communications Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 26 March 2014, from 5 pm to 6 pm, to take evidence for the committee’s inquiry into Australia Post.

Senator Siewert to move:
That the Senate notes the upcoming Western Australian by-election will have significant implications for the people and the environment of Australia in the face of the Abbott Government.

Senators Macdonald, O’Sullivan, Boswell, Eggleston and Back to move:
That the Senate—
(a) notes:
(i) the plight of the pastoral industry in Northern Australia, exacerbated by the drought, other natural disasters and the live cattle export ban, 
(ii) that the Assistant Treasurer (Senator Sinodinos) met with a representative gathering of pastoralists in Charters Towers last Monday, 10 March 2014; 
(b) congratulates the Government on the drought package which will provide some relief to the northern beef cattle industry; and
(c) urges the Government to seriously address the ongoing issues which impact on the future of the northern beef cattle industry.

Senators Siewert and Peris to move:
That the Senate—
(a) acknowledges that:
(i) 20 March is National Close the Gap Day, and
(ii) the gap in life expectancy and health outcomes between Aboriginal and non-Aboriginal people remains unacceptable;
(b) notes that in their 2014 report the Close the Gap Steering Committee called for:
(i) the implementation and monitoring of a comprehensive National Action Plan on health,
(ii) meaningful partnerships between Indigenous and non-Indigenous communities and health services,
(iii) improvements to Indigenous participation, control and delivery of health services,
(iv) a commitment to provide adequate and long-term financial resources, including strengthening of the Indigenous health workforce, and
(v) the need to address critical social issues that impact on Indigenous health, including poor housing, nutrition, employment and education; and
(c) urges the federal, state and territory governments to continue to work together to achieve these important outcomes.

BUSINESS
Leave of Absence

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:50): by leave—I move:
That leave of absence be granted to Senator Ludlam from 19 March to 20 March 2014 on account of electorate business.
Question agreed to.

Days and Hours of Meeting

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:51): I move:
That—
(a) if by 8 pm on Thursday, 20 March 2014, the following bills have not been finally considered:
Clean Energy Legislation (Carbon Tax Repeal) Bill 2013
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment (Carbon Tax Repeal) Bill 2013
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment (Carbon Tax Repeal) Bill 2013
True-up Shortfall Levy (General) (Carbon Tax Repeal) Bill 2013
True-up Shortfall Levy (Excise) (Carbon Tax Repeal) Bill 2013
Customs Tariff Amendment (Carbon Tax Repeal) Bill 2013
Excise Tariff Amendment (Carbon Tax Repeal) Bill 2013
Clean Energy (Income Tax Rates and Other Amendments) Bill 2013
Minerals Resource Rent Tax Repeal and Other Measures Bill 2013,
the Senate shall not adjourn, the routine of business from not later than 8 pm shall be government business only, and the Senate shall continue to sit until it has finally considered these bills, or a motion for the adjournment is moved by a minister, whichever is the earlier; and
(b) divisions may take place after 4.30 pm.
I seek leave to make a short statement.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Leave is granted for one minute.

Senator FIFIELD: This motion seeks to provide the opportunity for the carbon and mining taxes repeal bills to be put to a vote this week in the Senate. Australians have made their opinion on these taxes overwhelmingly clear at the federal election last September. I
think it is incumbent on those opposite to cease to defy the will of the Australian people. I understand those opposite are obviously keen to postpone a vote on these two packages of bills until after the Western Australian Senate election. I think it is important to note that these bills, in particular the carbon tax package, commenced debate in early December 2013—that is, last year. It is high time that these bills came to a vote and supporting this motion would provide the opportunity for these two sets of bills, upon which the Australian people have clearly expressed a view, to be voted on.

**Senator MILNE** (Tasmania—Leader of the Australian Greens) (15:52): I seek leave to make a short statement.

**The ACTING DEPUTY PRESIDENT (Senator Bernardi):** Leave is granted for one minute, Senator Milne.

**Senator MILNE:** I just want it noted that it was the government who removed the clean energy package, particularly the carbon pricing legislation, from debate and replaced it with the mining tax package. We were in the committee stage and we are at the point of being able to vote on the bill. So there is no need to support this; just put it back on and it will be voted on.

**The PRESIDENT:** The question is that government business notice of motion No. 1 standing in the name of Senator Fifield be agreed to.

The Senate divided. [15:57]

(The President—Senator Hogg)

| Ayes | 29 |
| Noes | 34 |
| Majority | 5 |

**AYES**

Abetz, E  
Bernardi, C  
Brandis, GH  
Cash, MC  
Edwards, S  
Fawcett, DJ  
Fifield, MP  
Kroger, H (teller)  
Madigan, JJ  
McKenzie, B  
O’Sullivan, B  
Ruston, A  
Scullion, NG  
Sindinos, A  
Williams, JR  
Back, CJ  
Birmingham, SJ  
Bushby, DC  
Colbeck, R  
Eggleston, A  
Fieravanti-Wells, C  
Heffernan, W  
Macdonald, ID  
Mason, B  
Nash, F  
Payne, MA  
Ryan, SM  
Seselja, Z  
Smith, D  

**NOES**

Bilyk, CL  
Brown, CL  
Carr, KJ  
Conroy, SM  
Di Natale, R  
Bishop, TM  
Cameron, DN  
Collins, JMA  
Dastyari, S  
Farrell, D  

---

**CHAMBER**
Senator WATERS (Queensland) (16:00): I move:

That the Senate—

(a) notes:

(i) recent revelations of threats to water from the unconventional gas industry, including water contamination with uranium at 20 times the safe level, at coal seam gas company Santos’ Pilliga operations,

(ii) recent reports of contamination of groundwater by asbestos contained in drilling fluids at Origin’s coal seam gas operations in Queensland, and

(iii) the important role of the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development in advising on project impacts and conducting bioregional groundwater assessments; and

(b) calls on the Federal Government to:

(i) not issue any further approvals for unconventional gas mining under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act),

(ii) suspend all existing unconventional gas approvals,

(iii) maintain the funding for the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development,

(iv) expand the federal protection for water under the EPBC Act to include shale gas and tight gas mining, and

(v) retain federal powers to protect water from coal seam gas, rather than seeking to delegate these to state governments.
The ACTING DEPUTY PRESIDENT (Senator Bernardi): The question is that notice of motion No. 182 moved by Senator Waters be agreed to.

The Senate divided. [16:01]

(The Acting Deputy President—Senator Bernardi)

Ayes ...................... 9
Noes ........................ 36
Majority ................... 27

AYES
Di Natale, R
Madigan, JJ
Rhiannon, L
Waters, LJ
Wright, PL
Hanson-Young, SC
Milne, C
Siewert, R (teller)
Whish-Wilson, PS

NOES
Back, CJ
Bilyk, CL
Brown, CL
Cameron, DN
Edwards, S
Farrell, D
Fawcett, DJ
Fawcett, DJ
Gallacher, AM
Lines, S
Lundy, KA
McEwen, A (teller)
McKeanie, B
Moore, CM
O’Neill, DM
Peris, N
Ruston, A
Singh, LM
Tillem, M
Bernardi, C
Bishop, TM
Bushby, DC
Dastyari, S
Eggleston, A
Faulkner, J
Fuer, ML
Farrer, H
Ludwig, JW
Marshall, GM
McKenzie, B
Nash, F
O’Sullivan, B
Polley, H
Scullion, NG
Sterle, G
Williams, JR

Question negatived.

Building and Construction Industry

Senator RHIANNON (New South Wales) (16:03): I seek leave to amend general business notice of motion No. 180 standing in my name as circulated in the chamber.

Leave granted.

Senator RHIANNON: I move the motion as amended:

That the Senate—

(a) notes that:

(i) a number of serious safety breaches have occurred on Sydney commercial construction sites over the past 18 months, including the Barangaroo fire, the tower crane fire at the UTS building and the collapse of scaffolding at Mascot,
(ii) the increasing numbers of contractors and sub-contractors employed on large construction projects has been linked to insufficient control over safety practices,

(iii) WorkCover NSW has significantly scaled back its enforcement actions to protect working people’s safety in both the construction sector and more generally across New South Wales, and

(iv) the historic role construction unions played in winning support for occupational health and safety legislation and their ongoing role in promoting workplace safety;

(b) supports the call of unions for an urgent safety audit of major construction sites across Sydney; and

(c) urges the New South Wales Minister for Finance and Services, Mr Andrew Constance, to initiate this audit and allocate extra resources as required for the quick completion of this task.


The ACTING DEPUTY PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: Thank you, Mr Acting Deputy President. The coalition believes that this is rightly a matter for the New South Wales government and not a matter for the Senate. WorkCover in New South Wales, last week, launched a six-week work health and safety blitz of commercial construction sites across Sydney and of hotspots in regional New South Wales. WorkCover inspectors are already visiting sites across the CBD, greater Sydney metropolitan area and regional centres to check that companies are complying with construction health and safety requirements to ensure the work health, safety and wellbeing of workers and the community. We would encourage anyone with concerns about safety on construction sites in New South Wales to contact WorkCover.

Senator RHIANNON (New South Wales) (16:04): I seek leave to make a short statement.

The ACTING DEPUTY PRESIDENT: Leave is granted for one minute.

Senator RHIANNON: This motion and the attitude of the coalition does provide a window into the ugly side of the coalition’s obsession with weakening unions. Weaker unions reduce the organised voice of working people standing up for job safety. The key role of Unions NSW and the CFMEU is to continue the work that they have done for many decades in trying to clear up dangerous job sites. The deaths on our construction sites certainly bear out why this work is needed and why we need unions to be able to ensure that we have safe job sites. Over the six years, from October 2007 to January 2014, 15 people died on construction sites. In just two years, from February 2012 to January 2014, nine people died on construction sites. The numbers are increasing. I congratulate Unions NSW and the CFMEU in calling for this audit.

Question agreed to.

Carers

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:06): I move:

That the Senate—

(a) notes:

(i) the launch of the Carers Australia report Defusing a Ticking Time Bomb on improving the quality and delivery of home care in Australia,

(ii) that carers provide over $40 billion in care each year, a cost that would otherwise be passed onto health, community and government services,
(iii) that Australia's care system is coming under increasing pressure, and
(iv) the health and wellbeing of a large proportion of the Australian community are dependent on the extent to which quality care can be administered in the home;
(b) acknowledges the critical role carers play in providing care in our community; and
(c) urges the Federal Government to review the report and develop a strategy to ensure better support for our carers.

Question agreed to.

South Sudan

Senator MILNE (Tasmania—Leader of the Australian Greens) (16:07): I, and also on behalf of Senator Singh, move:

That the Senate—
(a) notes the ongoing violent conflict in South Sudan;
(b) supports Australia's commitment of additional resources to the United Nations (UN) Mission in South Sudan and to UN efforts to bring peace and stability to South Sudan;
(c) supports an appropriate contribution by the Australian Government to promoting constructive dialogue between the various groups in the conflict; and
(d) calls on:
   (i) all parties to the conflict in South Sudan to:
      (A) immediately end armed conflict,
      (B) respect the mandate and neutrality of the UN mission, and
      (C) take measures to ensure the safety of all UN personnel, and
   (ii) the Australian Government to:
      (A) provide immediate humanitarian assistance to those at most serious risk, seeking the advice of the Australian South Sudanese communities about how best to target assistance, and
      (B) support and resource projects in Australia that address divisions in the South Sudanese Australian community and promote harmony and unity.

Question agreed to.

BILLS

Environment Protection and Biodiversity Conservation Amendment Bill 2014

First Reading

Senator LUDWIG (Queensland) (16:07): I move:

That the following bill be introduced: A Bill for an Act to amend the Environment Protection and Biodiversity Conservation Act 1999 and for related purposes.

Question agreed to.

Senator LUDWIG: I present the bill and move:

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

Question agreed to.

Bill read a first time.

Second Reading

Senator LUDWIG (Queensland) (16:08): I move:
That this bill be now read a second time.
I seek leave to table an explanatory memorandum relating to the bill.
Leave granted.

Senator LUDWIG: I table the explanatory memorandum and I seek leave to have the second reading speech incorporated in Hansard.
Leave granted.

The speech read as follows—

Introduction
Today I am introducing the Environment Protection and Biodiversity Conservation Amendment Bill 2014.

I am introducing this Private Senator's Bill because this Government has done nothing to protect our oceans, give certainty to business or respect our recreational and commercial fisheries.

This Bill will restore tough powers to the Environment Minister to act where new types of fishing operations seek to work in Australia and where uncertainty exists about their conduct.

It provides for a scientific process to occur for up to two years, providing for an expert panel to consider the impacts of the new venture if it is declared. This will provide the community, recreational fishers and business alike with the certainty for these declared activities to operate in Australian waters.

This legislation focuses on addressing uncertainty related to so-called 'super trawler' fishing vessels.

In short, this legislation will allow the government of the day to stop new super trawlers before they come to Australia – just as Labor did in office.

When Labor introduced sensible powers in September 2012 to act against new commercial fishing vessels the amendments were opposed by the Liberal and National Parties.

Yet only days ago the Prime Minister had the gall to say that "It was banned with the support of members on this side of the House". (House of Representatives, 4 March 2014)

In government Labor supported strong powers to protect the environment, respect the rights of recreational fishers and provide certainty to business.

The amendments give the government of the day the power to declare a particular type of fishing activity, where it has not been used in Australia previously and some uncertainty exists around it, to ensure proper and thorough expert scientific work is conducted.

This has been the case in the past when the Government moved to declare the activities that were proposed for the super trawler known as the FV Margiris or temporarily the FV Abel Tasman.

As the Government refuses to act to protect our fisheries, stand up for recreational fishers or provide industry any certainty then it is for Labor to act.

Removing the sunset provision
This Bill will remove a 12 month sunset provision bringing the new Chapter 5B of the Environment Protection and Biodiversity Conservation Act back into effect. By removing Division 4 of Part 15B, the Environment Minister's powers to respond to new commercial fishing operations will be restored, as it currently is subject to the sunset clause that is in effect at present.

The sunset clause, Division 4, was included in the amendments introduced by the Government in September 2012.

As then-Minister Burke said in his second reading speech to the Parliament, the twelve month sunset clause was in place because,
"By that time the root-and-branch review of the fisheries management processes should be in place, but we will have this legislation to be able to fill that gap in the interim" (Tony Burke, House of Representatives, 11 September 2012).

The root-and-branch review of the legislation was completed and a Government response was tabled in March last year. The sunset provision has operated from September 2013. This means that there is no power under the Environment Protection and Biodiversity Conservation Act for the Government to act to declare fishing activities, including fishing by super trawlers.

As the Government has failed to create new powers or take any action to implement the fisheries management review I am compelled to introduce this Bill and take action to protect Australia's oceans and fishers.

The Bill restores the powers still on the statute books:

- to enable the Environment Minister (with the agreement of the Commonwealth Fisheries Minister) to make an interim declaration that a fishing activity is a prohibited 'declared commercial fishing activity' while an expert panel assesses the potential environmental impacts of the activity;
- to enable the Environment Minister (with the agreement of the Commonwealth Fisheries Minister) to make a final declaration, for a period no longer than 24 months, that a fishing activity is a prohibited 'declared commercial fishing activity';
- to provide for the establishment of an expert panel in the case of the making of a final declaration and specify the terms of reference of the panel and its reporting date, with a requirement that a copy of the panel report be made publicly available;
- to provide for appropriate procedural fairness protections for 'declaration affected persons'; and
- to create civil penalty and offence provisions for engaging in a declared commercial fishing activity.

These measures are required to address the risk of new and future super trawlers or other new methods of commercial activity that have not previously been used in Australia.

It is a precautionary approach. It will better allow community and environmental groups, together with business, to work with a scientific expert panel to assess the true impacts of new and large scale fishing operations.

**FV Margiris**

The ability for a Minister to declare a particular fishing activity has been used in relation to a single vessel. Then-Minister Burke used this power to declare the fishing activities proposed by the FV **Margiris**, then named the FV **Abel Tasman**.

Subsequent declarations were made following sudden changes made by the company, which attempted to modify the vessel in response to the declaration made.

This legislation does not impact the on-going process in relation to the FV **Margiris**. Any expert panel convened under the legislation prior to the sunset clause coming into effect continues unchanged. Any report from such a panel will be a matter for government to respond to and manage in line with this Act and other related acts.

**AFMA protocols**

It would be prudent for the Government to take other actions to improve the management of new and proposed fishing activities.

The Department of the Environment and the Australian Fisheries Management Authority should establish protocols to better communicate between agencies.

As either becomes aware that a company is considering using a new and previously unused type of fishing vessel that might fall within the purview of this amendment then they should determine a process for alerting Ministers who may wish to take advice on activating these powers.
This, combined with the legislative powers, will allow for even greater certainty in Australia's fisheries management systems.

Finally, the Government response to the root-and-branch review should be implemented.

**Conclusion**

Australia has some of the best managed fisheries in the world. There is, however, a gap in the system in considering the powers of the Environment and Fisheries Ministers to consider new commercial fishing vessels before they arrive and begin to fish.

Given the Government has failed to act, it is sensible for these powers to be restored.

Labor is standing up for the oceans, recreational fishers and local businesses.

I commend the Bill to the Senate.

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

Leave granted; debate adjourned.

**MATTERS OF PUBLIC IMPORTANCE**

**Ministerial Conduct**

The ACTING DEPUTY PRESIDENT (Senator Bernardi) (16:09): The President has received the following letter from Senator Moore:

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

The Prime Minister's failure to uphold ministerial standards.

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 KIM CARR (Victoria) (16:09): This matter of public importance provides an opportunity for the Senate to review the performance of this government’s first six months in office. The Statement of Ministerial Standards, which was announced by Prime Minister Tony Abbott in December 2013, contains the following words:

Ministers and Parliamentary Secretaries are entrusted with the conduct of public business and must act in a manner that is consistent with the highest standards of integrity and propriety.

This replaced the previous government's statement of ministerial standards of September 2010, which had different words:

Ministers and Parliamentary Secretaries hold high public office and are entrusted with considerable privilege and power. The people of Australia are entitled to expect that, in the discharge of their duties, they will act in a manner that is consistent with the highest standards of integrity and propriety.

We know that ministerial standards were introduced by the Labor government in 2007 following the appalling behaviour of the Howard government, which saw in its very early days a whole series of ministers being forced to resign for their failure to fulfil their commitments in regard to those highest standards of integrity and propriety. We particularly saw in this Senate in those early days of the Howard government that the Prime Minister took
the view that enough was enough after a number of ministers had been forced to resign and that there would be no further resignations from the ministry.

We know in some respects it is a philosophy that has been carried over to the new government of Mr Abbott, although some will say that today is an example of where the best of ministerial traditions has been upheld. Let us be clear about this: Senator Sinodinos has stood aside in the interests of the government out of political expediency. He has been stood aside as a result of the urgings of members of the coalition and of one of the biggest backers of the coalition, The Australian newspaper. This morning it essentially said to the government that Senator Sinodinos would have to stand aside because of the political damage that he was doing to the government. So it was not a question about ministerial standards as such; it was about political expediency.

