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SITTING DAYS—2016

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
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<td>December</td>
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FORTY-FOURTH PARLIAMENT
FIRST SESSION—EIGHTH PERIOD

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

Senate Office Holders

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

Senate Party Leaders and Whips

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

Printed by authority of the Senate
<table>
<thead>
<tr>
<th>Senator</th>
<th>State or Territory</th>
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Pursuant to section 42 of the Commonwealth Electoral Act 1918, the terms of service of the following senators representing the Australian Capital Territory and the Northern Territory expire at the close of the day immediately before the polling day for the next general election of members of the House of Representatives

**Casual vacancy**

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

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

(3) Chosen by the Australian Capital Territory Legislative Assembly to fill a casual vacancy (vice K. Lundy), pursuant to section 15 of the Constitution.

(4) Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Mason), pursuant to section 15 of the Constitution.

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

(6) Chosen by the Parliament of South Australia to fill a casual vacancy (vice P Wright), pursuant to section 15 of the Constitution

**Casual vacancy to be filled (vice M Ronaldson, resigned 28.2.16), pursuant to section 15 of the Constitution**
PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
AMEP—Australian Motoring Enthusiast Party; CLP—Country Liberal Party;
FFP—Family First Party; IND—Independent, LDP—Liberal Democratic Party;
LNP—Liberal National Party; LP—Liberal Party of Australia;
NATS—The Nationals; PUP—Palmer United Party

Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—R Stefani
Parliamentary Budget Officer—P Bowen
# Turnbull Ministry

<table>
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<tr>
<th>Title</th>
<th>Minister</th>
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<tbody>
<tr>
<td>Prime Minister</td>
<td>The Hon Malcolm Turnbull MP</td>
</tr>
<tr>
<td>Minister for Indigenous Affairs</td>
<td>Senator the Hon Nigel Scullion</td>
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<tr>
<td>Minister for Women</td>
<td>Senator the Hon Michaelia Cash</td>
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<tr>
<td>Cabinet Secretary</td>
<td>Senator the Hon Arthur Sinodinos AO</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Public Service</td>
<td>The Hon Michael Cash</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for Counter-Terrorism</td>
<td>Senator the Hon James McGrath</td>
</tr>
<tr>
<td>Assistant Minister to the Prime Minister</td>
<td>The Hon Angus Taylor MP</td>
</tr>
<tr>
<td>Assistant Minister for Cities and Digital Transformation</td>
<td>The Hon Dr Peter Hendy MP</td>
</tr>
<tr>
<td>Assistant Cabinet Secretary</td>
<td>Senator the Hon Richard Colbeck</td>
</tr>
<tr>
<td>Deputy Prime Minister and Minister for Agriculture and Water Resources</td>
<td>The Hon Barnaby Joyce MP</td>
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<tr>
<td>Assistant Minister for Agriculture and Water Resources</td>
<td>Senator the Hon Anne Ruston</td>
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<tr>
<td>Assistant Minister to the Deputy Prime Minister</td>
<td>The Hon Keith Pitt MP</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>The Hon Julie Bishop MP</td>
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<tr>
<td>Minister for Trade and Investment</td>
<td>The Hon Steve Ciobo MP</td>
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<tr>
<td>Minister for International Development and the Pacific</td>
<td>Senator the Hon Concetta Fierravanti-Wells</td>
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<tr>
<td>Minister for Tourism and International Education</td>
<td>Senator the Hon Richard Colbeck</td>
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<tr>
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<td>Senator the Hon Richard Colbeck</td>
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<td>Attorney-General</td>
<td>Senator the Hon George Brandis QC</td>
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<tr>
<td>(Vice-President of the Executive Council)</td>
<td>The Hon Michael Keenan MP</td>
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<tr>
<td>(Leader of the Government in the Senate)</td>
<td>The Hon Michael Keenan MP</td>
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<td>Minister for Justice</td>
<td>Senator the Hon Mathias Cormann</td>
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<td>Treasurer</td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Minister for Small Business</td>
<td>The Hon Kelly O’Dwyer MP</td>
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<tr>
<td>Assistant Treasurer</td>
<td>The Hon Kelly O’Dwyer MP</td>
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<tr>
<td>Assistant Minister to the Treasurer</td>
<td>The Hon Alex Hawke MP</td>
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<tr>
<td>Minister for Finance</td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td>(Deputy Leader of Government in the Senate)</td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td>Special Minister of State</td>
<td>The Hon Dr Peter Hendy MP</td>
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<tr>
<td>Assistant Minister for Finance</td>
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<tr>
<td>Minister for Regional Development</td>
<td>Senator the Hon Fiona Nash</td>
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<tr>
<td>Minister for Infrastructure and Transport</td>
<td>The Hon Darren Chester MP</td>
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<tr>
<td>(Deputy Leader of the House)</td>
<td>The Hon Paul Fletcher MP</td>
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<tr>
<td>Minister for Major Projects, Territories and Local Government</td>
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<tr>
<td>Minister for Industry, Innovation and Science</td>
<td>The Hon Christopher Pyne MP</td>
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<tr>
<td>(Leader of the House)</td>
<td>The Hon Josh Frydenberg MP</td>
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<tr>
<td>Minister for Resources, Energy and Northern Australia</td>
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<tr>
<td>Minister for Northern Australia</td>
<td>The Hon Karen Andrews MP</td>
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<td>The Hon Wyatt Roy MP</td>
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<td>Assistant Minister for Innovation</td>
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<td>Minister for Immigration and Border Protection</td>
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<td>Minister for the Environment</td>
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<tr>
<td>Minister for Health</td>
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<tr>
<td>Minister for Aged Care</td>
<td>The Hon Sussan Ley MP</td>
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<table>
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<tr>
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<td><strong>Minister for Sport</strong></td>
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<td>The Hon Dan Tehan MP</td>
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<tr>
<td><strong>Minister Assisting the Prime Minister for the Centenary of ANZAC</strong></td>
<td>The Hon Dan Tehan MP</td>
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<tr>
<td><strong>Minister for Defence Materiel</strong></td>
<td>The Hon Dan Tehan MP</td>
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<tr>
<td><strong>Assistant Minister for Defence</strong></td>
<td>The Hon Michael McCormack MP</td>
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<tr>
<td><strong>Minister for Communications</strong></td>
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<tr>
<td><strong>Minister for the Arts</strong></td>
<td>Senator the Hon Mitch Fifield</td>
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<td><strong>Minister for Regional Communications</strong></td>
<td>Senator the Hon Fiona Nash</td>
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<td><strong>Minister for Human Services</strong></td>
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<td><strong>Assistant Minister for Multicultural Affairs</strong></td>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases. Assistant Ministers in italics are designated as Parliamentary Secretaries under the *Ministers of State Act 1952*. 
# SHADOW MINISTRY

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<tr>
<td>Leader of the Opposition</td>
<td>Hon. Bill Shorten MP</td>
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<tr>
<td>Shadow Minister Assisting the Leader for Science</td>
<td>Senator the Hon. Kim Carr</td>
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<tr>
<td>Shadow Minister Assisting the Leader on State and Territory Relations</td>
<td>Senator Katy Gallagher*</td>
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<tr>
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<tr>
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<td>Shadow Minister for Cities</td>
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Shadow Cabinet Ministers are shown in bold type.

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

WEDNESDAY, 2 MARCH 2016

Chamber
DOCUMENTS—
Tabling.................................................................................................................. 1537
COMMITTEES—
Foreign Affairs, Defence and Trade Joint Committee—
Meeting ...................................................................................................................... 1537
BUSINESS—
Rearrangement ...................................................................................................... 1537
BILLS—
Commonwealth Electoral Amendment Bill 2016—
First Reading ........................................................................................................... 1544
Second Reading .................................................................................................... 1576
STATEMENTS BY SENATORS—
Tourism: Voluntourism ....................................................................................... 1584
Turnbull Government ........................................................................................... 1586
Tasmania: Tarkine Region ...................................................................................... 1589
Live Animal Exports ............................................................................................. 1590
Commonwealth Scientific and Industrial Research Organisation: Employment .... 1593
Infrastructure ......................................................................................................... 1595
World Science Festival ......................................................................................... 1597
Senator Bullock ..................................................................................................... 1597
Education Funding ................................................................................................. 1599
Turnbull Government ........................................................................................... 1601
QUESTIONS WITHOUT NOTICE—
Taxation .................................................................................................................. 1601
DISTINGUISHED VISITORS ........................................................................... 1602
QUESTIONS WITHOUT NOTICE—
Economy ................................................................................................................. 1602
Revenue .................................................................................................................. 1604
Budget .................................................................................................................... 1607
Media Ownership .................................................................................................. 1609
Goods and Services Tax ....................................................................................... 1610
Employment ........................................................................................................... 1612
Election of Senators ............................................................................................. 1613
Defence Procurement ........................................................................................... 1614
Northern Australia ............................................................................................... 1615
Commonwealth Scientific and Industrial Research Organisation ..................... 1617
Tourism ................................................................................................................... 1618
QUESTIONS TO THE PRESIDENT—
President's Overseas Travel................................................................................ 1619
ANSWERS TO QUESTIONS ON NOTICE—
Question No. 2903 ............................................................................................... 1619
QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS—
Taxation.................................................................................................................. 1629
Revenue .................................................................................................................. 1629
Budget..................................................................................................................... 1634
BUSINESS—
  Consideration of Legislation ............................................................. 1635
  Leave of Absence .................................................................................. 1636
NOTICES—
  Presentation ...................................................................................... 1636
  Postponement ..................................................................................... 1638
REGULATIONS AND DETERMINATIONS—
  Customs (Anti-Dumping Review Panel Fee) Instrument—
    Disallowance ..................................................................................... 1639
COMMITTEES—
  Economics References Committee—
    Reference ........................................................................................ 1639
BILLS—
  Regulatory Powers (Standardisation Reform) Bill 2016—
    First Reading ..................................................................................... 1639
    Second Reading ................................................................................ 1639
  Migration Amendment (Free the Children) Bill 2016—
    First Reading ..................................................................................... 1641
    Second Reading ................................................................................ 1641
MOTIONS—
  International Women's Day .................................................................. 1643
DOCUMENTS—
  Australian Electoral Commission—
    Order for the Production of Documents ............................................. 1643
BILLS—
  Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2016—
    First Reading ..................................................................................... 1644
    Second Reading ................................................................................ 1644
MOTIONS—
  Environment: Protection of Shark Species ............................................ 1646
  Howard Government ............................................................................ 1648
  Israel ...................................................................................................... 1650
MATTERS OF URGENCY—
  Donations to Political Parties ............................................................... 1651
DOCUMENTS—
  Consideration ..................................................................................... 1667
AUDITOR-GENERAL’S REPORTS—
  Report No. 24 of 2016 ....................................................................... 1667
DOCUMENTS—
  Department of Immigration and Border Protection .......................... 1668
  Australian Law Reform Commission ................................................. 1670
  Airservices Australia ........................................................................... 1672
COMMITTEES—
  Legislation Committees—
    Report ............................................................................................. 1674
  Regulations and Ordinances Committee—
CONTENTS—continued