If we follow the events of today and look at these things carefully, we will see that in the case of Senator Nash there was a conflict of interest. Issues were raised about her chief of staff, Alastair Furnival—who, I might remind the Senate, was vetted and approved by the Prime Minister and by the Prime Minister's chief of staff—following the extraordinary developments that occurred around the junk food industry and, in particular, the relationship with Cadbury. We well know that Cadbury has a very special relationship with this government. Cadbury was the beneficiary of a grant to support its operations in Hobart, allegedly on the basis of tourism but really on the basis of what the press statement at the time said, which was that it was all about changing their business model. It was in complete contrast to the approach that this government had taken on industry policy elsewhere.

We know that personal connections are very important. We know that in the case of Mr Furnival there was quite extraordinary speculation around what was the cause of Mr Furnival's resignation. I recall a press report in The Sydney Morning Herald on 15 February 2014, which stated:

… Mr Furnival's proposed appointment was held up by the Prime Minister's chief of staff, Peta Credlin, due to concerns over his background and commercial interests.

I asked myself: where did that come from? Where did that report come from? Was that not an example of the chief of staff actually leaking information against ministers? I think this is the problem that emerges in circumstances where political expediency becomes much more important than the maintenance of ministerial standards—because we know how long it took for there to be a resolution in regard to the questions that surrounded Senator Nash and her chief of staff.

As I said before, we know that there is a case in regard to the operations of Cadbury which we have yet to hear the full details of, but we know that it is an example of a single act of co-investment by the government where so many others were found unworthy. So I am looking forward to the examination of that matter in detail, when that grant is actually made. We know that Senator Nash intervened personally in the taking-down of a new health rating website only hours after it was launched and we know that Senator Nash claimed that it had nothing to do with her chief of staff's ties to the junk food lobby. To this day, Senator Nash has yet to adequately explain the policy operations of her office in regard to the healthy star website.

We know that there is a very strong case of secrecy within this government which has developed with regard to Senator Nash in an attempt to dodge, avoid, answering basic
questions. It is a fundamental requirement of ministerial conduct to treat the parliament with respect and not to seek to use claims of public interest immunity in such a way as to subvert the proper work of the parliament in understanding the exact nature of government policy. In fact, it suggests that anyone asking a question about Operation Sovereign Borders, for instance, is almost an act of treason; it has now got to the stage in this parliament where it suggests that the mere act of asking such a question is to provide aid and comfort to people smugglers. Clearly, that is not consistent with the proper functioning of parliamentary democracy and not consistent with the highest standards of integrity and probity.

Then, of course, we have the case of Senator Sinodinos. The Independent Commission Against Corruption, in its proceedings on Monday, was looking at a number of ministers in the New South Wales government, the Premier and other ministers—and in fact former Labor minister Mr Costa, whom I know Senator Brandis waxed lyrical about this morning. There were actually statements to the effect that there was no evidence whatsoever of corrupt behaviour by a number of them. I quote the commission transcript directly:

… we’ve looked carefully at the activities of Mr O’Farrell and Mr Pearce and we have found no evidence to implicate either in any corruption.

Again, in regard to Mr Costa, it says:

… ICAC has uncovered no evidence of corruption on the part of Michael Costa.

But, when it came to the question of Senator Sinodinos, it says:

It's presently difficult to offer observations on the conduct of Mr Sinodinos. He has other involvements which will come under scrutiny in Operation Spicer.

So what we do know is that, in regard to ICAC, there are serious questions that are being answered. But they are not questions that the minister, the minister who has now stood down, was prepared to answer in this chamber. It would have been quite appropriate, quite straightforward, to explain the contradictions in the position he has put to this chamber and answer the allegation that he has actually misled the Senate. No, what we saw was every effort being made to avoid scrutiny, to avoid accountability and to seek to denigrate others. Senator Brandis, when you talk about smears, I recall only too well you in this chamber saying that we had a criminal in the Lodge. Even your best mate, Andrew Bolt, said you had gone too far. So you are only too happy to throw abuse around, but then you seek to claim that those who raise legitimate questions are engaging in smear campaigns. This is a government that undertakes witch-hunts by way of royal commissions, a government that seeks to denigrate—(Time expired)

Senator BIRMINGHAM (South Australia—Parliamentary Secretary to the Minister for the Environment) (16:19): Today is a sad day because we have seen a great Australian, a good Australian, a good man, a good senator and a good minister step aside from his duties. That is unfortunate. As I said in this place yesterday, I am proud to call Senator Arthur Sinodinos a colleague; I am proud to call him a friend. He is someone who has made an outstanding contribution to public life in Australia and someone who I am confident will continue to make an outstanding contribution to public life in Australia.

We have seen in this place over the last couple of days an unfortunate, regrettable and terrible smear campaign waged by those opposite, who have attempted to turn this fine institution, the Australian Senate, into nothing more than a kangaroo court where they have
ignored any sense of proper processes; where they have ignored any sense of fair process; where they have simply, for their own base, political ends, sought to smear and bring down the reputation of a good Australian, a good senator and a good minister. They have lost all sense of perspective in this matter. When challenged to identify what the specific wrongdoings or allegations are against Senator Sinodinos, they have been found wanting.

Senator Brandis: They couldn't say a thing.

Senator BIRMINGHAM: As Senator Brandis rightly highlighted then, and before today, the Labor Party—from Senator Wong down—have been unable to specify a single act of wrongdoing by Senator Sinodinos, yet they have continued with their smears. They have ignored the fact that Senator Sinodinos has made very clear to this Senate and to all Australians that he will cooperate fully with the Independent Commission Against Corruption in New South Wales.

He will cooperate fully in those proceedings, as many witnesses have done before—most recently, as he highlighted yesterday, former Labor minister Greg Combet and current Labor frontbencher Senator Doug Cameron. They both cooperated with ICAC proceedings. They cooperated with ICAC proceedings as witnesses, just as Senator Sinodinos will, but they were not subjected to the same type of smear campaign that Senator Sinodinos has faced. There were no calls at the time for them to step aside from their positions. Yet the Labor Party has done just that in relation to Senator Sinodinos. In fact, they have gone further than that in calling for the resignation of Senator Sinodinos, yet they have not even been able to cite an allegation against him, let alone an act of wrongdoing.

There is a right place and a wrong place for the prosecution of these things. The right place is the appropriately established tribunal that sits in New South Wales, the ICAC, where Senator Sinodinos will give his evidence. The wrong place to go over matters that predate not only his career as a minister but his career as a senator is this Senate chamber. This is the wrong place. This is not a court in which to assess these matters that predate his time as a senator. The right place is the ICAC, where he will give his full and complete cooperation.

Sadly, Senator Sinodinos has, for the good of the nation and the good of the government—so we can get on and focus properly on the big public policy challenges Australia faces—stood aside today. As the Prime Minister has rightly indicated, it is the right and decent thing for Senator Sinodinos to do and what you would expect from someone who has given so much to his country and so much service over such a long period of time. As the Prime Minister rightly indicated, he looks forward to Senator Sinodinos's restoration to the ministry in due course, once these matters are handled.

This is not of course the first time this has occurred. We should all keep in mind precedents where ministers have stood aside and rightly been returned. These precedents have included both ministers and shadow ministers. One example was Phillip Lynch in the Fraser ministry. He stood aside but, following an official inquiry that found no illegal or improper doings, rightly returned to the ministry. Ian Sinclair was rightly returned to the ministry following investigations into allegations made against him. Wayne Swan stood aside for a period of time as the shadow minister for family and community services but eventually returned to the frontbench and became the Treasurer of Australia.
There was also the amazing case of Mick Young. Mick Young stood down from the Hawke ministry on 14 July 1983 following the revelation that he had disclosed matters of national security. A royal commission upheld those allegations—yet do you know what the Labor Party did? They re-elected him unopposed to the ministry. Allegations were upheld, yet they re-elected him unopposed to the ministry. He was again forced to stand down at a later stage in relation to other matters—and the Labor Party again reappointed him to the ministry. So there are good precedents where people have been exonered, as I am sure will occur with Senator Sinodinos, and there are other precedents, such as that of Mr Young on the Labor side. In his case they simply ignored due process and reappointed him to the ministry.

This government will apply the best of ministerial standards throughout its term. We will ensure, as we have done, that full disclosures are made, as they have been, across the government and that those disclosures are applied and adhered to in order to ensure that no real or perceived conflicts of interest occur amongst ministers, parliamentary secretaries or their staff. We will make sure, unlike those opposite, that we run a clean show.

We heard earlier today the very long list of people, from state and federal parliaments and Labor Party ranks, who have done wrong—in some cases ultimately finding themselves in jail. The two relatively recent cases that spring to mind are those of the former national president of the Labor Party, Mr Williamson—national president only a couple of years ago during Ms Gillard's prime ministership but today in jail—and the former member for Dobell, Mr Thomson. Mr Thomson was a member of the Rudd and Gillard governments who left parliament only at the last election. Today he is awaiting sentencing.

Those opposite come in here and smear the name of a good man, yet have absolutely no track record of their own that they can stand by. Those opposite come in here and use this Senate as their own kangaroo court rather than allowing the right proceedings to occur in the right place.

Senator Sinodinos is a great Australian. He came here as part of a Greek migrant family. He is a great Australian success story—somebody who grew up as the son of Greek migrants and went on to become the longest serving adviser of Australia's second-longest serving Prime Minister. He is a man who has given much, not just to the government of this country but to charities and other organisations, including the Mary MacKillop Foundation, the Aboriginal Employment Strategy and the Australian Institute of Management. He has been recognised as an Officer of the Order of Australia for his service to government, to the community and to the Greek community in particular. He has been recognised as one of the great public policy minds of this country. I have no doubt that he will rightly be back and that those opposite will be seen in due course to have smeared a man for absolutely no reason and with absolutely no rationale whatsoever.

Senator RHIANNON (New South Wales) (16:29): This debate needs to be seen in the wider context of strengthening our democratic process. We urgently need politics to be cleaned up in this country. That needs to go much further than just dealing with the issues of today around Senator Sinodinos, because there is a real thread through so much of this work with regard to lobbying and how it is conducted in this country. But it goes much wider than that, and that has implications for political donations. Our houses do not fully come under freedom of information requirements; there is the question of how entitlements from members of parliament are managed; there are codes of conduct for ministers and MPs and the need for
those codes to be legislated—these are all highly relevant to this issue. You can see why there is increasing cynicism from members of the public. They do see MPs as a protected species—and that applies to all of us—because what has happened today damages the standing of parliaments and the parliamentarians who attempt to do this work, and the very fabric of our democracy is undermined. We need to address greater transparency and improve accountability so that the public can scrutinise the work more readily, because that certainly is not possible at present.

I start with the issue of donations, and this certainly goes back to how the Prime Minister operates. In the latest release of data from the Australian Electoral Commission that came out on 1 February, we saw that tobacco and mining money still found its way into the coffers of the coalition, and the alcohol industry was there to benefit both Labor and the coalition in that case. Imperial Tobacco and Philip Morris spent about $4.5 million under their own names, and the Alliance of Australian Retailers—which just seemed to appear out of nowhere but really had so much to do with plain packaging—dispersed $9 million. The Minerals Council of Australia reported $4 million and the Association of Mining and Exploration Companies reported $2.2 million. This, interestingly, was around the time of the debate about the mining tax, and it is worth remembering that those companies spent $22 million on advertising. These are big companies influencing and being very close to key politicians in this place, and people are not able to open a window on how that influence is exerted and what discussions go on behind closed doors. That it is certainly very relevant to what we are discussing here.

Senator Brandis: Have you heard of the register of donations?

Senator RHIANNON: While I did not hear the interjection from Senator Brandis—but I am sure it will be very interesting—he might be interested in this aspect because it is another area where we need to clean up politics. Through some of the debates that are currently occurring in terms of how political parties operate, there are some interesting discussions around the need for standards for political parties in terms of how they operate, particularly if they are going to run in elections, be registered and gain public money. Should there be some standard regarding democracy within political parties? I was interested to read in July 2011—and I do note this was before the current government was formed—that claims emerged of possible vote tampering during elections for the State Executive of the New South Wales Liberal Party. The accusation that the Herald reported was that up to 80 ballots had been identified where the original vote had been changed using correction fluid to follow the ticket put forward by the hard or religious right faction. I use that example as another reason why we need to clean up politics and explore ways to ensure that the highest standards are followed.

Then there is the issue of entitlements. When this government came to office, the whole issue of entitlements really got a working over with those extraordinary reports of various government members claiming entitlements to go to weddings. Senator Brandis and former Senator Joyce—both now ministers—used money to go to weddings and denied any wrongdoing. Then we had some very interesting statements about this from Minister Malcolm Turnbull. When he was asked about $15,000 that was claimed by some senior coalition ministers to attend three different weddings, he said, in this case with regard to Minister Julie Bishop, that she made 'a very valid use of her travel entitlement' when she claimed $3,445 to pay for flights home from the lavish wedding in India which we have heard a great deal about.
Where it becomes very interesting is that Mr Turnbull’s comments were made on the same day that news reports emerged that Prime Minister Tony Abbott repaid $1,094 in travel expenses he had charged taxpayers for attending the 2006 wedding of former MP Sophie Mirabella. This does not need to occur. It really is so damaging. Mistakes are made with entitlements, and I am obviously aware that these things can happen. In this case, I felt the claim for weddings went a bit too far.

I would again highlight what the Greens have been advocating. The Scottish parliament has a very simple website where you click on your MP and you can see how the expenses have been paid. The transparency is there. The accountability is there. The public have an understanding of how public money is being spent by their publicly elected people, and that is certainly how it should be. In this context, it is interesting to note that former Prime Minister John Howard did see what some would say was an opportunity. Others would say he was doing the right thing—although I think some of his colleagues thought that he went too far—when he campaigned when he came into office in 1996 for tighter rules on entitlements. He did promise, and eventually delivered, a new code of conduct for ministers. Interestingly, it led to five ministers going in his first term. Sadly, it seems, the lesson that the coalition learnt—and maybe it is a lesson some others took from that—is that we have weaker rules around entitlements, and many would say that ministerial responsibility barely exists these days. This is another area where we need to clean up. It is very easy. It is public money. I will say it again: it is public money being spent on public duties by publicly elected people. Let us have it on an easily accessible website—that is so easy to do in this day and age.

The issue of lobbying is a thread that runs through so many of the problems that we have confronted in recent weeks. We have heard about how Senator Nash ran her office. We are yet to hear more about the operations of Senator Sinodinos. But the issue of lobbying, of people trying to gain influence, is certainly there.

Clearly lobbying has an important role in the democratic process; that is a given. It is a right for people to engage in this way. But, when they do, we need to think about how it operates and what information is then available to people, because right now there is so little information that the public can access when it comes to lobbying.

We need to have a code of conduct for lobbying legislated; that is long overdue. When the Greens were successful in setting up an inquiry to review how lobbying is conducted, unfortunately and disappointingly Labor voted against it. The coalition did vote for it. But then we hardly called any witnesses, so it was controlled in that way.

What is clearly needed is this. As the Greens have been putting forward, we need a commissioner of lobbying. The definition of ‘lobbyist’ needs to be expanded to include in-house lobbyists. Records should be kept of the discussions that are held when lobbyists meet with ministers. Also, the code needs to cover not just ministers but all MPs. Clearly, in this day and age, with the way politics work, backbenchers and crossbenchers can play a key role in the final decisions governments make. So those meetings also should come under any code.

In conclusion, this is a valuable debate. We need to be looking at how we clean up politics in many areas: political donations; codes of conduct for MPs in general; the issue of entitlements. Transparency and accountability need to be the foundations of how we work.
Senator CAMERON (New South Wales) (16:39): I am very pleased to participate in this debate and to bring the attention of the chamber to the Prime Minister's failure to uphold ministerial standards. It is quite clear that what we witnessed today, what we saw from the Prime Minister, is another example of coalition secrecy and coalition cover-up. I take the view that the Prime Minister has either deliberately tried to cover things up or failed to understand the seriousness of the issues surrounding the AWH inquiry at ICAC.

The coalition fought long and hard on this issue today and yesterday. Senator Sinodinos looked, at one stage, as if he was not going to move; he was going to tough it out. But this is a serious blow to the government, to have such a senior minister forced off the front bench.

I take the view that the PM should have acted earlier. The PM should have acted earlier because not only was it clear that there was a problem surrounding the appearance of Senator Sinodinos at ICAC but the view, in some quarters, is that it could be a serious problem. Those opposite, on a number of occasions, have raised my appearance at an ICAC inquiry, to try and say, 'Well, anyone can be called to an ICAC inquiry to give evidence.' That is true. Anyone can be called to an ICAC inquiry to give evidence. But let me tell you: when I was called to ICAC, I was told, from the first contact with ICAC, from the ICAC investigative officers, that I was not a person of interest and all they wanted to do with me was to clarify some facts. I was not a person of interest. That is somewhat different from what Senator Sinodinos is facing—and I will come to that in a minute.

When we talk about sleaze and guilt by association, there has been the sleaze and guilt by association from the other side because I had a knowledge of Ian Macdonald—not Senator Ian Macdonald but the disgraced Ian Macdonald of the New South Wales government—for some 30 years, as did many other politicians on both sides of the political fence. But what I did when I went to ICAC was to decline to have an order under section 38 of the ICAC Act made. What that means is: if you seek an order under section 38, then you get various protections as a witness. The evidence you have given is subject to an objection or a direction under section 38 of the ICAC Act and it cannot be used subsequently in criminal or disciplinary proceedings except in proceedings for offences under the ICAC Act. I took the view that I had nothing to hide. I took the view that I did not need any special protection.

Senator Sinodinos yesterday said to me that if he needed any advice, he would ask me for some advice. Well, I will give Senator Sinodinos a couple of pieces of advice. The first piece of advice is: when you go to ICAC, tell the truth. Tell the truth—that is my first piece of advice to Senator Sinodinos. My second piece of advice to Senator Sinodinos is: do not seek protection under section 38 of the ICAC Act because—if you are as squeaky clean as your colleagues are saying you are; if the Prime Minister has got so much confidence in you—why would you seek a section 38 protection under the ICAC Act if you have got nothing to fear? So two pieces of advice to Senator Sinodinos: tell the truth and do not seek protection you do not need. Those are the two pieces of advice from me to Senator Sinodinos. We will see in a couple of weeks whether he takes that advice, especially in relation to telling the truth and to seeking protection that you really do not need if you have done nothing wrong. So let us see what he does with that.

I bet Senator Sinodinos would love to have the character reference that I got out of ICAC. I bet he would love to know that ICAC is going to say the same about him that ICAC said
about me. Let me tell you what ICAC said about my appearance at ICAC. I quote chapter 3 from the report:

In many instances, Mr Macdonald’s evidence is contrary to that given by his former political colleagues of high seniority and certain trade union associates, such as the Hon Luke Foley MLC, Anthony (Tony) Maher and Senator the Hon Doug Cameron (all of whom were impressive witnesses, not shown in any material respect to have given false or incorrect evidence).

They said that I was an impressive witness and that I told the truth. That was my appearance at ICAC, simply because I knew someone over a period of time and simply because he was involved in the same political party as myself. But that is not the case with Senator Sinodinos. Clause 30 of the opening statement by counsel assisting the inquiry says this:

Based upon PricewaterhouseCoopers' valuation, if thePPP came through Mr Sinodinos would have enjoyed a $10 million or $20 million payday.

And further:

"It is presently difficult to offer observations on the conduct of Mr Sinodinos. He has other involvements which will come under scrutiny in Operation Spicer."

"It is quite transparent that Mr Sinodinos’ true role in Australian Water Holdings was to open lines of communication with the Liberal Party. There will be evidence that he tried to do so."

That now brings me to the article in today's Australian by Dennis Shanahan, who says:

Sorry, senator, you don’t have a choice—

that is, to stand down. I do not know why Dennis Shanahan felt he had to say sorry. Maybe because he completely misunderstands what is going on in ICAC. He goes on to say:

Sinodinos is in limbo for at least the next two weeks, before he’s due to give evidence to ICAC, with only the vague suggestion of guilt by association through corruption and the developing sleazy theme of being a "door opener" to Liberal politicians.

I do not know that counsel assisting the ICAC inquiry, Mr Watson QC, is developing a sleazy theme or if that is an allegation from The Australian to protect a wounded, former frontbencher from the coalition, but it is no sleazy thing. That is what ICAC are saying they will have a look at: the relationship between Senator Sinodinos and the Liberal Party and the role he played.

Let me finish up on this. I think ordinary Australians around this country would be horrified to think that someone could get $200,000 a year from a company to do 100 hours work—while the same company did not have the money to pay its tax account—and to have an opportunity to pick up $10 million to $20 million. These are the issues. And if you want a royal commission in this country, let us have a royal commission into the sleaze in the business community when people do that with shareholders' funds. *(Time expired)*

**Senator BERNARDI** (South Australia) (16:49): I am pleased that Senator Cameron welcomes a royal commission into sleaze and corruption and grubbiness because, indeed, I can announce to Senator Cameron—and I am sure it is no surprise to him—that there will be one into the union movement in this country. And that is brought about by the sleaze, grubbiness and disgraceful conduct that we continually and repeatedly hear about. But I do not want to pursue that too diligently today.
This is one of those most difficult days. It is difficult for me as a politician because I find that the gruelling aspects of public life are enough without having to deal with the smear, the innuendo and the character assassination that have been trumped up and that we have seen thrown at Senator Sinodinos today.

I would also like to put on the record that Senator Sinodinos has done the right thing and the honourable thing. When spurious allegations are hurled at you, you can answer them but then you have to make a decision that is in the interests of your party and in the interests of the people of Australia and, if you are a frontbencher, you stand aside until they can be cleared and dealt with. Senator Sinodinos is an honourable man and he has done exactly that.

But that is in stark contrast to those on the other side, those who ran the protection racket, as Senator Birmingham referred to before, for Craig Thompson. He was a man who was entitled to the presumption of innocence but, in the face of overwhelming evidence, it was gallling to hear his defence rather than to hear those on the other side say: 'He should stand aside or separate himself from the parliament to answer these allegations.'

Similarly, we can talk about the references to Ms Gillard when she was Prime Minister and her alleged involvement in a union slush fund in which money was misappropriated—that is the appropriate word. She facilitated the misappropriation of that money through the establishment of a slush fund. There is an ongoing police investigation into this. But we were told that it was misogynistic to inquire into that and that it happened such a long time ago.

Let me make this point to you, Mr Acting Deputy President, and to the people of Australia: criminal conduct, notwithstanding that there may be a statute of limitation, is inexcusable under any circumstances and every politician and every member of the public should, in a legal sense, be held fully to account for their conduct when they are in this place and before they come into this place. If they have done the wrong thing, then bang, hit 'em up for it.

But what strikes me is that not one person, either at ICAC or in this chamber under parliamentary privilege, has levelled an allegation of any substance against Senator Sinodinos. Somehow they object to how much he was allegedly paid or supposedly paid to chair a business and an organisation. Somehow they are condemning him and his ability to be a frontbencher and a valued member of the coalition team on the basis that he was involved in an organisation which was tainted by Labor Party members of parliament. We are talking about that guy Eddie Obeid, the guy who has successfully destroyed the New South Wales Labor Party. He has bubbled up all the uncomfortable excesses and all the excrement that has been hidden underneath by the New South Wales Labor Party for far too long.

You can go back to: where were they when Mr Paul Keating as Prime Minister was allegedly making millions of dollars out of the piggery? Where were they saying 'Stand aside' then? Where were they when there were allegations against former Senator Richardson with suggestions that he was involved with prostitutes and bribes and all sorts of things like that? Where were they saying 'Stand aside' then? Where were they with Ms Gillard? There was a protection racket. It is ingrained in those members of the union movement and the Labor Party to protect their own. On this side of the parliament I will protect my own too when I think they have done the right thing and I will be scathing of them, just as people have been scathing of me when they think I have done the wrong thing.
The point I want to make is this: there is not one substantive allegation that has been put—not one suggestion that Senator Sinodinos has done anything whatsoever inappropriate. And this is before he got into parliament. I support Senator Sinodinos in standing aside. I think it is important that he gives evidence to ICAC. I am sure he will get a good character reference from ICAC, just as Senator Cameron claimed that he did. But the point is this: we have had trial by character assassination and it is unbefitting of this parliament to score political points simply to try and destroy a political opponent inappropriately. (Time expired)

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (16:54): I rise to support the matter of public importance today on the Prime Minister's failure to uphold ministerial standards. This government has been constituted for a mere six months. In that short time we have seen the trashing of ministerial conduct and accountability and a contempt for this parliament. For most of this year, this Senate has dealt with matters of impropriety by government ministers. As Senator Wong articulated well this morning, this Prime Minister is a dangerous combination of arrogance and weakness. He leads an arrogant government that refuses to be accountable. He leads a weak government that sets itself standards and fails to uphold them. And, worse, this is a Prime Minister who led an opposition which sought at any opportunity to attack the personal integrity of Labor Party and Independent members of the 43rd Parliament. He sought to bring arguments before this place well before anyone had had their time in court, and yet he displays the most curt arrogance in dealing with any serious matters of his own, or his side's own, doing. It is a government that is but six months old and that has already become more arrogant about its responsibilities than any government in living memory. It is a government that has adopted Joh Bjelke-Petersen's famous 'Now, don't you worry about that' approach to public life.

No-one took that approach in this morning's debate more so than Senator Brandis. With the utmost bravado, Senator Brandis spoke of Senator Sinodinos's character, of his numerous public awards, of the coalition's wonderful associations with business, of their superior character, of their superior knowledge of things worth knowing about. You can tell that Senator Brandis is enjoying his position. But as the first law officer of this land, you would expect him to have a bit more self-control, a bit more grace, in dealing with matters of such sensitivity. Given his successful attempts to drag out the debate this morning to delay a vote, he must have known of the senator's intentions to stand aside just before question time today. One would assume that Senator Abetz and the Prime Minister also knew of Senator Sinodinos's intentions. The country knew about it. The Financial Review reported Senator Sinodinos's musings this morning.

And this isn't the end of the matter. Senator Sinodinos may have temporarily stood aside but many questions still remain unanswered. If the Prime Minister is serious about ethical standards, he will require Senator Sinodinos to make a full disclosure about his involvement in AWH. Further, it is incumbent upon the Prime Minister to explain his knowledge of Senator Sinodinos's involvement with AWH and the steps he and his office have taken to examine this matter.

This afternoon, moments before question time, we had former Assistant Treasurer Sinodinos stand down from his position in the ministry. Senator Sinodinos has made the decision to temporarily stand aside for the duration of the ICAC trial, and the Labor Party welcomes his decision. However, the Senate has not received an explanation from Senator
Sinodinos about his dealings with Australian Water Holdings. Senator Sinodinos came into the Senate at approximately 1.55 pm today to make a statement. His statement lasted approximately two minutes, leaving two to three minutes before question time. Why did Senator Sinodinos not use this statement to answer questions raised during the debate this morning if he has got nothing to hide? Why did he sit down with two or three minutes to go until question time? Why won't he answer the legitimate questions put forward by the opposition?

This morning, the Senate spent a number of hours debating the worth of Senator Sinodinos making a full statement to the chamber. We know that the New South Wales ICAC has heard disturbing allegations of corruption by persons associated with the company Australian Water Holdings. We know that Senator Sinodinos was firstly a non-executive director and then became chairman of AWH. We know that concurrently he served first as treasurer and then as president of the New South Wales division of the Liberal Party. Virtually all of the behaviour alleged at ICAC occurred while Senator Sinodinos was with AWH from 2008 to 2011—alleged behaviour that includes skimming money off government contracts to be paid as excessively generous salaries and dodgy share deals. The Prime Minister must require that Senator Sinodinos make a full statement to the Senate about this matter. The statement this afternoon from Senator Sinodinos was purely political, not about providing ministerial accountability to this place and through this place to the Australian people. (Time expired)

FIRST SPEECH

The PRESIDENT (16:59): Order! Before I call Senator O'Sullivan, I remind honourable senators that this is his first speech; therefore, I ask that the usual courtesies be extended to him.

Senator O'SULLIVAN (Queensland) (17:00): Mr President, I feel proud for the honour and privileged by the opportunity to serve in this government in the chamber of this Senate. I am grateful for the endorsement of my Liberal National Party and humbled by their faith in my capacity to represent the interests of my fellow Queenslanders in this, the state's chamber.

I know that our party's inaugural presidency team of Bruce McIver and Gary Spence are in the gallery today, along with their president's committee colleague Bernard Ponting, and so I would be indebted to them if they would convey my sincerest thanks and gratitude for my endorsement to those thousands of party members and LNP supporters at home.

I would also like to acknowledge my family and friends who are here in Canberra to support me and celebrate with me the occasion of this first speech. It is of special significance to me that my six grandchildren are in the gallery today. They are, I suspect, one of the main reasons that I am here in the first place.

I want to acknowledge the Ngunnawal and Ngambri people here in Canberra and the Darumbal people of Central Queensland, recognising them as the traditional owners and peoples of this place where I now work and that place where I was born.

I want to begin my speech by acknowledging and thanking my predecessor, Barnaby Joyce, previously a senator for Queensland and now the honourable member for the federal division of New England and our Minister for Agriculture. I want to particularly thank Barnaby for his service to my party, the Liberal National Party of Queensland, and also to the people of my home state. Those people who know Barnaby well know that he is a man who
possesses great character, a character tempered by principled values and governed by deeply held convictions. He was, and remains, much loved and respected by the people of Queensland. To the extent I am entitled, Barnaby, I extend to both you and your wife, Natalie, their thanks and appreciation for your service.

As an aside, I can say that the good people of Queensland voted for Barnaby—and now they have me. For some, this fact will be almost too much to bear! Notwithstanding that, I do hope to bring to this position the same level of energy, commitment and dedication as displayed by Barnaby, with a view to realising just a fraction of the outcomes achieved by him for Queenslanders during his terms in office.

It is no accident that I sit here on behalf of the LNP with members of the federal National Party. In Irish folklore, those blessed with the surname 'O'Sullivan' were known as troublemakers who, from time to time, caused disruption and strife, sometimes even for the government of their day. Accordingly, I feel my involvement in their ranks to be a good fit.

My paternal lineal heritage in Australia commenced in 1857 with the arrival of my great-great-grandparents Timothy and Mary O'Sullivan, subsistence farmers from the south-west coast district of Ireland. Timothy and Mary and nine of their 21 children were delivered to this country aboard a vessel named the Hastings, the very first immigration ship to dock at Moreton Bay in Queensland. The youngest of the accompanied children on that voyage, a five-year-old boy named Faugh, was my great-grandfather. His journey to the colonies had taken 93 days.

To a man and woman, the clan who arrived at Moreton Bay set about joining many of the original pioneers to open up and settle large tracts of regional and country Queensland. To this day there remains an unbroken line of descendants in the Ipswich, Miles, Roma, Alpha and Clermont districts of my state, where hundreds and hundreds of descendants of Timothy and Mary have made and continue to make a contribution to our nation through the practice of farming and pastoral activities.

My reference to my forebears is not simply an act of reminiscing but more an exercise in staking my case of interest, declaring a personal and historical nexus, if you like, for all things that affect regional, rural and remote areas in my state of Queensland. My own lineal line now represents no less than seven generations of my family who have had a direct and unbroken affinity and relationship with the land. The occupations of my paternal grandfathers and father in order were shepherd, pastoralist, drover and, in the case of my father, saddler and tent maker—core and important professions of their respective times.

Having said that, and in the interests of full disclosure, I should note that for one infamous moment in time my grandfather the drover apparently thought he was my grandfather the shepherd, as in the late 1800s he was found in the possession of two sheep which apparently were not his own in a mustering camp on the Drummond Range. In another fine O'Sullivan tradition, Grandad apparently spent some time trying to convince the attending troopers that the sheep were in fact feral goats! But, alas, it would seem from historical court reports that the troopers eventually proved too wily for the drover.

Having said that, I can say that I have long since forgiven my grandfather for his indiscretion as I have found the more that I become involved in politics the more difficulty I too have in distinguishing between woolly sheep and feral goats myself! My good friend
Senator Boswell tells me that if I am here as long as he has been I will soon be able to make the distinction.

Putting matters of light-heartedness aside, I want to say that the pioneering story of the O’Sullivan family is almost the identical story of thousands of other dynasties who have contributed to the development of my state and, indeed, our nation. From a base of abject poverty, most of these forebears of ours endured almost unimaginable difficulties, courageously facing what would now seem like insurmountable hardships and challenges to commence the new development of an ancient nation. I qualify this statement by recognising Indigenous occupation during this phase in time, acknowledging the conflicts of two cultures where one was motivated by improving the lot of their family and their future whilst the other responded by defending what was already theirs.

It is important to reflect for just a moment on the success of the effort of these pioneering people. These people developed entire communities which were planned and designed to deliver every essential component of social and municipal amenity for their time. They built their own schools, churches, courthouses and the like with their own money as opposed to appropriated public funds. These were eventually very stable, settled and increasingly happy communities.

As my state of Queensland went into the 20th century, and we entered into the post-Federation period, more organised government structures partnered with the people of regional and rural communities of my state and we started—now as one, now as a part of a Commonwealth of states—to develop infrastructure. Together, governments and their pioneering partners constructed road and rail networks. These communities received assistance in the areas of health, education and law and order.

Later, as technologies allowed, government invested in a national network of communications, expanded the likes of aviation services and upgraded and expanded trunk road, rail and energy networks, which in turn served our primary producers, and allied agricultural and pastoral industries, well for a number of decades. Rural economies were able to properly and sustainably exploit that phenomenal system of underground rivers, lakes and oceans that make up one of our most magnificent natural gifts, the Great Artesian Basin.

These things that were done were a bequest from these pioneers to future generations—and, arguably amongst them, this generation. Again and importantly, I also realise the valuable contribution of Indigenous Australians in this process west of the Great Dividing Range. That is a contribution which is often not as well recognised as it could or should be.

The people I speak about knew this: there was no economy in the world—indeed, not one single facet of any one economy—that did not have its genesis deeply rooted in the activities of primary production. It does not matter where you live, where you work or what your premises are made of—or, indeed, what any consumable or fixed item within those premises is made of—the elements that make up those things started with primary production. Even the things you cannot see—such as the electronic transmissions that our modern communication networks rely upon to function, the energy that powers our lights and appliances, and the nation’s transport, health, education and social services networks—rely on fundamental elements that start out in life from primary production.
Whilst in my own case it is an article of faith, it matters not where you believe the genesis of life's functions have been architecturally created—whether they are created by God or by nature—the base truth is that we have to eat and drink, we choose to be clothed, and we need protection from the elements. Without the primary production of food and fibres for the necessities of life, the transformation of the magical properties of some plants for medicinal purposes and the extraction of the earth's elements and natural resources, we would be sitting here in a virgin forest, hungry and naked. I know that conjures things up for you!

The historical investment by our nation in these communities—and, more importantly, in the people of these communities—has, to date, been returned to our nation in spades. The phrase that the wealth of this nation was built on the sheep's back alone is not quite true as a singularism, but there is no doubt that without primary production this nation could not and would not have prospered to the point that it has. Primary production contributes a foundation element to this nation's economy. There is a direct and irrevocable link between the good economic health of primary producers and the good economic health of the nation. These two things are symbiotic.

Sadly, though, I think there is an argument that we have in some ways failed our original pioneers and are continuing to fail some of our contemporary communities of rural and regional Australia with respect to fundamental issues that go to the heart of the prospects of their future. The progressive restructuring of government agencies with an emphasis on a corporatised model, compounded by the overarching principles of economic rationalism, has seen us significantly and aggressively reduce government based and government funded services to many parts of regional and rural Australia since the 1960s.

Whilst all levels of government acknowledge community services obligations and a responsibility to distribute the wealth of our nation evenly amongst its citizens, we tend to struggle in the delivery of these commitments the further it is that we get away from places where the postcodes end in three zeroes. Whilst I admit that some governments were more efficient at introducing these regressive measures than others, they have all made a contribution of sorts—demonstrating that bad public policy shows little or no respect for the philosophical or ideological bent of its political host.

This public policy culture of rationalising community services and support for regional and country communities eventually and inevitably gave a social licence to the private sector to follow suit. Banks, stock and station agencies, accounting firms, solicitors and the like, all progressively left these communities over the past three or four decades because, in many cases, populations had become so depleted that there was an insufficient critical mass to continue to make their businesses commercially viable. I personally believe these things were the unintended consequences of poorly considered public dogma.

I contend that decades of rationalisations have gone much further than intended and this, in turn, then saw cuts to social services that were much deeper than was ever prudent or required, thereby leaving some communities mere casings of their former selves. The net result of these transitions is that incentives have disappeared for some future generations to make their lives in our regional and rural areas. Where generational transition of businesses and pastoral holdings was once the rule in these places, it is fast becoming the exception. If we are not careful, the profile of ownership and operation of large-tract rural and regional holdings will change and what might replace family owned enterprises and corporations
might not be in the interests of the national economy. In fact, this might not even be in the national interest in the longer term.

Having said all that I have said, it is important to make the point that the future outlook for Australian agriculture and primary production is positive. Increased access to trade and export markets in our region looks very promising. This Senate knows that we have some of the best biosecurity and food health standards in the world. Access to sustainable and environmentally responsible production of good quality produce is at the heart of almost every food security discussion in the world, particularly in those emerging economies on our doorstep. Australian producers meet—and, in most instances, exceed—any accepted key performance indicators or world best practices in those regards, so we are well placed to serve these volume-market demands as their middle classes increase.

However, some of these positive forecasts are a cold comfort to communities who see themselves as mere shadows of themselves of just 20 or 30 years ago. These are communities who expected to have had positive growth trajectories like their city cousins; indeed, they had anticipated growth in services and infrastructure that actually reflected their contributions to the foundations of our national wealth. Sadly, for many the opposite has happened.