Report................................................................. 1674

BILLS—
Social Security Legislation Amendment (Community Development Program) Bill 2015—
Report of Legislation Committee .................................................. 1674

COMMITTEES—
Scrutiny of Bills Committee—
Report..................................................................... 1674

BILLS—
Commonwealth Electoral Amendment Bill 2016—
Report of Legislation Committee .................................................. 1676

ADJOURNMENT—
Howard Government .......................................................... 1686
Road Safety: Trucking Industry .................................................. 1689
Recreational Vehicles ............................................................ 1692
Jones, Mr Steve, AM ......................................................... 1694
Senator Bullock ................................................................. 1694

DOCUMENTS—
Tabling........................................................................ 1696
Tabling............................................................................ 1696
Tabling............................................................................ 1697
Wednesday, 2 March 2016

The PRESIDENT (Senator the Hon. Stephen Parry) took the chair at 09:30, read prayers and made an acknowledgement of country.

DOCUMENTS

Tabling

The Clerk: Documents are tabled pursuant to statute. Details will be recorded in the Journals of the Senate and on the Dynamic Red.

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

COMMITTEES

Foreign Affairs, Defence and Trade Joint Committee

Meeting

The Clerk: A notification has been lodged for the Joint Standing Committee on Foreign Affairs, Defence and Trade to hold a public meeting during the sitting of the Senate on 3 March 2016 from 3.15 pm.

The PRESIDENT (09:31): Does any senator wish to have that question put? There being none we will proceed to business.

BUSINESS

Rearrangement

Senator WONG (South Australia—Leader of the Opposition in the Senate) (09:31): I seek leave to move a motion to vary the conduct of business, namely a motion to vary the order of business.

Leave not granted.

Senator WONG: Pursuant to contingent notice of motion standing in my name I move:

That so much of the standing orders be suspended as would prevent me moving a motion relating to the conduct of the business of the Senate, namely a motion to give precedence to government business order of the day no. 5 (Business Services Wage Assessment Tool Payment Scheme Amendment Bill 2016).

In relation to my motion to suspend standing orders what we are seeking to do is to call on the Business Services Wage Assessment Tool Payment Scheme Amendment Bill 2016. Those opposite might recall that we had a long discussion about this yesterday.

I walked into the chamber and Senator Macdonald asked me why we did not like people with a disability—charming man, isn't he?—as did Senator Siewert. The Labor Party say, 'We're ready to go.' Senator Moore knows a great deal about this. In fact, last night, Senator Moore stood in this place and said, 'I want to debate this. The Labor Party want to debate this. I'm ready to go.' What did the minister do? He adjourned it, after lecturing from the other side about the importance of this bill and how we were frustrating government business. Well, what we have was the minister, after all of that fire and brimstone, saying, 'I now move that the debate be adjourned.'
We agree with some of the things that the government said. We do think that this is an important piece of legislation.

*Senator Ian Macdonald interjecting—*

*Senator WONG:* I will take that interjection from Senator Macdonald. He said, 'You didn't last night.' I would again remind the senator and the Senate that, when the matter was brought on, Senator Moore invited the government to proceed with that legislation. She made a very good point and said, 'I'm ready to go, the Labor Party are ready to go,' but the government said, 'No, we're going to adjourn it,' after a very long period of telling us that we had to debate it.

*Government senators interjecting—*

*Senator WONG:* The interjections from the other side are interesting. They cannot win the debate so they just get into the personal.

*Senator Fifield interjecting—*

*Senator WONG:* Senator Fifield, we know what you do when you are under pressure. You know, when things are not going your way, you like to go the personal. I am going to ignore that.

*Senator Ian Macdonald interjecting—*

*Senator WONG:* I am precious too, am I, Senator Macdonald? This is charming, isn't it? These are the people that the Greens are supporting. Anyway the opposition believe that the Business Services Wage Assessment Tool Payment Scheme Amendment Bill 2016— I think BSWAT is the acronym—is an important piece of legislation.

Senator Moore is someone from the Labor Party who has been involved in this policy area for a very long time. I suspect, to be honest, she probably knows more than pretty much anyone else in this chamber about this issue. I also acknowledge Senator Siewert's interest in this issue. The Labor Party does believe that this bill is deserving of the attention of the Senate. We think it is appropriate that we suspend standing orders so as to bring it on. I again remind the chamber that yesterday there was a very lengthy discussion about this, and the lecturing from the minister and the lecturing from the other side about the importance of this bill was paramount.

*Senator Fifield interjecting—*

*Senator WONG:* I will take the interjection from the Manager of Government Business in the Senate. He says, 'This is sneaky.' Do you know what is worse than sneaky? It is a dirty deal behind closed doors on the largest changes to the electoral laws in 30 years—a secret deal which we understand is in a letter. I am sure the Greens are not going to require that the letter be tabled in the interests of transparency. The biggest changes in 30 years are being shoved through this place. We had a ridiculous sham inquiry yesterday of half a day, scrambling to write a report, which I still have not seen, on the largest changes to voting in 30 years. That is what is sneaky, and that is what is shameful.

I return now to why the Senate should suspend standing orders. I simply say to senators: it is for the reasons that were articulated so forcefully and so repetitively last night by others in this chamber—from Senator Macdonald, Senator Fifield, I think it was, and Senator Siewert—about how important this bill is. We are ready to bring it on. We are ready to debate...
it. We should allow this debate to proceed for the reasons that those on the other side told us over and over again last night it should be proceeded with. Senator Moore is ready to go. The Labor Party is ready to debate the bill, which we agree is an important debate for this chamber and an important piece of legislation. I ask the Senate to suspend standing orders to enable the bill to be debated. (Time expired)

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (09:37): That was one of the weirdest contributions I have ever heard in this place. The Australian Labor Party yesterday debated over and over again why the Business Services Wage Assessment Tool Payment Scheme Amendment Bill 2016 should not be exempted from the cut-off. Senator Conroy said, in his typical style, ‘I don't even know what the bill does, but we're opposed to it being exempted from the cut-off.’ That was Senator Conroy's insightful contribution to the debate.

It is important to reflect on yesterday and the vote that we had. The vote was to exempt that bill from the cut-off so that it could be dealt with in the current sitting. There are a number of bills that we would like to deal with in the current sitting. Indeed, they are listed in the order of business today. What is preventing us from getting to a range of legislation that we want to deal with is the fact that the Australian Labor Party have been filibustering, essentially on the transmission of the message from the House to the Senate in relation to the electoral matters bill. That is what is delaying proceedings.

It is just peculiar—it is bizarre—that today the Australian Labor Party think, ‘Oh gee, we can convince the disability community that, although yesterday we were doing our level best to stop that bill, BSWAT, being dealt with in the current sittings—we can con the disability community—actually we're really in favour of dealing with it.’ No-one is fooled. I am not fooled. The disability community is not fooled. I do not think Senator Siewert is fooled. I must say, with due respect to other colleagues, that if there are two colleagues in this place who probably have the closest interest and the most detailed knowledge in the area of the business services wage assessment tool it is probably myself and Senator Siewert.

Senator Moore interjecting—

Senator FIFIELD: Senator Moore has a strong interest too—I grant you that, Senator Moore. Senator Siewert and I had a little bit of distance between us last time BSWAT was here, but we have come closer together, as we often do on disability issues. We are very keen to see the BSWAT issue dealt with once and for all. What we sought yesterday was to ensure that it could be dealt with in this sitting. That is what the exemption from the cut-off is about: dealing with it in this sitting.

We could deal with a whole heap of legislation in this sitting if the Australian Labor Party stopped their filibustering—stopped this bizarre, weird, pathetic stunt that we are seeing this morning. Senator Wong was taking every interjection going, because even she was struggling to mount the case for her own argument, for her own suspension. So she was grabbing every interjection like a lifeline: ‘Thank goodness for that, because I'd run out of material! Let me bounce off an interjection.’ Senator Wong was smiling, and I think I might have even seen a wink or two during her contribution. So this is odd. This is weird. This is bizarre. This is peculiar. I have not seen anything quite like this.

Senator Brandis interjecting—
Senator FIFIELD: Incredibly transparent, Senator Brandis. So let us dispense with this suspension motion expeditiously. It is transparent—we all see through it. I will not even say it is too clever by half; it is not clever at all. Maybe it is too clever by a quarter! And that is doing it even more justice than it deserves.

Sometimes when you think things cannot get stranger or weirder in this place, they do. It surprises you. Just wait another 15 minutes, and you will see something even more bizarre. So I am sure, through the course of the day, we will see things that are weirder still.

Senator MOORE (Queensland) (09:41): It is always interesting in this place when we are accused of being too clever or of bringing on things strangely when all we are doing is using the standing orders in terms of what can happen in this place. Basically, what happened last night was that the Labor Party actually questioned the government on cutting off the process for bringing this bill before us without telling us or discussing with us what their particular reasons were and what the particular urgency issues were on the two bills that they brought before us yesterday afternoon in the Senate. And we blocked it. We said: 'Prove what you are doing is important. Prove what the urgency is.' And they did not.

We actually listened to what was going on and we saw the issues around BSWAT, because we do understand that. There was no discussion with the people on the other side from the government. Usually in this place over a period of time there is a bit of discussion to and fro about what is going on and what is important. Everybody knows that our party is rejecting what the government is trying to do with the Commonwealth Electoral Amendment Bill. And we will continue to use processes within the rules on how we operate in this place to say that we do not like what is happening with that bill.

But last night when the process came forward with two bills—a trade bill and BSWAT—we said no. We said no, as was our right. But we listened to the arguments, and then, when we saw that the issues around BSWAT were so important that the legislation needed to be passed to allow other things to happen, we made this offer in good faith to the government: 'Okay, we understand why BSWAT needs to be debated. Let's separate those two. Let's move on BSWAT.' The Manager of Government Business was not interested, even though I made that offer to him. Then we went through the procedure—went through the votes. When we had an opportunity—when the government and the Greens actually said that they wanted to move forward with the bills—we said, 'Okay, if that one is so important, and it needs to be debated, as we agreed, we need to move forward,' and we made the offer to move immediately into that piece of legislation. Again I made the offer to the government and to the Greens to move forward and have that debate then. Again it was rejected.

And we thought when we came into the chamber today that, because of the urgency that had been identified by the government and by the Greens, we would see BSWAT as the No. 1 order of business on today's Red because the urgency had been so discussed and so identified. So imagine my surprise when I got my copy of the Red to see the importance that the government places on this bill. It had been yelled across the chamber at us last night. Our commitment had been questioned. I think everybody in this chamber actually has a commitment to ensure the importance of people with disabilities; I really do believe that. I do not think it is about some sacrosanct nature of individuals in this place. I think we have shown that together as a parliament over a period of time.
BSWAT, this most important piece of legislation, has been listed as No. 5 after we have gone through dairy; we have to get the dairy legislation finished first. We have to get the social security community development bill through. I believe the actual committee report on that will not be handed down until this afternoon. I am looking at my comrade Senator McAllister. We will not even have the committee report on that until this afternoon. That bill is listed as having more importance and being more urgent than the business services model legislation.

Members of the opposition are not playing any sneaky tricks, as we are being accused of across the chamber. We are using the procedures of the parliament through the standing orders to say that we believe that this bill should be debated urgently. We are ready to do it. We have had the arguments. I think we can come to an agreement and express our concerns about the delays. These delays were caused by government processes and as a result we have to consider the bill at this late stage. Nonetheless, we are ready to do so. We want to have the debate and pass the bill. We think it is important enough to be No. 1 on the order of business today. That is why we have moved for the suspension of standing orders to have it listed as No. 1. I do not think that is too much to ask. It actually reflects the kinds of debates I heard last night. Let us have that debate and let us get this legislation passed.

Senator SIEWERT (Western Australia—Australian Greens Whip) (09:46): I am not going to take the full time, I hope; I just want to explain our position. It is quite obvious that the ALP are pulling this stunt to try to not only frustrate the process but also recover from yesterday. Quite frankly, I think what happened is they saw an opportunity to frustrate the process in here. They did not look at what the bills were; they just said, 'No.' When they realised they had done this on BSWAT they said, 'It's a fundamental stuff-up here,' and are now trying to recover themselves. They did not paint themselves with glory yesterday because they were using people with disability to frustrate the Senate process. They are trying to back-pedal now and say, 'Now we've realised that it is so important we have to put it right at the top of the list.'

This is a non-controversial bill. If the government does the right thing and puts it in the non-contro slot for Thursday, which is the usual practice, it should get dealt with. I am asking the government whether it will do that. It is quite obvious that the ALP are not only trying to recover a little bit of credibility with the disability community but also trying to frustrate this process. I think that if the government puts it on and deals with it in non-contro, like it would normally do, that would be the best way to deal with it, instead of trying, once again, to frustrate this process.

To run the line that the ALP did not know what was in the BSWAT bill is just, quite frankly, incredible to believe. It stretches the idea of credibility so far it smacks in that this has been on the agenda for so long. We all know the findings of the court case, or at least anybody that is interested in this issue does. I know that a number of people in the ALP definitely are; I am not for one minute saying that they are not. They know what the finding of the court case was. They know that people who have been working in these circumstances have been denied their proper wages and have been waiting for this for a long time. It is very important. That is why we all agree that it is non-controversial and it should be properly dealt with through the normal process on Thursday in the non-contro slot.
That the question be now put.

The PRESIDENT: The question is that the motion moved by Senator Cormann that the question be now put be agreed to.

The Senate divided. [09:53]

(The President—Senator Parry)

Ayes ..................... 38
Noes ..................... 26
Majority ................... 12

AYES

Abetz, E
Bernardi, C
Canavan, MJ
Di Natale, R
Fawcett, DJ
Fifield, MP
Heffernan, W
Lindgren, JM
Macdonald, ID
McKenzie, B
Nash, F
Parry, S
Reynolds, L
Rice, J
Ryan, SM
Seselja, Z
Simms, RA
Smith, D
Whish-Wilson, PS

Back, CJ
Bushby, DC (teller)
Cormann, M
Edwards, S
Ferravanti-Wells, C
Hanson-Young, SC
Johnston, D
Ludlam, S
McGrath, J
McKim, NJ
O’Sullivan, B
Payne, MA
Rhiannon, L
Ruston, A
Scullion, NG
Siestert, R
Sinodinos, A
Waters, LJ
Williams, JR

NOES

Bullock, JW
Collins, JMA
Day, RJ
Gallagher, KR
Lambie, J
Leyonhjelm, DE
Ludwig, JW
Marshall, GM
McEwen, A (teller)
Muir, R
Polley, H
Sterle, G
Wang, Z

Cameron, DN
Dastyari, S
Gallacher, AM
Ketter, CR
Lazarus, GP
Lines, S
Madigan, JJ
McAllister, J
Moore, CM
O’Neill, DM
Singh, LM
Urquhart, AE
Wong, P

PAIRS

Birmingham, SJ
Conroy, SM
Senator Carr did not vote, to compensate for the vacancy caused by the resignation of Senator Ronaldson.

Question agreed to.

The PRESIDENT (09:55): The question now is that the motion moved by Senator Wong to suspend standing orders be agreed to.

The Senate divided. [09:56]

(The President—Senator Parry)

Ayes ..................... 26
Noes ..................... 38
Majority ............... 12

AYES

Bullock, JW
Collins, JMA
Day, RJ
Gallagher, KR
Lambie, J
Leyonhjelm, DE
Ludwig, JW
Marshall, GM
McEwen, A (teller)
Muir, R
Polley, H
Sterle, G
Wang, Z

NOES

Abetz, E
Bernardi, C
Canavan, MJ
Di Natale, R
Fawcett, DJ
Fifield, MP
Heffernan, W
Lindgren, JM
Macdonald, ID
McKenzie, B
Nash, F
Parry, S
Reynolds, L
Rice, J
Ryan, SM

Back, CJ
Bushby, DC (teller)
Cormann, M
Edwards, S
Fierravanti-Wells, C
Hanson-Young, SC
Johnston, D
Ludlam, S
McGrath, J
McKim, NJ
O'Sullivan, B
Payne, MA
Rhiannon, L
Ruston, A
Scullion, NG
Senator Carr did not vote, to compensate for the vacancy caused by the resignation of Senator Ronaldson.

Question negatived.

BILLS

Commonwealth Electoral Amendment Bill 2016

First Reading

Debate resumed on the motion:

That this bill may proceed without formalities.

to which the following amendment was moved:

At the end of the motion, add "but may not be further proceeded with until 12 May 2016".

Senator STERLE (Western Australia) (09:59): As I was quoting experts yesterday in terms of electoral reform, I want to mention Ross Fitzgerald, professor of history. Professor Fitzgerald said:

These new laws with regard to voting for the Senate will reshape the Australian political landscape for decades to come. By refusing to debate them with the people of Australia—

Mr—

Turnbull is admitting to the fact that this new legislation is simply designed to get rid of opponents at the next election. He cannot argue with the fact that almost 30 per cent of Australians voted for a minor party at the last Senate election.

Mr Michael Maley, a former senior official of the Australian Electoral Commission, has said:

… the scheme proposed in the bill is an incoherent one, with no clear underlying principles apparent … The Bill's proposal, for optional preferential voting above the line but full preferential voting below the line (again with some allowance for mistakes), makes no sense, and has not been supported by any stated justification.

Professor George Williams, a professor of constitutional law, has said:

… introducing optional preferential above the line voting, while retaining full preferential voting for below the line, creates an obvious and unfortunate disparity. The result will be a system in which below the line voting is significantly more onerous, thereby privileging the party-selected voting tickets applied in the case of an above the line vote.
Given how quickly the government and that lot over there, the Greens, are trying to rush through this parliament, it makes me think about how much consideration either side has given to potential outcomes of this reform. On 17 February, Heath Aston in *The Sydney Morning Herald* provided some coverage on this issue and on how each of the main players would be affected by these reforms following ‘a review of voting data by Graham Askey and Peter Breen, veteran players in minor party preference negotiations’:

Mr Askey … said the Greens—

have a listen to this, you lot:

had not properly considered the ramifications of a double dissolution once voting reforms are passed.

"They haven't done their due diligence. They are walking into this with their eyes wide shut," he said.