Mr President, on their behalf, I can tell you these things. Force majeure in the form of floods, droughts, fires and general storm and tempest events cannot in and of themselves kill these sectors and these regional and rural communities. These people want us to know that they have survived these elements for the last 250 years and they will not buckle to them now. They want us to know that the swings and roundabouts of currency fluctuations that impact trade-exposed and export markets come and go and that they in agriculture are not on their own in having to deal with that challenge. It is a market force that they will accommodate. They want us to recognise their proven ability to compete against heavily subsidised competitors on a global scale. They have been doing this successfully since time began. They want us to acknowledge that their capacity to embrace and implement innovations in technology, adjustments to labour practices and changes that favourably impact on general productivities is amongst the best in the world.

What I sense is that these things alone cannot slay the resilience of these tough and ever-irrepressible Australians. What can and will kill them is if their governments, all levels of their governments, make decisions, or in some instances fail to make decisions, over time that impact directly and irrevocably on their ability to generate fair and reasonable standards and conditions of living for themselves. All they want to do is to compete and prosper in commercial environments that contribute to the downstream economies upon which the rest of us rely for our standard of living.

This government recognises the challenges I have highlighted and they are starting the long return haul to support the viability of our communities in rural and regional Australia. On that front, the Prime Minister's commitment to the development of Northern Australia will in the fullness of time be seen as one of the big bang decisions of the 21st century. The government's pending white paper on agriculture is also a once-in-a-generational opportunity for government to redesign the policy architecture of how we factor rural and regional Australia into the consciousness of our policy thinking and decision making.

The Queensland state government's current plans to decentralise the base of some government agencies to regional areas and to set an objective to promote people's interests in
living outside of the south-east corner are two more solid initiatives that will go towards the rehydration of the regions and the bush. However, more is needed. Governments, this government included, need to continue to redefine their relationship with regional and rural Australia. We need to do whatever we can to provide them with fundamental social services and base infrastructure to underpin their growth, at which time I promise you, Mr President, they will do the rest.

The true wealth of our Australia is not found singularly in financial terms but in the enterprise of people who each and every day make a contribution to the wellbeing of our nation. Their contributions are many and they are varied and they are all of equal importance, which in turn demands that you and I consider them on equal terms when we make decisions in this place.

In closing, I want to say that, for my part, I will to the limited extent that I am able and in line with my obligations as a senator for the state of Queensland be factoring in the interests of all Queenslanders as decisions are made in the parliament. In particular, though I will be applying the test of fairness and equity to policies and legislation that have the potential to impact on the great people of regional and rural Queensland. I will be particularly looking for things that support the rejuvenation of non-metropolitan communities and regions, things that will help small family businesses and the family corporations particularly those in agriculture and allied support industries. In short, I intend to support the businesses that underpin this nation's wealth and economic security, those enterprises that directly impact on the fortunes of our standard of living.

The senator in me will wake up to this challenge every day that I am in this role to meet that objective, and if the senator in me finds the going a bit too tough in reaching these goals it will give the troublemaker a crack. Hopefully, between the two of us we will be able to make a small impact. Through you, Mr President, I thank the senators for allowing me the indulgence to make this, my first and maiden speech.

MATTERS OF PUBLIC IMPORTANCE

Ministerial Conduct

Senator MASON (Queensland—Parliamentary Secretary to the Minister for Foreign Affairs) (17:21): Before I forget, I would just like to congratulate Senator O'Sullivan on a very fine first speech. Clearly a touch of the Irish remains—an irreverence, a lyricism, a wit and a touch of the troublemaker. I know all senators wish him well.

My friend Senator Claire Moore, as Manager of Opposition Business, is having a great week. As you know, I am a fan of Senator Moore, and when I received this MPI that was submitted for discussion this afternoon, 'The Prime Minister's failure to uphold ministerial standards,' I thought to myself, 'Well, either this is a joke or there is a deep touch of irony running through the MPIs this week.'

There is significant history behind this. If we go back to the previous two coalition administrations and the previous two Liberal prime ministers, Prime Minister Malcolm Fraser and then Prime Minister John Howard, there is no question at all that both Liberal prime ministers set the bar very high for their ministerial colleagues. Some, I remember, argued that it was too high. I recall the dismissal of Sir Phillip Lynch by Mr Fraser, and then of course John Howard, Australia's second-longest-serving Prime Minister, having to receive the
resignations of several of his ministers. There was never a question at all in the past about Liberal prime ministers, leading a coalition government, setting the standards for our ministers too low. If anything, they have always set them too high. There was always discussion among the parliamentary party, the academic community and, indeed, the public suggesting that the standards were actually too high. No-one has ever said that there was a failure to uphold ministerial standards. I have never heard that before of a Liberal Prime Minister or a coalition government.

By contrast, we have the Labor Party—in particular, the New South Wales branch of the Labor Party. It looks like an episode of *The Sopranos*; it has become that bad. We have Mr Eddie Obeid, known around the traps, I am told, as 'Fast Eddie'. We have Mr Tony Kelly, known in Chinatown as 'Machine-Gun Kelly'. We have Mr Joe Tripodi, known down there in Sussex Street as 'Smokin' Joe'. Finally, we have Mr Ian Macdonald. He is just known as Bad Ian Macdonald, in deference to my friend the good Senator the Hon. Ian Macdonald. We have these characters running around, these party figures. They are jokes, really. They are parodies of Australian political life and often a disgrace to our profession and public life—let alone the former federal president of the Labor Party, Mr Michael Williamson. He is just known as a crook. Of course, what the Labor Party have done is besmirch the profession, lowered Australia's trust in public life and diminished public life as a whole.

We have them all running around, and those blokes have done the impossible: they have given the New South Wales Labor Party an even worse name. You would not believe it was possible after years and years of the New South Wales Labor Party, rotten since the Rum Rebellion and the Rum Corps, but now it is even worse under these blokes. How I miss all my old right-wing friends from Sussex Street, including Steve Hutchins. You will remember Steve Hutchins, Acting Deputy President Bernardi. He was my old friend. He used to always worry about reds under the bed. Now we only worry about Obeids under the bed. That is all we worry about now.

Now all we have is an allegation against Senator Sinodinos. What is this allegation? It is that he has had some dealings with New South Wales Labor Party figures, some of whom clearly are very unattractive people. Let me just get this right: Labor's idea of misconduct and a hanging offence in this parliament is—wait for it—associating with members of the Labor Party. That is an interesting turn of events, isn't it? That is what the Labor Party now believes. I have a confession to make. I am used to making confessions, although I have not done it in a church for a while, I have to say. However, I do make confessions. I too have associated with some very unattractive figures in the Labor Party. There are many to choose from. I also, however, have associated with some very attractive figures, even from the New South Wales branch of the Labor Party: Senator Faulkner, Senator Stephens and others. They are attractive people. You cannot say that someone should be put down or hanged because of associations with others. So I am just wondering if perhaps I should hang my head in shame because of my associations with attractive or unattractive people.

There is a serious point in this, though, and I acknowledge it. The Labor Party wants to claim a scalp, to claim a win, to claim that the coalition has as many ratbags in it as the Labor Party does—that we are full of crooks. That is wrong. There has been no allegation of wrongdoing made by anyone against Senator Sinodinos. Senator Sinodinos is a witness. He is a witness in proceedings of the New South Wales ICAC. Any citizen may be called in as a
witness in proceedings before ICAC, as you know, Acting Deputy President Bernardi. Neither council assisting ICAC nor other witnesses before ICAC nor the ICAC commissioner himself have alleged any wrongdoing against Senator Sinodinos. There are no allegations per se. Attendance as a witness at an ICAC hearing is not in any way an indication of wrongdoing, as Labor senators in this chamber very well know.

If appearing as a witness is now Labor’s new standard of impropriety and implies guilt, just think of the precedent that now sets. If appearance as a witness with no allegations against a particular senator now qualifies as a hanging offence or as misconduct, just think of the precedent that is setting. It is one hell of a precedent not just for Senator Sinodinos but for any senator in this place—indeed, any member of parliament. It is a bar many of us would be very scared to try to jump over.

The royal commission, as you know, will soon be calling in a lot of witnesses, and a lot of those witnesses will no doubt be past and present Labor Party officials and identities. And who knows? Some of them may be members of the Senate or the House of Representatives. They may be called as witnesses. And what are we supposed to make of that? Just because they are asked to testify, are we supposed to imply from that that they are crooks? I am not going to be doing that simply because someone is called as a witness to testify in a royal commission about trade unions. Tempting though it might be, I think we should, as it were, hold our horses.

I do not always agree with Mr Albanese, but I heard him this morning when I was jogging away at the gym, doing my best. The member for Grayndler said: ‘Perhaps we should just hold back. People are entitled to rely on the presumption of innocence—even members of parliament.’ Mr Albanese was right, and any fair-minded person would agree with that.

But it is actually more than that. All of us—and perhaps I have been guilty myself—have to try to resist trying other members of parliament in forums like the Senate or House of Representatives where there really is no chance to test evidence. There is really no chance to test proof. This is totally the wrong forum for the taking of evidence and the examination of witnesses, because it does not happen. The veracity of witnesses cannot be tested. This is the wrong forum for it. Let's just leave it to ICAC.

**The ACTING DEPUTY PRESIDENT (Senator Bernardi):** Order! The time for the discussion has expired.

**COMMITTEES**

**Corporations and Financial Services Committee**

**Report**

**Senator FAWCETT (South Australia) (17:33):** I present the Parliamentary Joint Committee on Corporations and Financial Services Report on the 2012-13 annual reports of bodies established under the ASIC Act, together with the minutes of proceedings of the committee and the transcript of evidence.

Ordered that the report be printed.

**Senator FAWCETT:** I move:

That the Senate take note of the report.
I present a report by the Parliamentary Joint Committee on Corporations and Financial Services, as I have said, into the 2012 annual reports of those bodies established under the ASIC—the Australian Securities and Investments Commission—Act. Section 243 of the ASIC Act specifies this committee's duties, which include to examine each annual report that is prepared by a body established by the ASIC Act, and the report on the 2012-13 annual reports has been prepared in accordance with this section of the ASIC Act.

For this report the committee examined the 2012-13 annual reports of the Auditing and Assurance Standards Board, the Australian Accounting Standards Board, the Companies Auditors and Liquidators Disciplinary Board, the Corporations and Markets Advisory Committee, the Financial Reporting Council and the Takeovers Panel. The committee examines the annual reports prepared by ASIC as part of the committee's ongoing oversight of ASIC and, accordingly, the annual report of ASIC is not considered in this particular report.

The committee has made a number of observations and recommendations in this report. Firstly, several of the bodies did not implement changes to annual reports previously requested by this committee and the Senate Economics Committee. The committee has therefore made explicit recommendations to the Companies Auditors and Liquidators Disciplinary Board, the Takeovers Panel, the Auditing and Assurance Standards Board and the Australian Accounting Standards Board. The Corporations and Markets Advisory Committee has already implemented suggestions from the Senate Economics Legislation Committee.

Secondly, amendments to the Corporations Legislation Amendment (Audit Enhancement) Act 2012 significantly change the Financial Reporting Council's role within the financial reporting framework, repealing its auditor independence functions and refocusing it to provide strategic policy advice. In addition, the Financial Reporting Council's strategic analysis of Australia's financial reporting framework identified significant changes to the threats and weaknesses faced by Australia's financial reporting system. The committee will continue to monitor the new role and changing environment of the Financial Reporting Council.

Thirdly, in its annual report the Financial Reporting Council identified deficiencies in the financial literacy of some cohorts of Australian directors. The committee is pleased to see that the Financial Reporting Council has already initiated measures to mitigate these deficiencies. The committee has also recommended that the council implement regular surveys to monitor the effectiveness of the measures.

Lastly, the committee is pleased that the Takeovers Panel annual report indicates a substantial reduction of time between panel decisions and the publication of reasons. The committee also noticed the following trends, which we will continue to monitor. There has been an increase in the number of applications being dismissed by the Takeovers Panel, a decline in the case load of the Companies Auditors and Liquidators Disciplinary Board and a surge in projects being undertaken by the Australian Accounting Standards Board as a result of the work program developed by the International Accounting Standards Board.

I would also like to note the wind-up of the Financial Reporting Panel in October 2012. As the Financial Reporting Panel had no activity report for 2012-13, all operations were covered in its final 2011-12 report. The committee considered the final annual report for the panel in
its previous report on annual reports. In reviewing the annual reports, the committee also considers whether there are opportunities to strengthen the operation of the corporations legislation. However, the committee is not recommending any changes at this time.

The committee considered the 2012-13 annual reports generally satisfactory and would like to thank officials of the organisations for their continuing cooperation and the secretariat for their assistance in compiling this report. The committee holds its next oversight hearing with ASIC and the Takeovers Panel on 28 March and will continue to pursue a number of the issues discussed in these reports and raised today. I commend this report and its recommendations to the Senate.

Question agreed to.

**Scrutiny of Bills Committee**

**Report**

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (17:38): On behalf of Senator Polley, I present the third report of 2014 of the Senate Standing Committee for the Scrutiny of Bills. I also lay on the table Scrutiny of Bills *Alert Digest* No. 3 of 2014 dated 19 March 2014.

Ordered that the report be printed.

**Regulations and Ordinances Committee**

**Delegated Legislation Monitor**

**Senator BUSHBY** (Tasmania—Deputy Government Whip in the Senate) (17:38): On behalf of the Chair of the Senate Standing Committee on Regulations and Ordinances, Senator Edwards, I present the Delegated Legislation Monitor No. 3 of 2014.

**Legislation Committees**

**Report**

**Senator BUSHBY** (Tasmania—Deputy Government Whip in the Senate) (17:39): Pursuant to order and at the request of the chairs of the respective committees, I present reports from committees in respect of the examination of annual reports tabled by 31 October 2013.

Ordered that the reports be printed.

**Community Affairs References Committee**

**Report**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (17:39): I present an interim report of the Community Affairs References Committee on the care and management of younger and older Australians living with dementia and behavioural and psychiatric symptoms of dementia, BPSD.

Ordered that the report be printed.

**Reporting Date**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (17:39): by leave—I move:
That the Senate adopt the recommendation contained in the interim report that the time for the presentation of the report of the Community Affairs References Committee on the care and management of younger and older Australians living with dementia and behavioural and psychiatric symptoms of dementia (BPSD) be extended to 26 March 2014.

Question agreed to.

MINISTERIAL STATEMENTS

Deregulation

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (17:40): On behalf of the Prime Minister, Mr Abbott, I table a ministerial statement on deregulation dated 19 March 2014.

Senator MARK BISHOP (Western Australia) (17:40): by leave—I move:

That the Senate take note of the document.

As always in matters of consequence, as this statement is, the devil lies in the detail. In the House today, the Prime Minister made a speech that highlighted a range of absurdities contained in regulation, extant regulation, and which the government will in due course seek to repeal.

The Prime Minister deliberately ignored the fact that some, indeed most, of the regulations in the repeal package have been around for at least 40 years and possibly longer. In that period, successive governments chose not to seek regulation repeal. Indeed, in most of that time period, the treasury benches were occupied by the current government and its predecessors.

The truth of the matter is that the current government is seeking to continue the practice of the previous Labor government as carried out over the last five or six years. Put simply, the previous government repealed reams and reams of redundant regulations and legislation. It was stock in trade for the previous government. So, surprise, surprise, the Abbott government has discovered the digital age and seeks to repeal redundant legislation requiring paper copies to be maintained in some government offices. Well done. But, in summary, the Abbott government continues previous practice.

Repeatedly, over the last few weeks and in the Prime Minister's statement we have it asserted that the last Labor government was responsible for some 21,000 new regulations. It seems to the opposition that the coalition is not capable of any analysis more nuanced than a self-serving scratch tally of the legislative instruments enacted between 2007 and 2013. Had the government bothered to be honest about the content of those 21,000 regulations, they would have found that over 4,000 were in fact tariff concession orders—regulations that reduced cost for business and that were requested by businesses. They might have found that a further 3,400 of these regulations were airworthiness directives addressing safety issues.

So, as always when one looks below the surface with this government, we find the justification for a course of action fits poorly with the evidence behind the assertion. I repeat, the previous Labor government never felt the need to confect a media stunt like repeal day to celebrate a dubious achievement, because the job was being done on a regular basis as part of the ongoing, sound administration of the nation's affairs.
In contrast, Labor knows what brave regulatory reform is. In contrast, Labor well understands the virtue of the market operating free of unnecessary restriction and regulation. In contrast, Labor knows deregulatory reform is more than the routine repeal of redundant regulations that are no longer enforced. Since the eighties, Labor has achieved real deregulatory reform like banking sector liberalisation, sweeping competition reform, the floating of the dollar and the slashing of tariffs.

A real commitment to light-touch regulation might see the coalition adopt, as their own red-tape reduction manual counsels them, a market based climate change policy rather than a half-baked command-and-control scheme that even after four years they are unable to consistently explain. A real commitment to light-touch regulation might see the coalition support a fiscally responsible paid parental leave scheme rather than an inequitable, bloated program funded by a levy on business.

This is all apparently too complex for a government addicted to slogans in place of policy. This is a government that seeks to hide from the fact that, even by their own simplistic calculation of 21,000 new regulations, the all-time record for added pages of regulation was not under Labor Prime Ministers Gillard or Rudd; it was of course in 2006 under the coalition, led by then Prime Minister Howard. Let us move beyond rhetoric and put a few facts on the table at the beginning of this debate. The claim of 21,000 regulations is misleading and, arguably, deliberately misleading. Many if not most have nothing to do with business at all. For example, as I said, 3,400 relate to airworthiness directives issued to maintain and enhance public safety. Regulations have been used to assist business—4,200 legislative instruments saw business benefit from relaxing tariff concession orders. In the period of April to July of last year, the Gillard government repealed over 4,000 regulations. Some regulations may be valid for as little as one day and are used to repeal multiple other regulations.

The PolitiFact website rated the coalition's claim 'mostly false'. PolitiFact concluded:

Our best available comparison shows there were more of these legislative instruments introduced in two years of the Howard government than Labor to date.

They said this in the middle of 2013. They went on:

The Labor government has made progress in their promised reform of excessive regulation.

In the last few months the government has been building a very simple argument, building the perception that regulation equals red tape, which equals bad. Yet in the last few weeks the Abbott government has created a pattern of deregulation that is bad for jobs, leaves small business out in the cold and disempowers ordinary Australians in the choices they make about their lives, including in the key areas of health, financial security and safety.

Some examples of the proposed red-tape reduction included in the package which is the subject of the ministerial statement before the chair include the following: a proposal to abolish the Road Safety Remuneration Tribunal as part of the government's 'Repeal Day', and plans to scrap the Australian Jobs Act, which is designed to maximise the use of Australian goods and services in major construction projects. At the same time, the government is reviewing, with an eye to removing, the conditions Labor placed on the use of 457 visas for temporary foreign skilled workers, which include a requirement that a job must be advertised locally before a 457 visa is issued. The government proposes watering down legislation that requires companies with 100 or more employees to provide detailed annual reports about
gender balance to the Workplace Gender Equality Agency. This will make it impossible to know whether we are meeting targets. The proposed red-tape reduction also includes the likely abolishment of the Food Plan, leaving no plan for food processing and the small businesses that support it; the proposed FoFA changes, which effectively mean financial advisers will no longer be required to act in their clients' best interest and will remove the ban on conflicted remuneration like commissions; removal of the five-star food-rating website, weakening the ability of a person to make health choices for themselves and their families; removing Labor's clause in the TGA bill that would have enabled the TGA to instruct a company to release health warnings about their products, leaving people with less control over their health choices; and proposed changes to the Environment and Biodiversity Protection Act, handing powers over World Heritage listing to the states.