When quizzed on this, Senator Rhiannon, who is now leaving the chamber, said, and I quote—no, she's back. Good one. Have a listen to this—through you, Mr Acting Deputy President. I am going to quote Senator Rhiannon:

Our—

the Greens—

work for Senate voting reform is not about trying to secure any electoral advantage. We don't expect it to make much difference to our results.

Really? However, as Heath Aston reports—and this is very interesting:

Mr Askey and Mr Breen's review forecasts the Greens would lose one of their two senators in both Western Australia and South Australia in a double dissolution.

My goodness me! How I wish and pray for a double dissolution!

That would mean the loss of either—

Senator—

Scott Ludlam or

Senator—

Rachel Siewert from WA and either—

Senator—

Sarah Hanson-Young or

Senator—

Robert Simms in SA, depending on who gets first spot on the Greens ticket.

I am excited! I am so excited! The Greens—how intelligent! I have to tell you, Mr Acting Deputy President: this is like that scene from *Life of Brian*. What was the suicide squad? Who were they—you know, the ones who were here to save Brian? Fantastic effort!

As I have already said, with this deal the government will gain control of the Senate. This will be extremely bad for working families, students and pensioners across the country. An article by Mark Kenny—may I say, the good Kenny—in *The Sydney Morning Herald* on 25 February said that the reality of this deal was painted very clearly in a letter from the Secretary of the ACTU, Mr Dave Oliver, to Senator Di Natale:

"A double dissolution may see some or all of the crossbench senators defeated two years into their six-year terms and potentially replaced by Coalition senators," Mr Oliver states in the February 24 letter obtained by Fairfax Media. "The last time the Coalition had control of both houses of Parliament—
and I do remember—

Australia went backwards in a whole range of areas of common interest, for example, WorkChoices to the trade union movement, your party and progressive voters more broadly."

Also:

"The Australian Greens has a reputation for standing up for working Australians. We would hate to see that reputation being damaged by such a deal," wrote Mr Oliver …

Sorry, Mr Oliver. You have been badly let down, as have millions of Australians.

It is also interesting to note, and I hope the Greens are paying attention—no, sorry, they have all scampered out of here like frightened cats; there is one left, but he may as well hear it too, and I hope that they are all listening in their offices because of the intelligence of the Greens—that an online Essential Media survey of 2,700 respondents taken earlier this week found that Greens voters opposed their party's cooperation with the federal government on Senate changes at the rate of two to one, 54 per cent to 27.2 per cent. It is getting better all the time!

Labor will move amendments to Mr Turnbull's voting reform bill to enhance transparency around political donations. This is, I am proud to say, longstanding Labor policy. It is real reform, not the product of a grubby backroom deal. Labor will move to reduce the donations disclosure threshold from $13,000, the current rate, CPI indexed, to $1,000—you can hear their knees knocking over there; you can hear the trembling—and remove CPI indexation, will ban foreign political donations, will also ban anonymous donations above $50 to registered political parties and will limit donation splitting that evades disclosure requirements.

Mr Turnbull and the Greens should support these reforms. At the end of the day, the Greens have done a very dirty, grubby deal with the Liberals and the Nationals.

Senator Heffernan: Mr Acting Deputy President, I raise a point of order. The language is offensive: 'dirty', 'grubby'. You know I come from the bush, and we use very polite language—

The ACTING DEPUTY PRESIDENT (Senator Gallacher): Sorry, Senator Heffernan, there is no point of order.

Senator STERLE: I will just get over the initial shock of Senator Heffernan standing up about inappropriate language. I was in the Senate estimates when the F word slipped out, and, crikey, he wants to get at me for calling a dirty, grubby deal a dirty, grubby deal. Crikey, what is this Senate coming to?

As I said, Mr Turnbull and the Greens should support these reforms. At the end of the day, the Greens have done a very dirty, grubby deal with the government, with the Libs and the Nats, to change the Senate preference system, without allowing time for proper and fair scrutiny of the reform. We stand here opposing the bill.

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (10:08): The Commonwealth Electoral Amendment Bill 2016, which the government is seeking to introduce into the Senate for debate, is about ensuring that the result of future Senate elections genuinely reflects the will of the Australian people. To achieve this, this bill empowers those voters who currently
do not have the capacity to direct their preferences after issuing a primary vote in the Senate to do so themselves and according to their wishes.

At present, those voters choosing to vote for the Senate above the line lose control of their preferences after putting the number 1 in the box of their choice above the line. At the last election, and under the current system as introduced by Labor in 1984, that was the situation that nearly 97 per cent of all voters found themselves in. After filling in the number 1 above the line, those votes are then traded and directed according to the insufficiently transparent group-voting-ticket arrangements to other political parties and groups, sometimes in three different directions. Incidentally, that is why Mr Mackerras, who appeared at the JSCEM inquiry yesterday, has said that, in his view, every single Senate election since 1984 has arguably been unconstitutional.

This has created a level of undesirable gaming of the system that needs to be fixed, a level of gaming of preference arrangements which has led to the election of senators not directly chosen by the Australian people, insofar as, in practice, voters could not adequately predict where their preferences would ultimately end up and who they would elect. Do not take my word for it. That is the formal and publicly expressed view of a number of very senior Labor people, not least Gary Gray, still the shadow minister on electoral matters. In The West Australian on 6 February 2016 he said:

A fundamental principle of voting systems is that a voter should actually intend to vote for the candidate or party with whom their vote finally rests. Because of the ability to manipulate the current system the present Senate voting process now fails this test.

He further said:
... under the recommended optional preferential voting system, voters would be able to expressly preference parties or candidate groups above the line rather than having their preferences distributed for them under a registered group voting ticket.

... ... ...

These changes will mean voter intention is reflected in a democratic electoral outcome. They will give voters control over whom they do and do not vote for.

These reforms are not intended to stifle or prevent the formation of new parties. These reforms simply mean that political parties, including my own, will have to convince the public rather than backroom deal-makers that they deserve their votes.

Labor's deputy chair of the Joint Standing Committee on Electoral Matters, Alan Griffin, during the press conference releasing their report into Senate voting reform on 9 May 2014 said:

We pioneered ... the above the line voting system it came out in '84, but this was never what was intended, and so we now have unintended consequences and as legislators we'd be remiss if we didn't then take that into account.

Labour's national secretary, George Wright, in Labor's submission to the JSCEM inquiry on 24 April 2014 said:

The manipulation of Group Voting Tickets (GVTs) are a central reason that candidates with little public support have seen themselves elected to the Australian Senate. Without GVTs, the capacity of these candidates to deliver sufficient preferences through a coordinated preference harvesting strategy would not exist.
Further, and very materially, this is what the national secretary of the Labor Party, George Wright, said in April 2014—incidentally, he declined to appear on this occasion; I wonder why! This is what he said:

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

That is precisely, of course, what we are recommending to do. He continued:

This would highlight and encourage voters to indicate preferences if they were inclined to, and assist in keeping vote exhaustion to a minimum.

For the interest of the Senate, I table the Labor Party submission to the original JSCEM inquiry, some two years ago, and I table the shadow minister Gary Gray's opinion piece in The West Australian some three weeks ago.

Of course, earlier today, the Joint Standing Committee on Electoral Matters tabled its report and recommendations on our proposed Senate voting reforms. We welcome the supportive report and recommendations of that committee. We thank the members of the committee and all of those who have made submissions and given evidence to the inquiry.

As we have indicated, our proposed reforms to Senate voting are designed to ensure that the result of any Senate election, in the future, reflects the will of the people. Specifically, our reforms are designed to empower Australian voters to determine what happens to their preferences when voting for the Senate above the line, instead of having those preferences traded and ultimately directed by political parties through insufficiently transparent group-voting ticket arrangements.

The government has considered the issues raised and the recommendation of the joint standing committee to introduce a form of optional preferential voting below the line, as well as above the line, and has decided to adopt that recommendation. During the committee stages of the debate on the Commonwealth Electoral Amendment Bill 2016, the government will move amendments to that effect. These amendments will provide for instructions to voters to number at least 12 boxes from 1 to 12 in order of their preferences when voting below the line, together with a related savings provision that any vote with at least six boxes numbered from 1 to 6 below the line would still be considered formal.

These are important reforms in the public interest. We again call on Labor to reconsider their position and to follow the considered advice of the highly regarded shadow minister for electoral matters, Gary Gray, instead of succumbing to the pressure of the union lobby and Labor's backroom operators. There is no question—

Senator Jacinta Collins: There are lots of questions.

Senator CORMANN: that our reform significantly improves the current Senate voting system—

Senator Jacinta Collins: How do you know, when you won't—

Senator CORMANN: because it empowers voters to direct their preferences to relevant groups of parties, including when voting above the line.

Some people have complained about the fact that we are supposedly rushing this through. Let me just remind the senator: this debate has been going on ever since the last election, in
September 2013. There was a comprehensive original inquiry by the Joint Standing Committee on Electoral Matters. There was a set of cross-party unanimous recommendations, supported by Labor, the coalition and the Greens. There was, of course, a call from none less than the shadow minister for electoral matters, Gary Gray, for the government to get on with it! Indeed, in his opinion piece, which I have just tabled, his final words are:

The government should act now without delay …

That is Labor's shadow minister on electoral matters, Gary Gray, in the newspaper in Western Australia, calling on the government, 'to act now without delay,' in relation to these matters. And he is not the only one.

Senator Carr, during his contribution earlier this week said that this was part of a conspiracy between the coalition and the Greens which started 12 months ago to bring this on. This is what Labor's deputy chair of JSCEM, Alan Griffin, said just under 12 months ago:

The government should be acting on these recommendations and, if they're going to, they need to hurry up because they're running out of time.

The debate has been going for well over two years. In fact, Labor—and I think this point was actually made by one of the Greens senators—promised Senate voting reform to the Greens back in 2010 when they were looking for Greens support to form government.

**Senator Jacinta Collins interjecting—**

**Senator CORMANN:** Well, this is the point. Labor actually signed a formal agreement with the Greens as part of their agreement to form government in 2010, to deliver Senate voting reform in the 2010 parliament. And, of course, Labor failed to act on this agreement as on so many other agreements.

**Senator Jacinta Collins interjecting—**

**Senator CORMANN:** Labor says this legislation does not implement 100 per cent of the JSCEM recommendations. Well, let me address that point, because that is true—it does not implement 100 per cent of the JSCEM recommendations. It does implement 100 per cent of the material and acceptable JSCEM recommendations, of course.

**Senator Jacinta Collins:** How would we know—you won't let us talk to your department?

**Senator CORMANN:** I am talking you through it now. The Joint Standing Committee on Electoral Matters recommended optional preferential voting above the line. We are proposing to introduce optional preferential voting above the line, with a recommendation to voters to number at least one to six boxes above the line and with a related savings provision that one of fewer than six is still formal.

The JSCEM recommendation was for partial optional preferential voting below the line, with preferences to be completed equal to the number of vacancies. Our announcement today means that we are introducing partial optional preferential voting, with an instruction to voters to vote at least one to 12, with the savings provision that any ballot where one to six boxes are numbered sequentially below the line in the order of '1' to '6' that the vote would still be formal.

The recommendation of JSCEM was to abolish group and individual voting tickets. We are proposing to abolish group and individual voting tickets. JSCEM recommended that
additional resources be provided to the AEC to educate voters on changes. We are allocating additional resources to the AEC.

JSCEM recommended various increases in membership requirements for the registration of political parties. We have decided not to pursue this matter at this time because of an insufficient consensus in the parliament to pursue these changes—something that actually favours those micro and minor parties. We have made a decision, though, to include a restriction to unique registered officers for a federally-registered party, consistent with the recommendations of JSCEM.

JSCEM recommended that the government explore a way where we could require candidates to be resident in the state or territory in which they are seeking election. We have decided not to proceed with that recommendation on the basis of legal advice that this would likely be found unconstitutional, because such a restriction would not be consistent with the requirements for an election for the House of Representatives or the Senate that are included in the Constitution. That is the reason why we did not pursue that particular recommendation. And while there are no specific JSCEM recommendations to this effect, in its report JSCEM did point to the problem of potential voter confusion with similar party names. It encouraged the government to consider this issue. Of course, in this proposal the government has addressed this by allowing political parties, at their discretion, to have their logo included on the ballot paper. There are a lot of politics in relation to this.

What has happened on the Labor side is that, instead of going along with the considered advice of people like the highly regarded shadow minister Gary Gray, like ALP National Secretary George Wright and like the longstanding ALP member and Deputy Chair of the Joint Standing Committee on Electoral Matters, Alan Griffin, Bill Shorten went for the easy road. He went for the union lobby and he went for the backroom operators in the Labor Party. Instead of acting in the national interest and instead of acting in the public interest, he is acting in what he and the union perceive to be their self-interest. The government is not going to be distracted by that.

A range of other points have been made during the debate so far. Let me make these final observations, because I do not want to hold up the Senate. The reforms that we are putting forward empower people across Australia to clearly express their preferences above and below the line—not only their first preference above the line but also their subsequent preferences. Labor's assertion that this will lead to an additional 800,000 informal votes was of course disproven by none other than Labor's shadow minister Gary Gray. The savings provision in this proposed legislation ensures that any voter who numbers just one above the line will still have their vote counted and, under our proposed amendment, any voter who numbers just six boxes below the line will still have their vote counted.

The next general election, as everybody knows, is due in the second half of this year. There has been a lot of speculation about the link between this reform proposal and the timing of an election. Let me just say that it is the government's view that, whenever the next election takes place and in whatever form, it is in the public interest for the next Senate election results to reflect the will of the Australian people. The government has of course always the option, irrespective of whether this legislation goes through or not, when certain requirements are met to pursue a double dissolution election to resolve a deadlock on legislation between the House of Representatives and the Senate. That is an option available to the government irrespective
of what the parliament decides in relation to this bill. Conversely, this reform is necessary whether the election is in August, September or October to ensure that the result of the next election truly reflects the actual will of the Australian people.

Finally, a number of contributors have suggested that this will mean one outcome or another and it will favour one party or another, but people who argue these sorts of self-interested perspectives are missing the point. The Australian people will decide the result of the next election. This legislation is about making sure that the result of the next election genuinely reflects the will of the Australian people. These proposed reforms empower voters to clearly express their preferences above and below the line instead of having political parties determine preference flows in an insufficiently transparent way as a result of secret deals behind closed doors.

Senator Conroy interjecting—

Senator CORMANN: Senator Conroy interjects that all these votes are going to be exhausted. Let me tell Senator Conroy that it is entirely up to every individual Australian voter who they want to vote for and how many preferences they want to allocate. It is an entirely legitimate choice for an individual Australian voter to make that they do not want to provide a preference to every single political party across Australia and they do not want to provide a preference to every single candidate across Australia. Of course, this legislation, this reform proposal, empowers the Australian people to make their choice as they see fit, according to their wishes.

If they want to vote one, two, three, four, five, six, seven, eight, nine and 10—they want to fill every single box above the line—they can do so. They will be instructed, they will be guided, to fill in at least six boxes above the line in order of their preference from one to six. They will be instructed to vote at least one to 12 below the line in order of their preference. There will be some appropriate savings provision, but this will give the voter the best opportunity to have their intentions reflected in the final outcome.

The alternative, which is in place at present, is of course that people once they vote 1 above the line lose control of their preferences. Their preferences are captured by the political parties and are traded by political parties and directed, through group-voting tickets, to their ultimate destination.

Senator Conroy interjecting—

Senator CORMANN: Backroom operators like Senator Conroy, who is interjecting incessantly, like these sorts of backroom deals, but we do not. We have made a judgement that that is not the right way forward.

On group-voting tickets: in fact, Senator Conroy yesterday, during the public hearing of the committee inquiry, was actually making our point. He was questioning the federal director of the Liberal Party, Tony Nutt, and in his line of questioning he was making the point that only a very small number of people across Australia—10 or so—understand the maths and science of preferences.

That is the exact point. Every single Australian voter should understand what happens to their preferences. It should not be complicated maths and science. You should not have to go to the Electoral Commission and find the group-voting ticket to see where your vote has been channelled. And of course some political parties are registering three different group-voting
tickets. Any Australian voter should be able to find out, in practical terms, what happens to their preference after they vote 1 above the line, but how they can do so, under the current system, when political parties are able to channel that vote in three different directions after it has been issued, is beyond me. That is an undesirable situation. It is a situation which the Joint Standing Committee on Electoral Matters has asked the parliament to address. It is a reform proposal that the Turnbull government has embraced, and we are very grateful that the Greens and Senator Xenophon and others in this chamber have embraced this as well. And I understand that the Greens have had a longstanding policy position along those lines.

Let me just make this final point. The Labor Party issued a dissenting report to the majority report recommending passage of this bill subject to an amendment on below-the-line voting. Whose signature was missing? There is, of course, a very high-profile member of that joint standing committee—none other than the member for Brand, Mr Gary Gray, the shadow minister for electoral matters. He is the Labor spokesperson for electoral matters, and he refused to sign Senator Conroy's outrageous backroom-dealing, preference-manipulating minority report that seeks to preserve the status quo for the sorts of union hacks and union heavies and backroom preference-manipulators like him.

This reflects really badly on Bill Shorten—the person who wants to be the future Prime Minister of Australia. I commend Mr Gray for his strength of character, for his fortitude and for having resisted the relentless bullying by people like Senator Conroy in the face of what is a very sound and strong public policy recommendation that he made to his leadership and to his shadow cabinet.

Senator DASTYARI (New South Wales) (10:27): I rise to speak on the amendment proposed to the motion by Senator Collins. It is interesting that the previous speaker, Senator Cormann, took the opportunity to talk about the Labor senators' and members' dissenting report and about the 'sham committee process' that had been 'rammed through'.

Senator Cormann: Not a single member signed it.

Senator DASTYARI: There are some interjections there; Senator Cormann feels the need to be jumping in. I am happy, as we go through, Senator Cormann, to tell a few stories that people have told me about how you obtained your preselection. But perhaps we will save that for another time.

Senator Conroy: No, do tell!

Senator Cormann: Tell us. I would like to find out.

Senator DASTYARI: I think you know. What we just heard and what we found out this morning is that the government itself is now already looking at even further amendments with this legislation, and it goes to show that this is what happens when you rush a process and do not allow a process to be properly run. The chair's draft report that is being tabled this morning by the committee, as I understand it, was issued and was shared with committee members at 9 pm yesterday evening, with a view to it being formally adopted by the committee again—the time is maybe an hour or two off here, but this is the information I was given—by 8 am this morning. So, at 9 pm last night, a report—at that point, a draft report, which was the chair's report, requesting to know if people wanted to sign on or not—was being circulated, with a view to a final report being adopted this morning. That is not a good
process. That is not a proper process. That does not allow the opportunity to have some of the evidence that was being expressed yesterday in the summation.

All the major parties—although I cannot speak for the Greens here—have their party room meetings on a Tuesday morning. Certainly the conservative parties and the Labor Party do. I am not aware of when the Greens—

Senator Whish-Wilson: We have one every morning. We are very diligent.

Senator Dastyari: Oh, every morning! They love to meet! I skipped most of our party room meeting yesterday morning so that I could have the opportunity to hear some of the evidence. I note that not all members of the parliament had the luxury or the opportunity to do that. It took most of yesterday, while parliament was sitting, for people to try to get on top of what evidence was given. This committee process would be better if there was more time and more opportunity to make amendments and to digest the legislation.