In summary, the opposition brings the attitude to the government's package that it pursued whilst it was in government. Unnecessary regulation, redundant regulation, legislation made irrelevant by time or circumstance or geography, is worthy of repeal. Simply jumping to a conclusion without thorough examination is in itself a wasted effort. The opposition will carefully scrutinise all aspects of the government's package of measures and release further advice at a future time.

Question agreed to.

DOCUMENTS

Tabling

The Clerk: Documents are tabled pursuant to statute. Details will be recorded in the Journals of the Senate and on the Dynamic Red. Documents are tabled in accordance with the continuing orders on departmental and agency files and contracts.

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

COMMITTEES

Economics References Committee

National Broadband Network Select Committee

Membership

The ACTING DEPUTY PRESIDENT (Senator Fawcett) (17:50): The President has received letters from party leaders seeking variations to the membership of committees.

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (17:51): by leave—I move:

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

Economics References Committee—
Discharged—Senator Pratt
Appointed—Senator Carr

National Broadband Network—Select Committee—
Appointed—
Substitute member: Senator Rhiannon to replace Senator Ludlam on 28 March 2014
Participating member: Senator Ludlam.
Membership

Messages from the House of Representatives were reported informing the Senate of changes in the membership of joint committees, as follows:
Message no. 80, dated 18 March 2014—Joint Committee of Public Accounts and Audit, Dr Hendy and Mr Giles in place of Mr Smith and Ms LM Chesters.
Message no. 84, dated 19 March 2014—Joint Standing Committee on the National Disability Insurance Scheme, Mr Irons in place of Mr Wyatt Roy.

BILLS

Social Services and Other Legislation Amendment Bill 2013

Consideration of House of Representatives Message

Message received from the House of Representatives returning the Social Services and Other Legislation Amendment Bill 2013, informing the Senate that the House agrees to amendments nos 1 to 4, 6 to 40 and 42 to 48 made by the Senate, disagrees to amendments nos 5 and 41 and makes amendments in place of those amendments.

Ordered that consideration of the message in Committee of the Whole be made an order of the day for the next day of sitting.

Farm Household Support Bill 2014

Farm Household Support (Consequential and Transitional Provisions) Bill 2014

First Reading

Bills received from the House of Representatives.

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (17:53): I move:
That these bills may proceed without formalities, may be taken together and be now read a first time.
Question agreed to.
Bills read a first time.

Second Reading

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (17:53): I move:
That these bills be now read a second time.
I seek leave to have the second reading speeches incorporated in Hansard.
Leave granted.

The speeches read as follows—

FARM HOUSEHOLD SUPPORT BILL 2014

The Farm Household Support Bill 2014 is a bill to replace the Farm Household Support Act 1992.
It confirms this government's commitment to introduce a new farm household support payment, to help those in financial need regardless of the cause.
For more than two decades, the Farm Household Support Act has enabled the government to provide farm families with crucial financial assistance during times of severe hardship.
It was a lifeline for many farm families during the disastrous millennium drought of 1995 to 2009. Australia is a dry continent with a highly variable climate, and drought is an obvious challenge our farmers face – but it is not the only one.

They must also adapt to changes in commodity prices, the fluctuating Australian dollar, competition from foreign producers both on and offshore—who can be heavily subsidised—biosecurity threats and the vagaries of the weather.

Farmers also don't have the good fortune of coming home to a pay cheque each week—they live and work with uncertainty—sometimes they get paid, sometimes they don't. And the amount they can get paid can vary considerably.

In spite of this, or maybe because of it, we are world leaders in agriculture.

Last year, the Australian agriculture sector generated $47.3 billion in gross value of production, making it one of the five pillars of the nation's economy alongside manufacturing, services, education and research and mining.

Our farmers exported $38 billion in produce to our trading partners last year – income that is vital to the nation's economy.

Australia is well placed to benefit from the growing global demand for quality food and fibre, especially from Asia.

But our farmers need the support of the Australian Government to reach their full potential, during both the good and the bad times.

The government will do everything it can to encourage and assist farmers to adopt smart risk management strategies so that they can grow and adapt in the face of climatic and economic challenges.

It is vital that we strike a balance between supporting farm families during hard times, and promoting the growth of a productive, competitive and profitable sector.

This government has a history of introducing measures to support farm families through hard times.

In 1999 we introduced the Exceptional Circumstances Relief Payment, known as ECRP, as part of the Farm Household Support Act to help farm families put food on the table during severe and unexpected adverse events such as drought.

At the height of the last drought, during the 2008-09 financial year, over 30,000 farm families relied on ECRP to meet basic household expenses.

The Government will honour its commitment to support farm families through difficult times and invest in the growth of a profitable and globally competitive agriculture sector.

That is why the government is proud to introduce the Farm Household Support Bill 2014 to the Australian Parliament.

The bill delivers once-in-a-generation reform of government support for farm families by introducing the Farm Household Allowance.

The Allowance will replace Exceptional Circumstances support and the existing Transitional Farm Family Payment.

This approach—to replace Exceptional Circumstances income support with a generally available income support payment—was confirmed in May 2013 by the Australian Government and all states and territories via the Intergovernmental Agreement on National Drought Program Reform.

This legislation will make the Farm Household Allowance a permanent feature of the agricultural policy landscape from 1 July 2014.

The Allowance will provide farmers and their partners in hardship, up to three years of household income support paid at the same rate as Newstart Allowance or Youth Allowance for those under 22 years old.
But we know that some farmers, particularly those affected right now by severe drought, simply can’t wait until the commencement of the legislated Allowance on 1 July to receive support.

That’s why the government will bring forward the main eligibility requirements of the Allowance and apply them to the existing income support scheme, the Transitional Farm Family Payment, or TFFP, from 1 March 2014.

To reflect these interim arrangements and new criteria, TFFP will become known as the Interim Farm Household Allowance from this time. Those who have received their maximum 12 month entitlement to TFFP will be able receive an extended period of support.

The changes will ensure that eligibility requirements for the interim payment are aligned to the extent possible with the future legislated criteria for the Farm Household Allowance. This will also make it easier for farmers receiving support to transfer onto the legislated Farm Household Allowance when it is available.

While getting financial support on the ground to those who need it is clearly the priority, the legislated Farm Household Allowance brings with it a range of additional support.

The Allowance will deliver case management support for the farm families receiving it, as well as financial assistance to obtain advice or training to improve their situation.

They will also have access to the range of other benefits available to other Australians receiving social security payments, such as an automatic entitlement to a health care card.

It will also support farm families to educate their children. Parents receiving the Allowance automatically meet the income test provisions in respect of their child’s Youth Allowance or the Additional Boarding Allowance under the Assistance for Isolated Children Scheme.

In some circumstances, recipients will also receive the pharmaceutical allowance, telephone allowance, remote area allowance and rent assistance.

The three years of income support provided by the Allowance will give farm families time to plan for their future and take action to achieve greater financial security and self-reliance.

For some, the Allowance will be the lifeline that allows them to consider their future with dignity.

Whatever choice farm families make, the government is committed to making long term, positive differences in the lives of farm families receiving the payment.

That is why everyone who receives the Farm Household Allowance will enter into a Financial Improvement Agreement.

The Agreement will set out a plan of action for recipients that outlines their short and long term goals and the activities that will help them achieve those goals.

These activities could include professional, financial or farm advice; education and training; or re-employment services, depending on individual needs and goals.

To ensure our farmers can do what they do best, the workload in running a farm will be taken into account when deciding suitable activities and timelines.

Personal factors that may be affecting a farmer and their partner’s ability to work towards improving their situation will also be taken into account in the development of an action plan.

Action plans are a proven, effective method of helping farm families plan for, and move towards, a financially secure future.

But Allowance recipients won’t be alone.

Each farm family will receive support from a case manager who will help them develop an action plan that meets their individual needs.
Case managers will monitor progress against action plans, and put farmers and their partners in touch with relevant programs or services in their area, making it easier for them to access social support, financial counselling or employment services.

Case managers will provide farm families with a source of encouragement, support and structure to make decisions about their farm business and personal situation.

Decisions that may be difficult, but necessary nonetheless.

The Farm Household Allowance also delivers on the government's objective of making the agriculture sector more productive and globally competitive.

Farmers and their partners receiving the Allowance will each have access to a $3,000 Advice and Training grant to help them obtain the skills and qualifications they need to achieve their goals.

Research shows that farmers who engage in training and education run more profitable, adaptive and drought-prepared farm businesses.

Training improves confidence and willingness to adopt innovative technologies and best-practice risk management strategies.

Unfortunately, the cost of training and education can be prohibitive to those who would most benefit from it - especially when you consider the expenses incurred in travelling to larger towns and cities where training is often held.

Financial assistance for training and education is an investment in the future of our farmers.

Since the early nineties, successive governments have delivered advice and training grants to farmers facing hard times to help them improve their profitability and natural resource management or to transition into a new life outside of farming.

Feedback from peak farm bodies and program review panels indicates time and time again that financial assistance for training and education helps farmers help themselves.

This bill marks an exciting and important development in Australia's response to farm families living in an increasingly challenging environment.

The Farm Household Allowance is an ongoing demand-driven and uncapped program, so no family in need will go without.

It will provide much-needed certainty about the level of household income support available to the farming community into the future.

The Allowance brings farm families into the fold of personalised case management that is so effective in building confidence and skills in decision making and achieving goals.

It delivers on the government's commitment to invest in a more competitive and resilient agriculture sector by investing in relevant training and education.

The bill is accompanied by a second bill, the Farm Household Support (Consequential and Transitional Provisions) Bill 2014.

This bill will repeal the Farm Household Support Act 1992 from 30 June 2014, and amend legislation required for the operation of the Farm Household Allowance.

Industry members will welcome farm household income support that is available to families when they need it, without the need for an Exceptional Circumstances declaration.

We are grateful for their ability to point out the strengths of previous programs and tell us what needs further work.

And we will continue to listen to them.

When the Australian Bureau of Statistics states that farming has helped shape our nation and will sustain our population and those of our trading partners in the years ahead – you know it's the truth.
Both sides of politics believe in rural communities and the benefits they bring to the Australian economy and way of life.

The evolution of national drought policy has attracted bipartisan support.

And we must continue to see a genuine approach by both sides to navigate the difficult policy issues that affect the lives of thousands of Australians living in rural and regional communities.

The bill will ensure that farm families in hardship have the same access to income relief as other Australians, regardless of the cause of their hardship.

The Farm Household Allowance will improve outcomes for farm families through personalised case management and financial assistance to up-skill or retrain.

It will strengthen the government's support for farmers, and through them, rural and regional communities across Australia.

FARM HOUSEHOLD SUPPORT (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2014

The Farm Household Support (Consequential and Transitional Provisions) Bill 2014 is a companion bill to the Farm Household Support Bill 2014.

Together, these bills deliver a new legislative scheme to deliver income support to farmers and their partners who are experiencing financial hardship.

This Bill repeals the Farm Household Support Act 1992 and amends other Acts.

Repealing the Farm Household Support Act 1992 is appropriate as all of the programs and payments under the Act are redundant. It also makes consequential amendments of a minor nature to other Acts to support the full and effective implementation of the Farm Household Allowance.

This Bill also includes transitional provisions to ensure recipients of non-legislated income support payments, including the new Interim Farm Household Allowance, can transition to the legislated Farm Household Allowance as smoothly as possible.

This Bill draws a line under past approaches to drought support, enables the Farm Household Allowance to assist our farmers and their families, and ensures relevant transitional arrangements are there to support those in need.

Debate adjourned.

Social Security Legislation Amendment (Increased Employment Participation) Bill 2014

First Reading

Bill received from the House of Representatives.

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (17:54): 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 SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (17:54): 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—*

Today I introduce the Social Security Amendment (Increased Employment Participation) Bill 2014 which provides assistance to help the long term unemployed, particularly young job seekers, to find and keep a job.

The Coalition Government is committed to building a strong and prosperous economy that creates jobs for all Australians.

We do not, however, underestimate the size of this challenge.

The Coalition has inherited an economy that is in transition and has been burdened by $123 billion in projected deficits and is heading towards $667 billion in debt unless action is taken.

The Australian public knows that the Coalition has a proven track record of growing the economy, reducing debt, getting people into jobs and off unemployment benefits.

The Coalition has been elected with a clear mandate to get our economy back on track.

The Australian public voted for our plan to achieve this by abolishing the carbon and the mining tax and removing the excessive red tape that has strangled the economy in recent years.

The Coalition understands that it is business, not Government, that creates prosperity and generates new jobs. We are committed to establishing the right policy settings to help business grow.

The Coalition also understands that it is important to our nation's future that we have as many people as possible in the workforce so that we can meet the economic and social challenges ahead.

We also recognise the damaging effects of unemployment on people. Being out of work for an extended period can erode a person's skills, confidence and sense of pride.

This in turn, can make it harder for people to find and keep a job and leads to a vicious cycle of welfare dependency.

Long-term unemployment can be especially damaging for young job seekers.

It is at the start of our working lives that we learn many of the skills that employers value the most – such as punctuality, teamwork and commitment.

This Bill includes two measures that will help to achieve these objectives - namely the Job Commitment Bonus for Young Australians and Relocation Assistance to Take Up a Job.

The Government is determined to prevent young job seekers from sliding into long term welfare dependency and to reward positive, pro-work behaviours.

That is why we are investing in our young people by implementing a Job Commitment Bonus. This new payment will be available for young Australians aged 18-30, who have been unemployed for twelve months or more, and in receipt of Newstart Allowance or Youth Allowance (other), and who go on to get and hold down a job.

Two bonuses will be available, one worth $2,500 when an eligible young job seeker remains in employment and off income support for 12 months and another worth $4,000 when the job seeker remains in employment and off income support for an additional 12 months, that is 24 months in total.

The Job Commitment Bonus will reward those young Australians who demonstrate a commitment to the world of work rather than the world of welfare.

The Government also recognises that for many job seekers the costs of relocating to take up a new job can be prohibitive.

That is why the Government is introducing the Relocation Assistance to Take Up a Job programme to provide funding to eligible job seekers to meet the costs of moving to take up a job.
This targeted programme provides financial support to job seekers who have been on Newstart Allowance, Youth Allowance (other) and Parenting Payment for at least the preceding 12 months to relocate to take up employment or an apprenticeship.

Up to $6,000 will be available to support eligible job seekers who relocate to a regional area to take up a job.

Up to $3,000 will be available to support eligible job seekers who relocate to a metropolitan area from a regional area to take up a job.

This $3000 payment will also be available to eligible job seekers who relocate from a metropolitan area with higher unemployment to one with lower unemployment to take a job, for instance from Adelaide to Melbourne.

In addition families with dependent children will be provided with up to an extra $3,000, in recognition of the additional costs that can accrue when moving a family.

Under these measures, for instance, a family moving from Sydney to Wagga Wagga to take up a job could receive up to $9,000 to help meet the costs of relocating. This is $2,500 more than is available under the current arrangements.

Job seekers will be reimbursed for the costs they incur in relocating, although payment may be made in advance in cases of significant hardship.

Given the financial investment that the Government is providing, it is appropriate that we have strong measures in place to ensure job seekers who have received assistance to relocate to take up a job stay in that job rather than return to welfare.

This Bill amends the Social Security (Administration) Act 1999 so that participants who leave employment without a reasonable excuse within six months of receiving a relocation payment will incur a 26 week non-payment period before becoming eligible to receive unemployment benefits again.

Conclusion

Together these measures are a significant investment by the Government to support the long-term unemployed, particularly our unemployed young people, to take up employment as well as boost Australia's economic activity.

The measures provide incentives for young people to stay in employment and help to address some of the barriers that the long-term unemployed face when trying to find work.

Under these measures, for instance, a young job seeker who moves to regional Australia and stays in employment for two years could receive up to $12,000 to help them make this very positive change in their life.

This compares very favourably with the financial costs to taxpayers of a young person remaining on welfare for that period and beyond.

This Government is determined to ensure that job seekers are given hope, reward and opportunity and are not abandoned to a lifetime of welfare dependence and despair.

This Bill will assist in the delivery of these programmes, which are a core component of our commitment to increase workforce participation and help people move from welfare to work so they can build a more positive future.

Debate adjourned.
Customs Tariff Amendment (Tobacco) Bill 2014
Excise Tariff Amendment (Tobacco) Bill 2014
Primary Industries (Excise) Levies Amendment (Dairy Produce) Bill 2013
Tax and Superannuation Laws Amendment (2014 Measures No. 1) Bill 2014
Assent
Messages from the Governor-General reported informing the Senate of assent to the bills.

REGULATIONS AND DETERMINATIONS
Aboriginal Land Rights (Northern Territory) Amendment (Delegation) Regulation 2013
Disallowance

Senator MOORE (Queensland) (17:55): At the request of Senator McLucas, I move:

That the Aboriginal Land Rights (Northern Territory) Amendment (Delegation) Regulation 2013, as contained in Select Legislative Instrument 2013 No. 272 and made under the Aboriginal Land Rights (Northern Territory) Act 1976, be disallowed.

This will lead into the debate we are having about a disallowance motion for a range of regulations that are being put forward by the minister. Before I commence, I want to acknowledge—and draw the attention of the Senate to—the Deputy Chair and the CEO of the Northern Land Council and the Chair of the Central Land Council, who are in the gallery and are sharing this discussion with us today.

The opposition will be seeking to disallow these motions. We believe that in this area—a most sensitive area of activity that has been regulated and looked at by a series of governments and inquiries over so many years—there are two key points which I think we need to enshrine in all actions we take in this area. One of course must be effective, responsive and engaging consultation with the people who are involved and who will be affected by any form of change. We have heard this so many times. Commitments have been made by a series of governments that where there is any change to Aboriginal legislation there must be—there has to be—effective consultation. We put forward that that effective consultation has not taken place in this case.

We know that the proposal by government is to make significant changes in the operation of Aboriginal land councils; to widen scope, to look at a delegation, to corporations, of a range of core issues. This was actually placed in legislation in 2006 but the way to move it forward is through regulation.

You and I remember, Mr Acting Deputy President, working on the regulations and ordinance committee and putting forward the absolute assurance that there must be effective consultation for all legislation. We do not believe that there has been effective consultation with the people most affected in the development of these particular regulations.

Telling people about it, asking for their opinion by mail, does not constitute consultation. What constitutes consultation—and we know this—is working closely with the people, working through the impact, working through the process, to ensure that there is absolute understanding and, where possible, agreement. We understand that consultation does not always mean agreement, but it certainly means respect for concerns that have been raised, and
particularly respect for concerns that have been raised about the effective operations of the business. The business that is currently being done by the land councils makes sure that Aboriginal people have a true sense of ownership of their land and of any development that is taking place on their land.

The process that we have before you has had considerable response. When the letter was sent out to the corporations, naturally they responded; they always do. When issues are put before the councils they always respond to ensure that the concerns of their people are heard. There have been significant concerns about the impact that these regulations would have in ensuring that there is effective scrutiny and accountability for any decisions that are made.

The second point, leading on from effective consultation, must be ensuring that there is transparency and accountability and consistency in any kind of action that is taken.

In this place, we have had the real pleasure of working with land councils over a number of years. Through the Senate estimates process, we have had the opportunity to work with land councils in relation to their annual reports and, on many occasions, to have land council members appear before us. In fact in recent times, since we have had the dedicated day looking at Aboriginal and Torres Strait Islander issues—which I think must be enshrined in our process in this place—we have on a number of occasions had council members appear before our committee to work through issues of concern that have been raised by senators.

One of the concerns that has been put on the record by the councils—who will be impacted by these regulations—is that this degree of accountability and scrutiny will not translate to any of the processes that are devolved to corporations. And we have yet to see any kind of process put forward by the government that tells us how that accountability and transparency will work. We know that, consistently, areas relating to Aboriginal land, Aboriginal wealth and Aboriginal income are of interest to those this place, but also and most importantly of interest to the traditional owners—to the people whom these processes are supposed to support.

I know my friend Senator Peris will take this forward with her local knowledge of the area, and she will say much more about the concerns that people in that area have. But I really just wanted to make this point about accountability and transparency. But I also wanted to mention one of the more stupid aspects of these regulations, which is the time frame that is imposed on the regulations in terms of process. A three-month time frame is actually put—

Senator Scullion: Imagine having to respond in three months! Imagine that!

Senator MOORE: Minister, you will have your go—as you always do. The process outlined in the regulations includes a three-month turnaround for decisions which must involve careful scrutiny of the proposal for a corporation to take over key functions—and that scrutiny would be expected and must occur. But this is not a workable expectation: Aboriginal land councils have a clear schedule of meeting times, which we all know; when and where these councils meet is public and transparent. Their people know when they meet; we know when they meet. Not one of them would be able to turn around a decision of this nature within a three-month period. To put that forward in this regulation just does not make it workable. And the thing that comes behind that, of course, is that if there is not a decision made—and a response given back—by one of the land councils about a proposed devolution of authority to a corporation, the expectation is that the minister will step in immediately.
I have heard the current minister speak many times, both as a minister in the previous government and as the shadow minister for the last six years. He has told us consistently—in this place, in meetings and in regional meetings—about the importance of having effective ownership by Aboriginal people of their decisions. That is a statement by which he consistently stands. I agree with him. I respect the position he has taken. But the proposal in terms of these regulations does not reflect that position.

If we are going to be—as we always agree we should, here in this place—respectful of Aboriginal land councils, and if we were acknowledging their work and their place in history, we will ensure that any expectation from the government or the parliament will include the opportunity for them to do their job. That has always been the process. The regulations we have before us in this chamber do not allow that to happen. I have read here about the processes that the minister is trying to put in place. In short, if the aim is to engage the councils and give them more flexibility, the best and most effective way forward—in fact, the only way forward—is to let the land councils see that they are partners in this process, and not being imposed upon by government. That has consistently been the argument that we have put up.

In terms of the process, we believe there is much more discussion to be had. No-one believes that everything should be locked in stone, and that no changes should be made. That has never been the position of the opposition. I believe that there is a willingness to maintain the discussion around further changes and further ways to ensure that there is the best possible outcome for the traditional owners of the land—which was the intent of the original legislation. So, we are not closing down the discussion; what we are saying is that the most effective way to move the discussion forward is to ensure that due process is put in place. The regulations as they are now drafted do not allow that due process.

We need to ensure that we have effective consultation, and an effective response to the issues that have been raised by the councils themselves about why they are uncomfortable with what has been put forward. We need to ensure that that consultation is there, that it is open, and that it is as engaging as possible. And I would suggest that it involves this place, Minister—not just outside. I suggest that it involves all of us in this place—because you know more than anyone else the interest and the commitment that people in this place have to ensuring that we have effective services and effective accountability in Aboriginal communities. These regulations do not provide that. In fact, there is a real danger that if these regulations are pushed through, it will further alienate the people who are most deserving of being consulted.

I know Senator Peris and Senator Siewert will have more to say, and so I will leave it at that. The opposition will not be supporting these regulations.

Senator PERIS (Northern Territory) (18:05): I rise in support of this disallowance motion, as it has direct relevance to the Northern Territory. As my colleague did earlier, I would like to acknowledge in the gallery today Northern Land Council members, Mr Sammy Bush-Blanasi and Mr John Daly, and deputy chair and CEO, Mr Joe Morrison; and also Central Land Council chairman, Maurie Japarta Ryan.

I support and applaud the very important role that the land councils play in representing Aboriginal people. We have four land councils in the Northern Territory: the Northern Land Council, the Central Land Council, the Tiwi Land Council and Anindilyakwa Land Council.
They represent the traditional owners of the land and they also represent the concerns of Aboriginal people on many fronts. Aboriginal people have an extremely important connection to the land. The land owns Aboriginal people, not the other way around. Every aspect of our lives is connected to the land. We have a very deep spiritual connection to it. We have, in fact, 40,000 years of an inherited responsibility to the land and the sea. Aboriginal law and spirituality are intertwined in the land. This forms our culture and sovereignty. The health of the land and water is central to our culture. The land councils in the Northern Territory protect this connection but they also understand the importance of jobs and economic opportunity for our people. It is terrific that representatives of the land councils are here today, because this is a very important issue.

The essential reason that this disallowance motion exists is the lack of consultation from the Minister for Indigenous Affairs. The minister simply did not properly consult with affected stakeholders, in particular the land councils of the Northern Territory, when he amended the regulations that this motion seeks to disallow. Late last year, on December 12, the Minister for Indigenous Affairs tabled an amendment, the Aboriginal Land Rights (Northern Territory) Amendment (Delegation) Regulation 2013. This regulation directly affects land councils in the Northern Territory and I reiterate that the minister did not properly consult with them. The land councils do not support the regulation—and I will explain in a minute why the land councils are opposed—but what land councils and all Aboriginal people are sick of is, when changes that directly affect them are being made in Canberra, Aboriginal people do not have their say.

That is what has occurred here: no real or meaningful and respectful consultation process and no formal opportunity to comment on the changes that directly affect them have taken place. Nothing upsets Aboriginal people more than being ignored on matters that affect them, and being ignored by the minister who is meant to be responsible for Indigenous affairs is especially wrong. The Prime Minister says that he will be the Prime Minister for Aboriginal people, yet this government makes changes to Aboriginal rights regulations without properly consulting with Aboriginal people. That is not right.

This is not the first time we have seen this approach. Last month, without any consultation, $10 million was scrapped from Machado–Joseph Foundation. There was outrage, even from members of the Liberal Country Party of the Northern Territory. Party members were calling the decision disgraceful and disgusting, but that is what happens when you do not talk to the people when making decisions that affect their lives or without telling them. The minister, to his credit, back flipped and has restored some of the funding, but the damage has already been done. I hope that the minister now understands that Aboriginal people do not like having decisions thrust upon them.

I will now explain why the land councils are opposed to these regulations. First and foremost, they impose new requirements on the content of applications for delegation for Aboriginal corporations. The regulation seeks to impose criteria by which land councils would be required to consider delegation applications. The changes also impose a three-month time limit for land councils to consider an application for delegation on an Aboriginal corporation before it may be referred by the Aboriginal corporation to the minister for approval. If the proposed changes are not allowed, land councils will not receive adequate information so as to make an informed decision as to whether a delegation should take place.
This will be subject to an unreasonable time frame for the consideration of potentially major and permanent transfer of core land council functions.

The two biggest land councils, the Northern Land Council and the Central Land Council, have submitted a joint submission opposing this regulation. It is a very comprehensive submission and it supports this disallowance today. I want to read out an extract from the submission that outlines their objections. The submission says:

The regulations require a Land Council, to respond to an application for delegation of functions within 3 months, failing which the Land Council is deemed to have refused such that the Minister may force a delegation. The response time for adequate consideration of such a request must accommodate both the investigation and decision making processes of the Land Council. During the period after an application has been received the Land Council will need to:

- Confirm whether the membership meets the eligibility requirements;
- Consider the matters for which a delegation has been applied for, particularly with regard to the Land Council's statutory obligations;
- Determine whether the corporation is soundly governed and whether it has met its statutory reporting requirements;
- Assess the administrative and financial capacity of the corporation;
- Undertake any consultations required;
- Assess the requested resource implications;
- Assess the implications for 3rd parties including the impact on 'transaction costs';
- At a meeting of the Council: decide on the application;
- Provide written notice to the Corporation and to the Minister.

The period of 3 months is utterly inadequate as the Land Councils decision will need to be made by the Council at one of its Full Council meetings (triannual for the CLC, and biannual for the NLC) following the completion of the above investigation and consultations. Further, the regulations fail to adequately prescribe how the proposed area in which the Aboriginal corporation wishes to exercise Land Council functions is to be described in the application. Precision is needed in this regard to provide the Land Council with an accurate basis for determining whether the corporation, membership complies with eligibility requirements, and to look at whether the area provides logical administrative boundaries for the delegated functions. Precision is also needed, because the Land Councils will need to be certain about which body, it or the delegate, may exercise functions over a given area, and third parties need certainty about who they should be dealing with.

It is plain, from experience regarding applications to create new Land Councils, that the period of 3 months to consider a delegate corporation's 28A application is manifestly insufficient.

As you can see, their objections are very comprehensive, very considered and very well founded.

The Anindilyakwa Land Council from Groote Eylandt have also written to the Minister for Indigenous Affairs opposing this regulation, and I will quickly read an extract from their letter. They say:

We have a grave fear that even the threat of an application for delegation, by maverick groups and/or 'carpetbagger' advisors purporting to act on their behalf, will lead to intra-community disputes and even possibly litigation, which the ALC, and possibly you, Minister, would have to defend at great cost to us all.
We respectfully request you give consideration to our grave concerns, to avoid these many serious unintended consequences.

There has been absolutely no consideration of their grave concerns by this minister. I am also advised that members of the Tiwi Land Council share the concerns of the other three land councils. So the land councils' opposition to this amendment from the minister is clear. Not only is the rationale behind their objections very clear, but they are also upset by the fact that they have been ignored. I also understand that the Northern Land Council have found that their dealings with the minister on this matter have been extremely unsatisfactory. That is extremely concerning, not just in relation to this issue, but in relation to the government's approach to land councils and to Aboriginal people. It gives me no pleasure that the minister and the land councils are at loggerheads because, for the good of the Northern Territory it is very important that the Commonwealth government's Minister for Indigenous Affairs has a good relationship with the land councils.

I want to quote from a speech by the now Minister for Indigenous Affairs that was given at a Northern Land Council meeting in Timber Creek in May last year when he was in opposition. He was talking about potential changes to the Aboriginal Land Rights Act and said:
I do not intend to force this on anyone. I want to support the Land Councils and I want you to be a part of it. I want Land Council's to be strong.
They are such beautiful words, but they were just words. They remind me of the late Dr Yunupingu's famous lyrics:
All those talking politicians
Words are easy, words are cheap
Much cheaper than our priceless land.
The minister concluded his speech to the Northern Land Council by saying:
Whichever way it goes my friends, whether we win the election or not, whether I become the Minister for Aboriginal and Torres Strait Islander Affairs, I will always be on your side and I will always want to work with you.
If this disallowance is supported, then the Minister for Indigenous Affairs should go back to the drawing board and begin talking to Aboriginal people, in full consultation with land councils, in an honest and open manner. He should do what he said he would do before the election.

I support the disallowance, and I call on both the Prime Minister and the Minister for Indigenous Affairs to ensure that, next time they intend to make changes that affect Aboriginal people, they do the right thing and have the decency to properly consult with them. I thank the land councils for coming here today and for the work they continue to do in protecting our land and for standing up for Aboriginal Territorians.

Senator SIEWERT (Western Australia—Australian Greens Whip) (18:16): From the outset I indicate that the Greens will be supporting this disallowance. I have looked at this issue, and I have talked to both the government and the land councils. I, too, acknowledge the presence of representatives of land councils in the gallery tonight.

We need to look at the context of these regulations. They are coming from the amendments that were made in the Howard government era that were clearly designed, I believe, to make it
easier to remove the control of lands from the land councils. I think it was part of the amendments made to facilitate that process. I would suggest that that did not achieve its aim and that is why this regulation is being brought in. I am not suggesting evil intent by the current minister, but I am concerned about the precedent that this regulation would make, because it allows a minister to have quite extraordinary control. I do not think that that is appropriate when you are talking about areas that are under the responsibility of land councils and around decisions that they, rightly, should be making.

I listened to the minister very carefully—and I thank him for taking the trouble to explain to me his reasoning for this regulation—but I think there are better ways to achieve what he is trying to achieve. If it is just about the time frame for decision making, I think there are better ways to do that. Some of the loopholes—the gaps—in this regulation are, very properly, being raised by the Central Land Council and the Northern Land Council, although I have had other people and organisations raise their concerns about this with me. Concerns have been raised that, by allowing and facilitating Aboriginal corporations to have powers delegated to them through this mechanism, it may include non-traditional owners. In fact, as I understand it, there is not a requirement that the people involved are Aboriginal. That is a concern for me.

There is concern about the viability and sustainability of the corporations involved. I do not see how a land council, in making the decision around delegation following an application, could be assured about the financial viability and sustainability of a particular corporation. As I understand it, if that corporation folded, the powers would then default to the minister. I am concerned about those particular issues which, again, undermine the decision-making responsibilities of the land council.

Concern has been expressed to me about decisions being made that should properly be made by traditional owners, which I am very concerned about. The position has been put to me that there are some decisions, which are smaller decisions, that do not need to be made by traditional owners. With all due respect, I think that is a decision that should be made by the traditional owners. The traditional owners, therefore, should be in a position to make the decision about whether they need to make that decision—if you understand where I am coming from. It is my opinion—and it is an opinion that has been made strongly to me—that it is not up to non-traditional owners to decide who should be the decision makers.

There are also concerns around the responsibilities where, once they are delegated to a corporation, the land council still has certain financial responsibilities and responsibilities, potentially, for supporting the corporation to which these responsibilities have been delegated. Again, they then have no control over the decision in the first place. It seems to me that, while we are talking about trying to improve the decision-making process and get rid of some of the complexities, it could potentially lead to further complexities in decision making and further confusion.

I do understand that the government is trying to make some of these processes easier. It has been put to me that where other entities have applied for delegation of power it has been to set up new land councils. Where an application has been made and there has been serious discussion about it, the decision has been made and agreement reached. I do not think that facilitating what ultimately is a transfer of responsibilities back to the government through the minister is appropriate.
Let us go back to where this power originated. It originated from a Howard government agenda to get, for example, township leases in place. This was to allow outside development in townships, because the government was frustrated—other people were not necessarily frustrated—by traditional owners not allowing certain developments in their townships. This power came along, if people remember, with the whole process around income management and some other very draconian powers, including setting aside and exempting from the Racial Discrimination Act those measures at that time. When the ALP government came in, they wound back some of those draconian powers. If you remember rightly, there were no financial payments under those township lease arrangements. That has become more 'normalised' since that issue of payments was addressed.

We need to remember where this power came from. It was about gaining control of decision making over land. I am not suggesting that Minister Scullion is trying to concentrate that power. I am saying, however, that in the future these regulations could be used to enable more concentration of ministerial control over decisions that rightly sit with the traditional owners. The Greens will not support that further concentration of power in the executive. We believe that decision making should be with the traditional owners.

On behalf of the Greens, I very willing to say that, if there is another proposal which deals more appropriately with the time frame of decision making and with the questions and issues that have been raised by the land councils, we will be very happy to look at that alternative approach but we will not support the approach that is currently outlined in this regulation. We did raise very serious concerns when these amendments were first made, and we still hold those very serious concerns. I am not about to agree to a regulation that in fact concentrates those decision-making powers outside of the processes of land councils. Having said that, we will agree to look at an alternative approach. We are very happy to consider that, but we will not support this regulation. We will support the disallowance.

Senator XENOPHON (South Australia) (18:26): Can I indicate that I take a contrary position. I will not support the disallowance. I have listened very carefully to what the contributors have put in relation to this debate, and I note particularly the comments made by Senator Siewert in relation to looking at alternative approaches. I have approached this issue by looking at some of the procedural aspects of the regulations, which I thought had some merit, but I do acknowledge the contributions made by other senators.

The Northern Territory Land Rights Act already includes specific provisions that enable an Aboriginal corporation to apply to a land council to request a delegation of some of the council's powers. What these regulations do is introduce a specific process and a time line for these applications. I have heard the criticisms about that time line, which I will address shortly. However, without these regulations, the provisions in the act cannot be practically effective, because if there is no time frame specified to deal with a request for delegation then arguably they are meaningless.

I note that these regulations do not change the intent or application of the act. They, as I understand it from the government's point of view, improve its mechanics. If there is to be a debate about the intent of the legislation—what was passed by the Howard government—then so be it, but I am looking at the way that the mechanics of these regulations work. The regulations themselves make provisions for the type of information that corporations should provide and that land councils should consider so that due diligence takes place. The
regulations also place a three-month time limit for considering applications, which I note has been heavily criticised, but, importantly, the regulations allow councils to apply for an extension on this limit.

I think part of this debate seems to centre around whether the delegation of powers should exist in the first place. I think that, in appropriate circumstances, there ought to be a delegation. Where there is an adequate organisational capability or when there is a majority of voice in a corporation then there should be a capacity for councils to delegate. This can provide traditional owners with greater control and autonomy over their land and the ability to maximise the economic benefit from it. But this is not what this debate is about today. The provisions for delegation exist in the bill and, as such, should be operating properly. I believe these regulations achieve that aim. In the absence of these regulations, the provision is meaningless.

I note the position of the opposition and the Greens, and I respect that, but I believe that the current situation allows applications to remain in limbo indefinitely. I do not think that is desirable. I think some would say that it is pointless and, I am sure, distressing for those members of the corporation who have made the application. When I received a briefing from the minister in relation to this just a couple of days ago he said that there was an application from the Mangarayi Aboriginal Corporation—I have probably pronounced that wrongly and I apologise—to the Northern Land Council back in 2010 that has still not been decided on. So, if no decision is made, then there are no avenues of appeal. Instead, the corporations will have to go through an expensive and lengthy legal battle to even get a decision to appeal—via, as I understand it, a lengthy and costly judicial review process—and I do not think that is desirable.

I see this as being about procedural fairness, although I support the broader issues behind it. I am encouraged by Senator Siewert's comments that the Australian Greens will look at dealing with some of the issues that have been raised by the minister, and I think that might provide a middle ground or a way forward in relation to that. But, on balance, I am not convinced to support this disallowance.