Again, what was so strange was the decision to not allow the Department of Finance to present evidence to the committee. What we are being told and what we believe is the case—and this is from whistleblowers from within the department; we have not had a chance to get to the bottom of it and we will not have the chance to get to the bottom of it until the estimates process—is that the draft legislation here was drafted solely by the Department of Finance, the department that Senator Cormann is the minister for, and handed over to PM&C. The complaint from the people in PM&C is that this is why it was so poorly drafted and required, hours after it had been introduced, eight amendments just to make it workable. Prime Minister and Cabinet do not feel that they had the opportunity to make this workable legislation. Eight amendments were quickly rushed through to make the bill somewhat more workable. I understand from what Senator Cormann told us moments ago—and again, obviously, this is in the chair's report—that there will be a further amendment about below-the-line voting. There are things we can do to further improve these types of legislation, and that is why we need to have a vigilant and longer process to analyse this.

Let's be clear: when it comes to legislation there are always going to be senators with different views. I suspect that someone like me is not, at the end of the day, necessarily going to see eye to eye or 100 per cent with other senators in this chamber on this legislation. I accept that. But I believe that, while we are never going to agree completely, we can always use the processes that we have to make sure that we have better and improved bills. We can make legislation better, even if it is not legislation we would necessarily ourselves think is the best piece of law.

There is a dissenting report which I want to touch on. It was produced by the Labor senators. Again, I want to commend the work that was done. I note that this was done in an incredibly short period of time. They only had from 9 pm yesterday evening when they were aware of what the chair wanted to do until early this morning to present an alternative position. I note that what Labor has said is that there is an acceptance that there is reform that can and should happen. I do not think there is any dispute on that. I felt that Ross Gittins put this really well. He said it is a non sequitur to say that there needs to be reform and that this is the only reform that can happen. You can have the argument that there needs to be reform and actually present other reforms or what I believe are better reforms. I think the Labor JSCEM inquiry dissenting report accurately outlines some concerns and some of the proposals about what we can do to improve the voting system.
The last time we had reform in this area was in 1984. That was 31 years ago. I think we all accept the fact that societies change, voting systems change and how people participate changes. After 31 years, you should look at how you can improve pieces of legislation and make laws better. Again, I think there is a big debate that needs to be had about how people participate and vote. I think there is an exciting space in different participatory models about online voting and people using tablets and other types of technology. This is the exciting part of new technology and participation that we should be looking at. Frankly, there are those who would argue for the paper system from 100 years ago. Things change, societies change and how people participate changes, so the voting system should change.

I accept all of that. I think that is a very exciting space to be in and I think it is something we should be looking at. In fact, I have personally gone even further and said that we should have a bigger debate about how old people should be when they vote as well. It is a very contentious position that many people do not support, but I think it is worth having a debate about whether the voting age should be lower and whether that would encourage more participation or whether those people are not ready to be involved. All of those questions are part of a healthy debate.

That is not what we are having here, though. What we are having here is a shortened process with laws that are effectively being rammed through this place in a very, very quick manner. I am really worried that, if rumours around this chamber are correct, very soon we are going to start seeing gags. We are going to start seeing the opportunity to have some of this debate removed. I believe that there is a lot that should be explored, especially in relation to just how much information was presented in a four-hour inquiry. The government has already turned around and admitted there needs to be amendments and changes. If there was actually a proper process to look at these laws I believe we would find new areas where this draft legislation could be improved.

The amendment that is being proposed by Senator Collins, as I understand it, goes to when the message from the House should be received. It looks at presenting a date in May for that to happen. The purpose of that, rather than us debating this bill when we have not had the opportunity to have a proper deep analysis and are effectively rushing contributions because of time constraints, is to allow everyone to go away, go back to their communities, hear from their electorates and come back and have a fulsome, proper debate about this.

Senator Cormann says the government are not looking at an early election and this is not all part of some double-D strategy of going to an election on the CEFC bill, the registered organisations bill and, perhaps, the ABCC bill. I have seen very differing reports on whether or not the ABCC bill is already a trigger at this point. That seems to be a grey area. Frankly, I certainly suspect the government may introduce it again in the next little while. They have certainly foreshadowed that they will. Based on previous voting patterns, you would assume that that would be a trigger as well. Whether it currently is or not seems to be a point of legal contention, but I doubt that will matter by 2 July.

But you have these three triggers at this point in time. If the government is not looking at a double-dissolution election and if the government is not looking to use these laws for a double-dissolution election then I do not see why this is being rushed through before the budget. If they were genuine, I do not see the rush. I do not see why there is a rush to have this ready to be used in August if it were not also being prepared to be used for a July
The talk of this early election is not coming from the Labor side of politics. It seems to be constantly backgrounded by government ministers and government MPs. They are proposing the date of 2 July, and I think I have also heard 9 July floated around the place. One or two people have even said 16 July. But there does seem to be a view held by the government that they are preparing themselves for a 2 July double-dissolution election, and they want to have these laws in place to be used for that double-D. That is what is happening.

A double-dissolution election, at this point in time, would certainly be based on two triggers—that is, the Clean Energy Finance Corporation bill and the registered organisations bill—with the ABCC bill probably being another.

**Senator Whish-Wilson interjecting—**

**Senator Dastyari:** I will take that interjection. Senator Whish-Wilson said, 'That's just not true.' These are matters of fact. It is a matter of fact that the Clean Energy Finance Corporation bill is a potential trigger for a double-dissolution election. That is a matter of fact. It is a matter of fact that the registered organisations bill is already a potential trigger for a double-dissolution election. The only grey area, from a legal perspective—there is, as I understand, differing advice on this—is whether the ABCC bill is already a trigger at this point or needs to be formally rejected one more time by the Senate.

**Senator Whish-Wilson:** It has been a trigger for 18 months. Why haven't they gone?

**Senator Dastyari:** I will take that interjection, Senator Whish-Wilson, and thank you for participating in this debate.

**Senator Ian Macdonald:** Are you running out of things to say?

**Senator Dastyari:** I will take your interjection too, in a moment, Senator Macdonald. Senator Whish-Wilson said: 'It's been a trigger for 18 months. Why haven't they acted?' I will tell you why they have not acted. It is because, post the implementation of these laws, the reason to act is increased. What happens post these laws is that the government will potentially be able to go to a double-dissolution election. That will be a decision for the government; I accept that. But the potential decision by the government is to go to a double-dissolution election using the new voting structures so that they have a Senate in which there are more conservatives and fewer crossbenchers. We even heard from Antony Green himself yesterday—I have only had a small opportunity to get on top of all the evidence that was presented yesterday—

**Senator Ian Macdonald:** I am not sure that you are not verbalising him.

**Senator Dastyari:** No. I have a lot of respect for Antony Green. It is my understanding that this is the evidence that he gave. If I have verbalised Mr Green, I will certainly correct that. The respected electoral analyst Mr Antony Green gave evidence that under this system at the 2013 election:

...the Labor Party would have won a second seat in South Australia and Western Australia, the Liberals would have won an extra seat in Victoria and Tasmania ...

He also said that Senator Xenophon's party—or himself as an Independent or a grouped Independent, as I think it was structured at that election—would have won an extra seat in South Australia and that the Greens senator, Senator Hanson-Young, would have lost her seat. That was the analysis given by him. Mr Antony Green went further, in response to questioning from Senator Rhiannon, which was, in part, peppered by other questions from
Senator Conroy. I think there was a bit of a back-and-forth exchange. He noted that it was more likely than not that the number of conservative senators under this proposal would reach 38.

Senator Ian Macdonald: Are you reading from the transcript?

Senator DASTYARI: Yes, I did. I listened to it, and I read the transcript. Senator Macdonald, I will send you a press statement that was put out afterwards as well.

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT (Senator Sterle): Senator Dastyari, just ignore the interjections.

Senator DASTYARI: But they are such good interjections!

The ACTING DEPUTY PRESIDENT: I know. You are right.

Senator DASTYARI: A slower, longer and better process would lead to better policy outcomes in this space. I believe there is an agreement here, and there is an agreement across the chamber, that, fundamentally, there is a space and a place for reform. There is no agreement that this is necessarily the right reform to do. I accept the fact that there are those in this chamber who have held these views for a long period of time. I accept the fact that Senator Rhiannon has advocated OPV models over a long period of time. Senator Rhiannon has made these arguments not just in this place but in a previous career in the New South Wales state parliament and has been very consistent on this issue over a long period of time. I would say that that is not the only way of doing this. There are better ways of improving the laws than what has been proposed here. There are ways of making sure we have a greater participatory model and a better model. Again, I am not opposed to the idea that, after 34 years, it is time to update the voting systems and voting laws, but when you have legislation that, in a week, has already had nine amendments made to it—

Senator Jacinta Collins: By the government.

Senator DASTYARI: by the government, on their own legislation—

Honourable senators interjecting—

Senator DASTYARI: No, what you had was a situation where there was poorly written, rushed legislation from the Department of Finance—

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT: Order! Senator Dastyari shall be heard in silence. Senator Dastyari, you have the call.

Senator DASTYARI: I am outraged!

Senator McKenzie: Stop laughing, Sam, during that outrage.

Senator DASTYARI: I am laughing at what is happening to electoral laws in this country under the laws being proposed—

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT: I cannot hear Senator Dastyari. Senator Polley, it is bad enough with Senator McKenzie, Senator Collins, Senator Macdonald and Senator Cormann carrying on. Would you all just settle down so that I can hear Senator Dastyari’s contribution.
Senator DASTYARI: Mr Acting Deputy President, I note that you are saying that you cannot hear my contribution—many people would be prepared to swap seats with you right now!

This is rushed legislation. Amendments have been proposed because the Department of Finance prepared this legislation in a rushed manner without properly taking it through the Department of Prime Minister and Cabinet. All of these matters have not had the chance to be properly explored and analysed. There is an opportunity here, if we adopt the suggestion that has been proposed in the amendment from Senator Collins, to have a longer process. Frankly, looking at the amount of evidence given in yesterday's short hearing, we should have more hearings. Let us have the Senate look at this properly.

Senator Jacinta Collins: Let's hear from the department.

Senator DASTYARI: Let's hear from the department. Let's have the department look at this. We are going to go through a budget estimates process in late May. That will be a great opportunity to ask questions of the Department of Prime Minister and Cabinet and the Department of Finance. No one can explain the need to rush this legislation. If the numbers are there because the Greens and the government have already reached an agreement on this—no-one is purporting they have not—what is lost by having a longer process to make sure that at least the amendments are better? Every time we look at this bill, more amendments seem to pop up. What is wrong with saying, 'Let's have a later implementation date; let's bring the legislation through a bit later so that we can have a proper opportunity to make sure we have the right amendments'? The legislation was introduced by the government. Hours later they had to bring in eight amendments. If they had done their homework, if they had done the legislation properly, they would not need to bring in eight amendments. This is before any scrutiny. It is simply because the Department of Prime Minister and Cabinet had not seen the legislation.

I have just been given a note which says that the Australian Greens are going to comment on Senate voting reform at 10.50 this morning. I am not sure exactly what that is going to mean, but I think that is going to be a fairly interesting contribution. I hope it is not a gag. I hope it is not about stifling democracy. I hope it is not about stifling people from having an opportunity to have a say. This is the party that always says they do not gag. It appears now that they are going to start gagging. (Time expired)

Senator WHISH-WILSON (Tasmania) (10:48): Senator Dastyari was out of doors yesterday holding up a square with 'Clean Energy Finance Corporation' inside it, saying, 'This is a trap.' What he should have had was a sign with a picture of his face saying, 'This is crap,' because this is exactly what we have got from the Labor Party.

The ACTING DEPUTY PRESIDENT (Senator Sterle): Senator Whish-Wilson, and as much as that sort of language does not shock me, it may offend those listening. I would ask you to withdraw that last comment.

Senator WHISH-WILSON: I withdraw that last comment if that is unparliamentary. You cannot trust the Labor Party on this issue. There has been a whole series of misinformation and misleading statements on what is actually a very, very important issue. What has concerned me the most—Senator Dastyari touched on it very briefly then—is the use of psephologists like Antony Green, who have spent their lives studying our democratic system
and have been champions for reform, and the Labor Party is prepared to throw them under a bus and use statements they have made out of context to win a political argument in this chamber.

Yesterday in the chamber, during the middle of an extraordinary meltdown, Senator Penny Wong said:

I will remind the Greens of the evidence that was given to the joint standing committee by Antony Green, whom they have cited in debate on many issues in this chamber. He said that the most likely outcome is blocking majority for the coalition.

However, when asked on Twitter if Penny Wong was quoting him correctly, Antony Green replied, 'It's news to me.' Senator Wong has twisted Antony Green's words. If Senator Wong had been paying attention or had read Antony Green's earlier article on this specific issue, she would have understood that he meant that, if the coalition had a landslide victory, it is more likely the coalition would have a majority in the Senate—pretty basic stuff, really. Antony Green points out, 'This situation will occur under those circumstances whether there is Senate reform or not.' This is what Antony Green said at the full hearing yesterday:

The Senate is a proportional system, for if party wins a majority of the vote it has a chance of winning a majority of the seats. So for someone to say, 'Can you guarantee the coalition will never win a majority?' I say, 'No, I can't. If they win a majority of the vote they may win a majority of the seats.' Under more normal voting patterns the coalition does not get a majority of the vote. I counted it up and there are less than half a dozen instances in the last 25 years of them getting to 50 per cent in their own right in any individual state. In a double dissolution, where you are more likely to get a majority than a half-Senate election, that is the only time you would start seeing it as being a chance. It is much more likely that the coalition will win six seats at a double dissolution or three at a half-Senate election in each state. But I would point out that during the Howard government in 1996, 1998 and 2004 they won three of all of the vacancies in three states under the current system. All I am saying is that it would tend to produce the same thing as the current system.

He also wrote an entire article on this issue, had Senator Wong bothered to read it—'Would voting reform lead to the coalition winning a Senate majority at double dissolution?'

It is a claim that has set the dogs running this morning after analysis by the Renewable Energy Party claimed it would—

A minor party—

The claim is the Coalition would win 7 of the 12 vacancies in three states delivering the Turnbull government a Senate majority.

It is a claim that doesn't stand up to analysis.

Let's face facts. If the Coalition get the 50% of the vote to win seven Senate seats in NSW, Victoria and WA, then the Turnbull government would be returned to office with a massive House majority.

Under both the current and the proposed electoral system, a party would come close to winning seven Senate seats if its vote was above 50%.

That is the same thing he said yesterday. He continued:

The current Senate electoral system could just as easily produce the same result. However, you would have to work out the labyrinthine preference flows and factor in the random factors produce by voters needing to use magnifying glasses on the over-sized ballot papers in under-sized fonts.
I would also point out that there have been several other well-respected psephologists, including Dr Kevin Bonham from Tasmania, say similar things.

With all the chest beating and all the wild gesticulating, with all the flushed faces and the faux anger, with all the banging on the tables—if we captured little videos of it and ran some Benny Hill music in the background, we might actually produce an excellent, comical breakdown of what the Senate has been going through in the last three days, courtesy of the Labor Party. That is what it has looked like, but it is a serious issue. It is not a farcical or a comical issue. To be misquoting someone like Antony Green, I think is really poor form. Unfortunately, Senator Wong's quote was quoted verbatim in an article by *The Guardian* this morning. So it is out there in the public realm. I would ask Senator Wong to come into the Senate, check what Antony Green actually said and wrote and clarify her comments. And please correct the record, because this is a very serious debate. Antony Green has been a long-time contributor to democracy—

**Senator Urquhart:** On a point of order, Mr Acting Deputy President. I would remind Senator Whish-Wilson that Mr Green's name is Antony Green, not Anthony Green.

**Senator WHISH-WILSON:** Thank you, Senator Urquhart. I think I did say 'Antony', but I will go back and check and I will be happy to correct the record if I have been wrong. Unlike Senator Dastyari's claim, the government has made it clear today—and I sensed this from estimates a couple of weeks ago when the Clean Energy Finance Corporation was being questioned—that it is not going to be a double dissolution trigger; they will not be putting up the legislation for that. We have been aware of that fact for weeks now that the government has been changing its view on the Clean Energy Finance Corporation. They would not comment on the specific change in policy but, nevertheless, the issue has been clarified by the Prime Minister this morning. Senator Dastyari says that Labor has not been talking about an early election, but let me tell you that the fear-of-god campaign which the Labor Party has been putting into the crossbench has been all about an early election—even an election in April, Senator Polley.

**Senator Polley interjecting—**

**Senator WHISH-WILSON:** But what is the biggest danger in having a coalition dominated Senate? Let us be very clear about this: the Greens do not want to see a coalition dominated Senate. I do not think any Australian would like to see the government control both houses of parliament. What is the biggest danger? The biggest danger to this country in this debate is the terrible political performance by the Labor Party. A fear campaign run by the Labor Party and other stakeholders will actually turn out to be an own goal. If we do go to an early election in July or a half Senate election and if this sort of smear campaign against the Greens and against progressive voters all around the country—as shown in a poll yesterday—the majority of independent voters and the majority of Labor voters actually support Senate voting reform. This smear campaign against progressive people who want democracy and against parties like the Greens will deliver the result that the Labor Party and their stakeholders, who are agitating behind the scenes, do not want to see.

If we have an early election or a half Senate election, we all need to come together to deliver the outcomes that we want as political parties. We and the parties we represent were put here for our policies by the voters, and that is what will win the next election—a contest of ideas, and that is what politics is. This is not a contest of ideas; this is a grubby smear
campaign based on misleading information, purely for the short-term political objectives of the Labor Party. I do not even say the Labor Party in a holistic way, because I know the Labor Party is deeply divided on this issue. Mr Gary Gray called the comments of people such as Senator Conroy and Senator Wong 'dumb' and 'sad' and 'misleading'. Like Senator Faulkner and other stalwarts of the Labor Party, they want to see voting reform. The Labor Party had plenty of opportunity while it was in government to deliver on these reforms.

I want to reflect on one other thing today which is really critical to me as a Green senator. One of the privileges we have in this job is to be able to put on the record during the adjournment debate the contributions people have made to our communities, our states or our political parties. Last night I spoke about a founding member of the United Tasmanian Group, Jeff Weston. The United Tasmanian Group went on to be the Tasmanian Green political party, the Australian Greens and the global green movement. Sadly, he passed away a few days ago. I reflected on the fact that he sat around a table with a number of other founders of our party 45 years ago—it is potentially even earlier than that, but he ran as a candidate in 1972. For the crossbenchers who have been in here—I enjoy working with the cross bench; they are good people; I have absolutely no problem with them at all and nor does my party—I would like to point out the legacy of people like Jeff Weston nearly 50 years ago deciding they needed to form a political party to achieve outcomes for the environment and for the future of Tasmania. It takes many years and a lot of people and a lot of energy to go into politics and be successful and establish a political party and get members voted in and then get your policies and philosophies voted on. It has taken our party nearly 50 years to get where we are today. With the big parties it took even longer.

We are here to represent a very deep, ingrained movement that started a long time ago, and it is very important that I as a senator reflect on these things in this debate. Absolutely everybody should have a chance to go into parliament and that is why we have been very careful with their policies on Senate voting reform to make sure that higher barriers for entry such as membership numbers are not put in place to prevent people from having their chance. It takes a lot of hard work to get into parliament and sometimes I feel that the debate we have heard here, especially in recent days, is essentially about whether we should allow ordinary Australians into the Senate through a lottery. If we want to be honest about this debate and whether it is good or bad for democracy, that is what we should be discussing. We should be discussing whether the sixth Senate seat in any half-Senate election should be put up as a lottery for any Australian to throw their hat into the ring. That would be a good debate to have, and that would be the honest debate because that is what we are actually discussing here—we are discussing the gaming of the system, and it is not democratic. It is not democratic because people do not know where their preferences go—it is too complex and too difficult to understand.