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (18:30): As other speakers have done, I would like to acknowledge my good friends in the gallery from the Northern Land Council and from the Central Land Council. But, more importantly, I would like to acknowledge the traditional owners of the Northern Territory, which is whom this debate should be about—not their representatives, not the bodies that represent them. I am here, as Senator Peris should be here, to represent the interests of my constituents. That constituency is part of the fabric of the Commonwealth government, within which the Northern Land Council is a statutory body. My responsibility as minister is to ensure that you carry out your functions in a way that is lawful and provides procedural fairness to your constituents, whether you do so or not. That is my role in this.

It was with some sadness that I heard what Senator Siewert said. I would like to be cranky with you but we have had a very long relationship. I would like to sit down and explain a number of things, Senator Siewert—a couple of things, just technical changes. This change was made in 2006. It was not associated with the income management process; it was done well before that—
Senator Siewert interjecting—

Senator SCULLION: Just in terms of a correction, Senator. This regulation—and I do not have time to just make up regulation, to just slip in here and throw a few regulations around—was the subject of a significant consultation process with all the land councils and with Aboriginal corporations. There were a series of consultations, and the reason those consultations were had was that there was mischief afoot. Certainly, the land councils in that consultation had indicated a whole range of things, and in response to that we made some changes. On the basis of that very clear advice, we put the regulations forward.

Now, those on the other side seem to think this is an opportunity to talk about section 28. That is actually our law. That is our law now and that is the law which the Northern Land Council, which is a servant of this, being a Commonwealth statutory authority, needs to respect. Section 28, effectively, is land rights plus. It is a law that allows people to make some significant decisions themselves on their own land. It is real land rights. That is not just a statement. I have no interest in this. None of these processes actually provide the minister with any decision-making power. It is there, as always, as a default position, but we do not get any land. I genuinely have no interest in who is speaking for whose country; that is entirely a matter for traditional owners. But there was a fair bit of mischief going on.

If I could just use a short anecdote about a friend of mine who would be well known to Maurie, perhaps not to others. There was a guy called Herman Malbunka—he has passed away, bless his soul—who was a good friend of mine. I can remember him sitting on the side of his road, and it is a road that goes past Hermannsburg over to the west. He used to think, 'People have to get jerry cans to get all the way. Wouldn't it be good if I could have a service station here?' I said, 'Why don't you get a service station, apply to the land council?' He said, 'I've been trying.' I said, 'How long have you been trying, mate?' 'Oh, I don't know, Senator; maybe for four or five years.' I said, 'Okay.' He said, 'My vision is, with the least money I can get from this, I want to buy cattle, because I'm a cattleman.' He was always proud of wearing his big belt buckle, and his sons were cattlemen. He said, 'That's our future, because I want to buy cattle and put it on the rest of my land and this is how I can do it.'

But the process of the land council—and it is no reflection, Maurie Ryan, on the Central Land Council; it happened a long time ago. It is more of a reflection on the sorts of things that Senator Peris brought up. They only meet every now and again. It is a terribly cumbersome process. Wherever I go, Senator Peris—and, after you start travelling a little bit more, you will find this—almost everyone says, 'Look, I'd really like to have a faster process or something where we can actually make a decision, where we can make a decision in our own lunchtime,' because sometimes in a business sense that is really important: 'I want to make a decision today.' 'I know—I'm sorry; you're going to have to wait a long time.' And that is in circumstances where the land council is going to cooperate.

So why do we actually need this regulation? First of all, despite what has been said about the consultation, we consulted considerably. We had the consultations start in November 2013. We introduced this last year, in December. I spoke at length to the full land council, and this is the important point—and thank you very much, Senator Peris; I omitted to find my speech and you managed to quote for me the exact part I wanted to quote, which was: 'I'm here; I'm talking about section 28.' If you had read the remainder of the speech, you would have seen that section 28 was the preference to what seemed to be the only alternative, which
was an entirely new land council. I spoke to the Northern Land Council. I spoke to the entire Central Land Council. In Timber Creek—because I spoke about it twice to the Northern Land Council—there were a whole range of questions. The second time I spoke to it, which was in Darwin, to the entire Northern Land Council—the first minister to have appeared before them, I understand—there were a few questions of interest, but none of the rank and file were saying, 'This is a bad thing.' I speak to the rank and file and I have to say it is pretty interesting. Maurie Ryan has not said to me that he has spoken to the land council and, 'This is the view of the land council.' Nor have the Northern Land Council. You did not have a resolution of the meeting that I was at that said, 'Suddenly, section 28A is odious to our organisation,' and you are empowered as the executive to come down to Canberra and say so and make a submission because you would be the only ones who knew about it. Your constituency knew nothing about it and know nothing about it today.

Senator Urquhart: On a point of order, Madam Acting Deputy President: I ask you to bring the minister's attention to the fact that he should be addressing the chair, not the people in the gallery. I do not think that is acceptable.

The ACTING DEPUTY PRESIDENT (Senator Ruston): There is no point of order.

Senator SCULLION: In consultation with the land councils, one of the things we have said—I note that Senator Peris read out that bit about codification—is that we would provide, as part of this regulation, a series of things that the people making the application had to have in it. It is not difficult. It includes things such as the names of the corporation's members, evidence of the corporation, why the corporation seeks delegation, why the corporation selected part of the area of the land council, description of the consultation, the traditional owners of the land, description of the area and so on. That was exactly what the land councils wanted us to do. That was what was said at the consultations.

We all need to understand—and I am sure those in the Labor Party know exactly what is going on here—that this is a deliberate decision. The Labor Party do not like section 28A for some reason. The fact that it is a law does not seem to be of any material concern to them. They do not like it, so they are going to find a way around it. The thing is that the law is applied so traditional owners can get procedural fairness. This is about procedural fairness.

The good senator opposite indicated that the minister would of course intervene if the process took more than three months. But, as has been mentioned before, there was an application made on 4 August 2010. It is the only one. Some 1,324 days later—for those who need the translation, that is three years, seven months and 15 days—there has been no response. The other thing that is interesting about the fact that they have not responded is that the minister got a copy. The Labor minister got a copy on the same day! Where is the intervention to achieve procedural fairness for the traditional owners? Where was she? Where was Labor? Where were they when they should have been intervening on behalf of traditional owners to ensure their access to justice and their access to procedural fairness? They were nowhere.

This is not a debate, Senator Peris, about land councils. This is a debate about access to justice and procedural fairness. If you want to change the act, bring a bill into this place and do so. That is how it works. If you want to give traditional owners access to something—this was more than three years! Quite clearly there is a mischief in that. So we thought, 'Maybe we should introduce some regulations.' We went to see the land councils and they said, 'Three
months is not enough.’ We said, ‘No worries—that is understandable.’ In a normal administrative process, if after three months you needed any longer, you would have to do something. One would have thought that, in all that time, they would have acknowledged the letter—they have not. So we added a ministerial discretion for an extension if one is required, as is normal.

It is just a nonsense to say, ‘Three months—that is not long enough.’ Of course sometimes it is not long enough. In some cases it would be long enough. As a consequence of the consultations, we have said that, if the letter to the land council does not meet all the provisions of the act, you must refuse it. We put up a much higher bar because we listened to what the land councils had to say to us. When we consulted, it was not just the department going out with me and talking to all the land councils. There was a comprehensive official consultation process.

Two things came out of that consultation process. First of all, there needed to be some discretion in case the process took too long and, second, we needed to codify things. So here we are in the Senate having created a regulation that allows traditional owners to make the decision. In addition to consulting with the land council members, I have, for a long period of time, been talking to my real constituents—the traditional owners on the lands. They see this as a benefit. In fact I was speaking recently to Galarrwuy Yunupingu. He is not the father of land rights but he had a fair bit to do with it. He said, ‘We always need to move towards people on country having more say about their country’—and that is exactly what this does. It allows them to have more say about their country. I am sorry but I do not have any letters from land councils to read out, Senator Peris, because I have been talking to your constituents rather than the land councils.

I have a letter here from the Rirratjingu Aboriginal Corporation. It says:

We are writing to you today in support of the Aboriginal Land Rights (Northern Territory) Amendment (Delegation) Regulation 2013 (the "Regulation") and our strong belief that it should not be disallowed.

A corporation may apply for these powers under subsection 28A(1) of the Act, but if the Regulation is not in place the Land Council is not required to respond in any set period. This means that the NLC would be able to refuse to ever make a formal decision on an application.

We have demonstrated that is the case. We have demonstrated that that is exactly what happens—and we have also already demonstrated that it was done with the full compliance of the previous minister. It is no wonder they are worried. They say: ‘These are sorts of arrangements we need to move towards. We need to be able to make a decision on our own country.’ How could that possibly be so repugnant, so difficult?

The letter goes on to say:

The Regulation is urgently needed to address this situation, and we fully support the Minister for Indigenous Affairs in this regard.

It continues:

The statutory authority and responsibility of the NLC is not changed by this Regulation—and it is not—

What the Regulation does is ensure that the NLC properly exercises that statutory responsibility on behalf of the people that it is meant to represent.
I could not have said it better myself. The responsibility of the land council is not something this place should have to create a regulation to remind them of. Three years and seven months! I do not really think that is procedural fairness for Aboriginal people. The letter continues:

It is unconscionable that an Aboriginal corporation, and the Aboriginal people, which it represents, may be denied any answer to their application—thereby denying them procedural justice in their application—and that the land council could refuse to fulfil its statutory duties and effectively shut down an application without giving any reasons for doing so.

Well, of course, that is an outrage, and it is what has happened. It happened on Labor's watch with the full concurrence of the minister at the time, which is inexplicable. Perhaps, Senator, in response, you might want to touch on some of those matters, because I am miffed that I only recently found out that the Labor Party, the minister and the government at the time knew on the same day—three years, seven months and 15 days ago—that this application had been made. Throughout that time, people were waiting for a response. She knew they were waiting for a response, and nothing was done.

The letter continues:

You have the full support of the Rirratjingu Aboriginal Corporation to pursue the continuation of this important Regulation to make certain that Land Councils cannot simply ignore Aboriginal Corporations as representatives of their constituents, and to ensure the proper operation of the Aboriginal Land Rights (Northern Territory) Act.

It is signed by Bakamumu Marika. He is also not the father of land rights, but his father is. This is the son of Roy Marika, a wonderful man I would have learned an awful lot more from if I had not had to sit next to him in his tractor and next to the exhaust while he was providing his wisdom to me, but I can tell you that I have a pretty clear understanding of what he thought land rights were. If you go upstairs to the bark petition on your way out, guys, you might check it out, because what it says is that people on country need to make decisions for themselves. The disallowance of this motion completely prevents that.

What we have here is a situation where consultation was done to remove a mischief. The mischief was clear. It was well known by the previous government—in fact, by the previous minister—that what the land council were doing to get around the law was to deny their own constituents procedural fairness. Their own constituents—the people who elected them to the council—and, I suspect, the members of the council, but I do not think that they have been told.

The other side would have us believe that this is not important. But I cannot imagine, with respect, Senator Siewert, when it came to access to justice, access to the law and access to procedural fairness, that you would not normally be the absolute champion of that first up. I am a bit disappointed—not so much over here—Senator Peris, at your decision, uninformed as it is, to remove procedural fairness and access to the law for your own people. You might be able to somehow befriend the land councils, but I think you are going to have to answer to the traditional owners who, all over the place, are saying, 'We've got a law. Why can't I get access to the law like anyone else?'
It is interesting that if somebody writes BHP a letter, for example, they would be required to write back. It is all part of a process. They just do not write back because that is cool; that is much better—'We just won't write back. It's the Greens. Forget it.' If it does not provide procedural fairness about a response, or something like that, we would all be outraged. But what outrages me more is that somehow because it is Aboriginal traditional owners it is okay, because they do not know anything, do they! They are not smart enough, really, the poor blackfellas; they cannot make up their own mind! I have never heard anything more patronising in this place. They simply can't make their mind up! 'We know best'—Labor know best—'and we don't want them to get access to this because they are not ready for it, are they?' I have never heard anything more disgracefully patronising in my life. I can tell you: we would never be applying it to white people in this place. You would all be crying, 'Access to justice! What about the law? Procedural fairness!' Why is it any different for my countrymen? Why is it any different for the people we represent? There is no difference, is there? So they have been selected on the basis of their race.

I will not make silly allegations about that particular matter, but it disappoints me so deeply that we sit here today with a law that people can access that is legitimate, they have a legitimate access to the law, and today we are about to move in this place to deny people a legitimate lawful right that was provided them in this place by this parliament. Again, I cannot say how disappointed I am that Aboriginal people are still not going to get access to justice, they are not going to get access to procedural fairness, and I think that the only thing that you can say is that—

Debate interrupted.

**DOCUMENTS**

Consideration

The following government document tabled earlier today was considered:


**ADJOURNMENT**

The **ACTING DEPUTY PRESIDENT** (Senator Ruston) (18:51): Order! I propose the question:

That the Senate do now adjourn.

**Illicit Drugs**

**Senator McKENZIE** (Victoria—Nationals Whip in the Senate) (18:52): Tonight I rise to speak on the increasingly devastating effects that ice, or crystal methamphetamine, is having on regional Australian communities. The increasing prevalence of ice has been called 'a scourge', 'devastating', 'an epidemic' and 'a drug that has been tearing apart regional communities right across our nation'. As the Minister for Indigenous Affairs leaves the chamber, I will say that, when the minister was down in Victoria travelling with me through Indigenous communities, he said that in some of his northern Indigenous communities where bread and milk cannot get in at times of flood, the ice still gets in. So it is not just regional
communities in my own home state of Victoria but, indeed, those right across our nation that are feeling the scourge of crystal meth.

Ice is a pure and potent form of amphetamine, crystallised rather than in powder form, and can be snorted, swallowed, smoked or injected. It is highly addictive. There are numerous reports of young people being offered free or very cheap 'samples' of ice at parties, and then getting hooked and being turned into very loyal paying customers. We do not have comprehensive statistics about the extent of the ice problem, but a rapid increase has been widely reported in many local media outlets and in my home state the problem is now the subject of a Victorian parliamentary inquiry.

Among other symptoms, ice causes the user to experience panic attacks, anxiety and aggression. But it is when the user is 'coming down' that the worst effects become visible. As the effects of ice wear off, the user may experience depression, radical mood swings, uncontrollable violence and exhaustion. Paramedics and emergency room staff in Echuca, Shepparton, Mildura and right across Gippsland would attest to the violent and aggressive tendencies of an ice user coming down. They have witnessed ice users punching holes in the isolation rooms of emergency departments, and they have copped the abuse and aggression from these victims of ice. They are on the front line when it comes to the effects of ice in regional communities.

Families are also coming to terms with previously even-tempered and predictable teenagers—and I do use those words in the context of normal teenage behaviour—becoming unrecognisable menaces: young people who, when taking the drug, steal money from their families, often do not return home for days at a time and are aggressive and unpredictable.

I have heard firsthand from communities which are struggling to deal with this new and dangerous drug. A community forum last year in Warragul saw nearly 300 people attend. Sue Geals from Community College Gippsland noted at the time that: 'The number of people that are accessing this drug is beyond numbers that we've had in any other outbreak before; it's an epidemic.'

Ice is also having a devastating effect on Indigenous communities and other regional communities across Australia. When the parliamentary inquiry visited Mildura, it heard about a number of young Aboriginal men in the community who were believed to have committed suicide due to their debts to drugs dealers. There were also reports that young Aboriginal men were being targeted to become users and then dealers of the drug.

Unfortunately, the effects do not end there. Ice related violence and other crime is on the rise, and police are also bearing the brunt of dealing with drug-induced violence and aggravated burglaries. The Victorian Aboriginal Legal Service estimates that up to 85 per cent of clients in some parts of the state were using the drug ice at the time of their offence, with the far south-west of my home state being hardest hit. Armed robberies in central Victoria's Loddon region have risen from a long-term average of about 10 per year to 40 in the past 12 months, with 30 of those suspected to be ice-related. In Ballarat there was a 73.6 per cent spike in drug crimes, with 420 offences last year. Ice is expensive in regional towns, and addicts need to finance their habit. One report said users spend about $200 a day on this habit. When the Victorian inquiry visited Shepparton in the central region of Victoria it heard from a local youth worker who said that users would do anything to pay for their addiction, with
some resorting to prostitution in order to get their next hit. Last year the Shepparton News reported that the ice epidemic was costing the community about $650,000 every single month.

While we are all—parents, the community, law enforcement agencies, health services and schools—still coming to terms with how to deal with this issue, many regional communities are taking matters into their own hands and attempting to formulate a coordinated response. Last year, the Community Against Drugs organisation was formed in Echuca-Moama, led by sporting clubs and community leaders. They held forums and started a support group for family members of people who had become addicted to ice. They wanted to raise awareness of what was happening and the effects of ice on their community.

The Project Ice Mildura organisation was established by the Northern Mallee Community Partnership to combat the increase of ice in the community in the last two years. A statement on their website says:

Ice … is now the second most common illicit drug in Mildura … and is … one of the most addictive … Project Ice Mildura holds free information sessions and provides resources and support to those affected.

In Benalla today, a community forum was held to discuss methods to combat this issue. The forum included officials from the Department of Justice; the local member for Benalla, the Nationals' Bill Sykes; the member for Murray Valley, Tim McCurdy, who is also a Nationals member of the Victorian parliament and who is also sitting on the state inquiry into drugs in regional communities and, specifically, ice; as well as police and health workers. This demonstrates my long-held belief in the resilience of regional communities, which continually rise to the challenges presented to them.

However, it is my concern, as I travel around the nation, that this is an epidemic sweeping aside everything in its path, and its victims are our young people and our future. I do believe that it is time for a national response; it is required to address this ongoing scourge affecting our young people and their health.

Sri Lanka

Senator DASTYARI (New South Wales) (18:59): Like Australia, Sri Lanka is an island nation. The Sri Lankan diaspora has settled around the globe, and the 2011 census records that more than 86,000 people born in Sri Lanka are living here in Australia. After Victoria, my home state of New South Wales boasts our largest Sri Lankan community. I had the privilege of counting many Sri Lankan Australians amongst my neighbours and my classmates, having grown up in the hills and in Blacktown, in Sydney's west.

I would like to acknowledge the efforts of the Subcontinent Friends of Labor, led tirelessly by Harish Velji, who is both a personal friend and a community mentor. The growth of this diverse group within the Labor Party is a vibrant demonstration of the strength of multiculturalism.

I rise tonight to speak about a grave matter, deserving of attention, action and ongoing support of the Australian government. The Sri Lankan civil war began in 1983 and lasted for more than 25 brutal years. This struggle continued for most of my life, before coming to a bloody end in 2009. It was a horrible human tragedy. In addition to attacks on both government and civilian targets across the island nation, the LTTE combatants often targeted Sri Lankans living abroad and wreaked havoc on the global Sri Lankan diaspora.
The events of the civil war and the aftermath have a deep and personal significance for Sri Lankans living in Australia. Many among the diaspora have either lived through the conflict or experienced the tragic loss of friends or loved ones. I must add that one cannot stand before this chamber to speak on this matter and fail to acknowledge that this enduring misery that so many have suffered has contributed to the influx of Sri Lankan asylum seekers seeking refuge in Australia over the past 30 years.

I acknowledge that the Sri Lankan civil war was a complex tragedy. I acknowledge that the allegations of violence, abuse and intimidation have been levelled by all sides in this debate at both state and non-state actors, the Tamil, Sinhalese and other ethnic groups, and I have no desire to understate or misrepresent this complexity. But two years after the conclusion of the civil war, in 2011, the Report of the Secretary-General's panel of experts on accountability in Sri Lanka soberly concluded that up to 40,000 civilians may have been killed in the final months of the conflict, as the Sri Lankan government encircled Tamil communities in the north of the island nation. Numerous reports into this tragic period, researched and authored by both the United Nations, independent journalists and non-government experts, all presented a long list of accusations that included violations of international human rights and humanitarian law. They concluded that there are reasonable grounds to suspect that many of these violations amount to war crimes against humanity. Allegations against the LTTE include the conscription of children and the use of human shields. Allegations against officers of the Sri Lankan government include intentionally directing attacks against civilians, extrajudicial killings, torture, rape and other forms of sexual violence, and enforced disappearances. But, equally disturbing, five years after the civil war came to a bloody conclusion, there were ongoing reports of abuse, assaults, intimidation, attacks and harassment. We continue to hear of attacks on religious minorities and of harassment and intimidation of human rights defenders, lawyers and journalists.

On Sunday two prominent activists were arrested for investigating the whereabouts of another activist and her 13-year-old daughter. They were finally released in the early hours of this morning without charge, after strong domestic and international pressure.

The United Nations has concluded that most of these allegations are against officers of the Sri Lankan government. Last month the UN Office of the High Commissioner for Human Rights released a report titled 'Promoting reconciliation and accountability in Sri Lanka'. The report joins many others calling on the governments of Sri Lanka to cooperate with an independent international inquiry to elevate, inquire and investigate allegations and reports of crimes against humanity and other human rights violations, committed by both sides during and after the war in Sri Lanka.

The government of Sri Lanka has denied many of these allegations. It has rejected this latest report and levelled allegations of bias and interference at the authors, as it has done to all reports that preceded it. It has responded with its own investigations, commissions of inquiry and reports. Many Sri Lankans, including many living here in Australia, have also rejected these allegations. There is also an active pack of government supporters aggressively criticising the very researchers, journalists, activists, and lawyers who are documenting these allegations and bringing them to the world's attention. But there are also many in the Sri Lankan community who accept that there is truth in these allegations and I include myself.
amongst those. There are also many journalists, lawyers, jurists and other expert observers in the international community who are concerned that there is some truth in these allegations.

The latest UN report reinforces the motion sponsored by Senators Moore, Stephens, Milne and Rhiannon in this chamber on 13 February. They also call for a new investigation into the long-running list of allegations and also for the Sri Lankan government to lift restrictions on the media and to bring those responsible for the attacks on journalists, lawyers and activists to justice. The United Nations Human Rights Council is currently gathering in Geneva to consider an independent international probe into the allegations against Sri Lanka.

Today I am also joining the chorus calling on the government of Sri Lanka to engage and cooperate openly with the international community to support an independent probe, to set the record straight, to demonstrate conclusively that they have nothing to hide, that all these lingering allegations, now five years old, are unfounded. Today I am adding my voice to the growing chorus supporting a thorough, independent and comprehensive probe into these serious allegations. Today I am calling on the government of Sri Lanka to cooperate openly and transparently with the UN and to allow an independent international investigation.

Australia was a founding member of the United Nations and we have a proud record of leadership on the international stage. We in the Labor Party are particularly proud of one of our own, Doc Evatt, who was President of the General Assembly when it adopted the Universal Declaration of Human Rights in 1948 and would later become the federal leader of the Labor Party. I remind the chamber of his words at the great moment in our common humanity when he said it was the first occasion on which the organised community of nations made a declaration of human rights and fundamental freedoms.

I urge the government of Australia to join us in offering our help, our guidance and our inspiration to the people of Sri Lanka. I urge the Abbott government to step forward and join the call for an independent international inquiry into allegations of abuse in Sri Lanka, to act to prevent the harassment of reporters, lawyers and activists and to once again work with the global community.

Oil and Gas Industry

Senator BACK (Western Australia—Second Deputy Government Whip in the Senate) (19:09): I am pleased to have the opportunity to speak this evening on what I see to be an opportunity that unfortunately is slipping through our fingers, and that is the opportunities in the oil and gas industry offshore Western Australia, in the industry itself and in the shipbuilding and maintenance industries that support it. I should declare an interest in the sense that my family is very much involved in the shipbuilding industry and the supply of vessels on contract to the offshore oil and gas industries, but not here in Australian waters.

The scale of the operation is mind-boggling. There is $185 billion already invested in seven projects offshore Western Australia. More exciting than that is the untapped opportunity that is before us if only we can work together to get our act right. As I look through it and as I know senators and members from the other side, it really is a moment of great despair to me that we cannot get together across the chamber or in a room somewhere and help to sort out these issues, because they are slipping through our fingers. The scale of the operation currently in the resources sector in this area is paying $11 billion per annum tax revenue, with about another $5 billion in extensions beyond that. The potential between 2015 and 2025 is
some 180,000 jobs in and around with value-adding and $320 billion of tax revenue to this economy.

We have seen a 10 per cent increase in LNG activity since it first commenced and that would easily go to 20 per cent increase per annum, up to 55 million tonnes of liquefied natural gas per annum. and we are at risk of that not happening. Why? Because there is such competition around the world and we are under such price pressure that we look like losing those opportunities. A project like Gorgon offshore WA that started at $37 billion went to $45 billion and now is expected to be $52 billion. When I met with industry people in Houston, Texas and in Lafayette, Louisiana, relatively recently, I can assure you that those different estimates of cost completions were very much to the fore amongst those people. Where are our risks? They are from the Canadians, the Asians, the Americans, the Mexicans, the Brazilians, in almost every sphere in which you look, and of course traditionally the North Sea.

Where I am concerned is that many of us in this chamber know very well the cost of inputs and materials, electricity, labour, finance, capital and overhead consumables—these are known to us. But the tragedy is that we are so designed to be fighting internally that we are not addressing ourselves to the external competition. I have heard others in this chamber at different times talking about standards of management. This is multinational companies with the highest standards of management. I have visited Barrow Island and I think, quite frankly, they are over the top in their expenditure, but they have got to meet environmental and other conditions.

One of the issues—not the only one but one issue that I do want to address—is this inability to be able to have employers and employees work together. I watched the Hon. Martin Ferguson when he made his decision to stand down from the ministry, and one of his comments at that time I have believed all my time as an employee, as an employer, in the public and in the private sectors, as a company owner and a business owner. The comment Martin Ferguson made was that, if the interests of the employer and the employee are not aligned together, then you can bet your life that you are in for failure. I quote from now Australian ambassador to the US in Washington, who Senator Mark Bishop and I had the pleasure of meeting in Washington last year, Kim Beazley—again, a Western Australian—making the point that there are a lot of challenges with labour, regulations, costs, material and planning. He said we have really got to be working on that now so that we can get the next wave of projects and remain competitive. How right he is.

In the time available I do not want to quote every point made by Martin Ferguson in recent times. He is a person well known in the resources sector, respected when Labor was in government in the minerals and resources sector as a person who understands it well and is surely one of the elders of the Labor Party over time. He observed that Australia's future economic strength will not be underpinned by the propping up of unsustainable sectors and that high labour costs and low productivity are an unsustainable mix and therefore elements of the Fair Work Act must be looked at. This is Martin Ferguson; this not is somebody out of management of Chevron or of ExxonMobil or Shell. He made the observation that unless we are prepared to see unemployment rise and living standards fall, we must improve productivity. He said, 'As a country we have got to be hungry for investment and the jobs that go with it. We think it is necessary for our workplace relations system.'
I will very quickly go through some statistics. The capital cost today to establish a new offshore oil and gas facility off Western Australia is $4,000 per tonne. An equivalent project in the American Gulf of Mexico—such as the Sabine field recently—is not $4,000, $3,000 or $2,000 per tonne; it is $1,500 a tonne. The differences are too great.

I had representatives of the AMWU come to see me in my office in Perth last year, pleading for my involvement and assistance in working towards re-establishing and shoring up the Western Australian shipbuilding industry. I know we have an emphasis on South Australia, Victoria and New South Wales, but we have a very proud shipbuilding industry in WA. The Austal shipping company, with the fast and huge catamarans, won the contract. They are now based in Mobile, Alabama, to satisfy American defence contracts, but they continue in WA. Submarine maintenance takes place down at Henderson. The point I made to the AMWU representatives was simple. I said to them, ‘Give me an example of a project.’ They mentioned the replacement for the *Aurora Australis*, which Senator Bilyk and I both know well. I asked them, ‘Can you guarantee that if your employer arrives at a contracted price for construction you can hold to your labour costs for the duration of the project?’ They said, ‘No, we can’t.’

They made the fatal mistake of coming to me and saying that the quality of shipbuilding and maintenance in yards in Singapore and Korea is substandard. I happen to know a fair bit about the shipbuilding industries in those countries. Let me tell you what we are up against when it comes to competition in this area. Members of my family are having ships built in China. The Chinese yards are using Norwegian and Dutch ship designs. They are using South Korean shipyard management—the best in the world. They are using Chinese labour. I was on one of their vessels in Panama between Christmas and New Year—a recently launched one in which my family has a very keen interest. The quality of the construction of that platform supply vessel was of the highest order. For these gentlemen from the AMWU to be sitting with me in my office running down the standard of construction in other countries did not wash. We are not going to stay competitive in the international market if we carry on like that.

We have always played catch-up in our country. Where are the oil and gas centres of the world? They are in Stavanger in Norway, Aberdeen in Scotland and Houston in Texas. Southern WA has the opportunity to be the Southern Hemisphere oil and gas hub. The opportunities are enormous. Representatives from those countries want to help us. I have spoken to them. I know them. I was at an event the other day for Australian oil and gas when the Norwegian ambassador in Canberra opened the Kongsberg big new facility.

The simple fact of the matter is that we have a completely new industry burgeoning, and that is floating liquefied natural gas—FLNG. We could be the first in the world, but that opportunity is going to slip through our fingers. The big FLNG companies—Shell, Prelude and others—will not be supplied from WA; they are going to be supplied from elsewhere, if we cannot get our act together. I appeal to my colleagues. Surely we can work together. Surely we can get through.

I will not address the nonsense of the MUA reaction when Martin Ferguson made his comments because it is beneath the dignity of this chamber to do so. My final appeal is this. There is an opportunity here. It is slipping through our fingers. It is an opportunity to be lost.
South Australia State Election

Senator RUSTON (South Australia) (19:19): I rise tonight to make some comments about the South Australian election that was held last Saturday and to advise this house that we have the extraordinary situation where 53 per cent of South Australians voted for a Liberal government and, despite that fact, it appears highly unlikely that the Liberal Party will be able to form government. If you look at any other jurisdiction around Australia, in any of the other states—even Tasmania, which has a more complicated election system—or the federal situation, any party that got 53 per cent of the vote would reasonably expect to be not just in government but in government by a reasonably significant majority. You have to question whether there is something fundamentally flawed in the way the South Australian electoral system is working for that situation to have occurred.

As you would be well aware, Mr Acting Deputy President Bernardi, given that you come from South Australia, in three out of the last four elections the Liberal Party have succeeded in achieving more than 50 per cent of the two-party-preferred vote. On each of those three occasions we failed to achieve government. If this sort of thing happened once and then was rectified—because obviously you cannot help that changes occur, with people moving between electorates et cetera—you could suggest that maybe it was just an anomaly in the system that should have been fixed at the time. But for it to have happened so regularly over the last 16 years it seems to me that there is a fundamental flaw that has failed to be addressed. Given we are talking about 53 per cent of the voters, you would have to say that the South Australian people have spoken—and they have said that they do not want a continuation of the Labor government that they have had for the last 12 years.

I go back to the point of what we are going to do about this. We proudly stand here in Australia and say that one vote has one value. But if we have a situation where the majority of people support a particular party but that party continues to fail to achieve government then maybe we need to be looking at how we change our boundaries in South Australia. Maybe we need to look at the regular updating from the Electoral Commission South Australia and how they are going to address this problem this time. Exactly the same thing occurred in 2010, when the Liberal Party got 51.8 per cent of the vote and fell 18 seats to 26 seats.

Senator Cameron: You have got to win the seats.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Order!

Senator RUSTON: We actually ended up falling six seats short of being able to form government. The fact is that it was not just a very close situation—where you maybe had a seat or two here or there—but, with 51.8 per cent of the vote, we actually fell six seats short. I think by anybody's reckoning that is not a system that is particularly fair.

I said in my commencing remarks that it looked unlikely that the Liberal Party in South Australia would form government. However, it is certainly premature to be saying that they will not form government, because we have two Independents who currently hold the balance of power. Those two Independents, the member for Frome and the member for Fisher, reside in reasonably conservative electorates. You only had to read, in this morning's Advertiser, about the poll that they did in the two electorates, to find out that the voters of those electorates overwhelmingly wanted the Independents to support the establishment of a Liberal government in South Australia.
If we are not able to form a government in South Australia we will have a situation where the majority of people of South Australia have spoken on Saturday, although it appears—from a survey in the two Independent seats—that the majority of people in the seats won by the Independents have indicated that they want a conservative government to form in South Australia. Both of the Independents are obviously very sensible men, and I am sure that they will be listening to reason. We can only hope. That is particularly so in the case of Mr Brock, who resides in a regional electorate. We all know that many of the issues that confront South Australia at the moment are in our regional areas. Mr Brock has the wonderful opportunity here, if he forms government with the Liberal Party, to be able to deliver some outcomes for rural and regional South Australia in areas like infrastructure, which has been so sadly lacking. Our roads are unbelievable.

In South Australia the Labor government has been trying to lower speed limits simply because they have not spent enough money on road maintenance. The roads have become unsafe, but their answer to was not to fix the roads so that they are good and safe for people to drive on, but to reduce the speed limit. That begs the question of whether, if we do not start doing something now, we are all soon going to be driving around at 20 kilometres an hour.

It is also interesting to note that the extraordinary majority of people in country seats voted for the Liberal Party. In the seat in which I live—Chaffey, which includes much of the Murray River and the Riverland area of South Australia—many of our booths were voting in excess of 80 to 85 per cent for the Liberal Party. It is such an overwhelming indication of what the people in South Australia, particularly in the rural and regional areas, are requesting of the government. They are saying: 'It is time that we had a government that did not forget about us. It is time that we had a government that recognised that South Australia's boundaries go past the metropolitan area and that those people who live in rural and regional areas count just as much.'

Before I finish, I would like to take the opportunity to congratulate David Speirs, who appears to have been elected as the new member for Bright; Vincent Tarzia, who appears to have been elected as the new member for Hartley; Troy Bell, who appears to have been elected as the new member for Mount Gambier; and Corey Wingard, who it appears quite likely will be elected as the member for Mitchell. I would also like to congratulate Andrew McLachlan, who has been elected to the Legislative Council.

In conclusion, I also congratulate the Tasmanian Liberal Party for an overwhelming result in Tasmania. As I said earlier, given the extraordinary situation in Tasmania, with the electoral system that I do not think anybody really understands, it was a fantastic result for the Liberal Party and a terrible result for the Greens.

The most important lesson that we need to learn from the South Australian election on Saturday is that if we really want have integrity in our electoral system, if we want people to be comfortable that our electoral system is fair and unbiased, and if we want the majority of people to be listened to when they go to the polls, we need to do something to change the way we vote in South Australia. We need to make sure that no South Australian feels that their vote has not mattered or that their vote has not counted. Despite the fact that the wishes of the majority of the people have been loudly broadcast around the whole of the state, it is quite likely, as I said, that a government will be formed in South Australia that does not represent the wishes of the majority of South Australians.
Senate adjourned at 19:27

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:


Legislative Instruments Act 2003—

Civil Aviation (Spent and Redundant Instruments) Repeal Regulation 2014—Select Legislative Instrument 2014 No. 13 [F2014L00279].

Defence (Spent and Redundant Instruments) Repeal Regulation 2014—Select Legislative Instrument 2014 No. 15 [F2014L00273].

Education (Spent and Redundant Instruments) Repeal Regulation 2014—Select Legislative Instrument 2014 No. 16 [F2014L00276].


Environment (Spent and Redundant Instruments) Repeal Regulation 2014—Select Legislative Instrument 2014 No. 18 [F2014L00275].

Finance (Spent and Redundant Instruments) Repeal Regulation 2014—Select Legislative Instrument 2014 No. 19 [F2014L00278].

Foreign Affairs and Trade (Spent and Redundant Instruments) Repeal Regulation 2014—Select Legislative Instrument 2014 No. 20 [F2014L00266].

Health (Spent and Redundant Instruments) Repeal Regulation 2014—Select Legislative Instrument 2014 No. 21 [F2014L00277].

Immigration and Border Protection (Spent and Redundant Instruments) Repeal Regulation 2014—Select Legislative Instrument 2014 No. 22 [F2014L00267].

Infrastructure and Regional Development (Spent and Redundant Instruments) Repeal Regulation 2014—Select Legislative Instrument 2014 No. 23 [F2014L00268].

Social Services (Spent and Redundant Instruments) Repeal Regulation 2014—Select Legislative Instrument 2014 No. 24 [F2014L00269].


Veterans’ Affairs (Spent and Redundant Instruments) Repeal Regulation 2014—Select Legislative Instrument 2014 No. 26 [F2014L00270].


Tabling

The following documents were tabled:
Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 October to 31 December 2013.

Defence Abuse Response Taskforce—Fifth interim report to the Attorney-General and Minister for Defence, dated March 2014.

Migration Act 1958—
- Reports for the period 1 July to 31 October 2013—
  - Section 91Y—Protection visa processing taking more than 90 days.
  - Section 440A—Conduct of Refugee Review Tribunal (RRT) reviews not completed within 90 days.
  - Section 486O—Assessment of detention arrangements—Personal identifiers 1001157, 1001076, 1001086, 1001048, 1001294, 1001233, 1001295, 1001147, 1001106, 1001107, 1001067, 1001083, 1001132, 1000881, 1000853, 1001191, 1001017, 1001092, 1001115, 1000909, 1001054, 1001373, 1001129, 1000926, 1001186, 1000988, 1000986, 1001064, 1001033, 1001005, 1000800, 1001015, 1001094, 1001034, 1000854, 1001210, 1000192, 1001063, 1000852, 1000902, 1000908, 1001331, 1001129, 100110, 1001108, 1001339, 1000880, 1001227, 1001336—
  - Commonwealth Ombudsman’s reports, dated 19 March 2014.
  - Government response to Ombudsman’s reports, dated 10 March 2014.


Indexed Lists of Departmental and Agency Files

Tabling

The following documents were tabled pursuant to the order of the Senate of 30 May 1996, as amended:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2013—Statements of compliance—
- Department of Human Services.
- Immigration and Border Protection portfolio.

Departmental and Agency Contracts

Tabling

The following document was tabled pursuant to the order of the Senate of 20 June 2001, as amended:

Departmental and agency contracts for 2013—Letter of advice—Immigration and Border Protection portfolio.