As I pointed out the other day, my party has consistently campaigned to get Senate voting reform in place. I am very proud that Senator Rhiannon achieved this reform in the upper house in New South Wales. I understand from speaking to her recently that she copped an incredible amount of flak, as the Greens did when they were bringing in this reform in New South Wales. But I do not think there are many people who are that unhappy with it. It is reform that Bob Brown introduced in 2004, and of course we were optimistic back in 2012 that the Labor Party when they were in government might do something about voting reform.
But that reform has not occurred and we have an opportunity now to rectify that. We will not facilitate a double dissolution, and we will take the opportunity to support Senate voting reform—something we have campaigned on for a long time. It is good for democracy. Most Australians understand it is good for democracy. Most Australians would like to direct their preference in a simple, fair system. There is a press conference going on at the moment and there will be lots of things being discussed, but this issue has been through numerous committees over many years—the debate has been exhausted—and we are about to have, potentially, weeks of parliamentary debate coming up. So let us be clear about one thing: this is not rushed. This is the result of a committee process that has been going on for some time—it has been going on for many years—and we are getting very close to achieving something. We have asked the Labor Party to put aside populist politics for their own self-interest and do what is right by our Australian democracy and give the people something to believe in.

Senator IAN MACDONALD (Queensland) (11:03): For those listening to this debate I will explain what the Senate is doing at the moment. The Labor Party is again, with the amendment we are debating, trying to delay dealing with this legislation on Senate reform for some months. The amendment before the Senate, moved by the Labor Party, seeks to delay the Commonwealth Electoral Amendment Bill. The Labor Party have said we need more time to debate this issue. As Senator Whish-Wilson has just said and as Senator Cormann has mentioned, this matter has been debated full-time for about three years. Those listening and senators will recall that following the last federal election there was genuine community outrage at the fact that a number of senators, who control the Senate, were elected with less than a couple of per cent of the vote in. It was not outrage from the politicians at the time—there was genuine community outrage. Immediately following the election, because of that community outrage, the Joint Standing Committee on Electoral Matters instituted an inquiry into Senate voting. I attended that inquiry. There were senators and members from all political parties; from memory there were about 10 separate hearings, many of them in other places in Australia. I know we went to Perth, where there had been some difficulties with the election, and we went to places as remote as Mount Isa in my own state, to make sure that we got the views of everybody in Australia on what they thought Senate voting was like and what reforms there should be. Following that very extensive investigation and those consultations with everybody, with all the experts and with ordinary people around the country—some politicians even gave evidence; I remember Mr Katter gave evidence in Mount Isa and we had Mr Green, other professional people and academics give evidence to the committee—the committee deliberated on that evidence for some considerable time. I repeat that the committee was made up of members of the Liberal Party, the National Party, the Australian Labor Party and the Greens political party, and Senator Xenophon. It was a cross-party committee, and the report of the committee was unanimous. All parties signed onto it, including the Australian Labor Party. I was on the committee, and we were wondering at the time whether the Labor Party would support it—in fact, the Labor Party representatives on that committee were perhaps the most forceful in getting the result that that committee presented to parliament.

The recommendations of that committee were, amongst other things, that there be optional preferential above the line and below the line. I will not go through that in any detail.
Everybody in this chamber knew exactly what that report proposed and what the system in this country was. That was something that the Labor Party, Senator Xenophon, the Greens and the coalition were all unanimous about. There was no dispute or complaint. I repeat that that was a report, a conclusion, that was arrived at by serious consideration. It was not a five minute 'sit down and what will we do.' It was not something that there was no consultation on. It was a very thorough and full investigation with every Australian given the opportunity to come and present evidence should they want to.

The crocodile tears you get from the Labor Party about this particular bill before the parliament not having enough exposure are just crocodile tears. In fact someone in the Labor Party has concluded that the Labor Party will do badly out of it. All the evidence—and Senator Whish-Wilson went through some of it accurately quoting Antony Green—has no conclusion that the Labor Party will do badly or will do well. Senator Whish-Wilson explained that with some clarity. The coalition can get a majority if we get a big majority of votes around Australia. That has happened once before. I had to say to Mr Green, that it was nice to pull up an expert like Professor Green. He forgot that on one occasion in my home state of Queensland we got four out of the six senators for the coalition. They were quite unusual circumstances. Senator Brandis will remember; he led the ticket. That was quite an exceptional result. At that time and at that election in Queensland, the majority of Queenslanders voted for the Liberal and National parties. We were separate parties then, but between us we got four out of the six. That can happen. I am delighted that Senator Whish-Wilson has read into the Hansard the actual transcript of the evidence given by Mr Green yesterday, which puts the lie to a lot of the false allegations that have been made by members of the Labor Party in this debate so far.

I will go through, at some length, for those who are listening and who might be wondering what this debate is about. Yesterday we tried to get the debate on this piece of legislation which all Australians regardless of their political affiliation think must happen. It is the sort of reform that gives back to the voter the choice of who they vote for in their state to represent them in the Senate. This is essential in a democracy. The joint standing committee came to the same conclusion two or three years ago, not only to be seen to be a democracy, but to be democratic. It was important that Australians could exercise their right to vote as they choose and to give preferences to whom they wanted, and not to simply blindly follow some registered how-to-vote card which, I can assure you, very few Australians ever knew about.

We had a ridiculous situation where people who deliberately cast a vote for a party of the extreme left, without knowing where that party had sold its preferences to other parties, found out that their preferences went to a party of the extreme right. Had those people bothered to look at the registered how-to-vote card—and not many people did—they would have seen that. Now under the proposals in this legislation and if the government follows the recommendations of the committee, which were tabled in the other place earlier today, then we will have a piece of legislation that gives Australians the opportunity to choose who they want in this Senate and give preferences to whom they want.

The inquiry that has been held shows that the process has worked. The government has brought in a piece of legislation, which in shorthand says, 'Optional voting above the line, but below the line you still can vote for the individual of your choice'. You had to go through the whole gambit, so it could end up people voting from one to 103. I think at the last election—I
always vote below the line—it took me about 25 minutes to go through it, double-checking to make sure I had not missed a number that might have declared my vote illegal. Most people would not vote below the line, because it was too onerous.

One of the witnesses yesterday gave the example that he always voted below the line. He took his three-year-old son with him while he went to vote. Can you imagine a three-year-old sitting in the voting booth while his father went through 103 numbers and double-checked them. He made the point that he would never do that again in those circumstances even though he preferred to choose the candidates under the line. The evidence given yesterday repeated a lot of the evidence that the original joint committee dealt with, which engendered the recommendations of the original committee.

As a result of that report, the committee decided at a meeting this morning that it would recommend to parliament that the bill be amended to provide—not only optional preferential voting above the line but also optional preferential voting below the line, up to 12 numbers. That would be the case whether it were a single Senate election, a half-Senate election or a double-dissolution Senate election. That is the recommendation of the Joint Standing Committee on Electoral Matters, which mirrors exactly the recommendation that same committee unanimously made just three years ago.

Now, for some reason—there has been no valid reason given—the Labor Party have changed their minds. Mr Gary Gray, not a political friend of mine but clearly a respected, honest and genuine member of parliament, who regrettably will not be with us after the next election, maintains what he maintained three years ago, which is that this new idea was the right one.

That is the process, and that process actually works. Well, I hope it has worked. I have not seen the government's amendments. But I would feel fairly confident that the government would take notice of the recommendations of the joint standing committee which, I repeat, mirror those it made three years ago. I would hope that the government would accept those recommendations and would amend the bill before parliament to allow—in shorthand—optional preferential voting above the line and optional preferential voting below the line.

That is what everyone wanted to do three years ago; it was unanimous. I cannot repeat that enough. I invite those listening to have a look at the joint standing committee report of three years ago and see who signed it. The people who signed it included members of every political party, including the Australian Labor Party. I know I have said that a number of times, but I want to emphasise it. In the debates on the bill that will follow, I would like to get the Labor Party to give me one valid reason, one half-sensible reason—

Senator Wong: Even John Howard agrees with us.

Senator IAN MACDONALD: why they would, three years ago, support exactly this—

Senator Wong: John Howard agrees with us.

Senator IAN MACDONALD: but now have changed their minds.

Senator Wong: Even John Howard.

Senator IAN MACDONALD: Senator Wong, you say someone else is recommending that. All I am saying—

Senator Wong: John Howard, not 'someone else'!
Senator IAN MACDONALD: to you is that as the guy who actually sat through all the hearings, as I said before—you were not in the chamber, Senator Wong—the committee had about 10 hearings, and many of them were public hearings. They deliberated on this. The Labor Party members of the committee at that time were at the forefront in encouraging and arguing to other members of the committee that this was what should happen. That was from members of the Labor Party, I can tell you that. Perhaps I am breaching standing orders by telling you what happened in the joint standing committee at that time. But that is how it was: the Labor Party members were keener than anyone else. But apparently someone told Senator Conroy or Senator Wong—

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (11:19): I move:

That the question be now put.

Senator Wong: Mr President, I have not spoken yet.

The PRESIDENT: No, the Leader of the Government in the Senate will always get the call if he rises to his feet. You know that, Senator Wong.

Senator Wong: I have not spoken in this debate.

The PRESIDENT: He has not spoken in this debate.

Senator Wong: Well, I haven’t yet.

The PRESIDENT: I am sorry, but the Leader of the Government in the Senate takes precedence. The question is that the question be now put.

The Senate divided [11:24]

(The President—Senator Parry)

Ayes ................... 40
Noes ................... 29
Majority .............. 11

AYES

Abetz, E
Back, CJ
Bernardi, C
Birmingham, SJ
AYES

Brandis, GH  Bushby, DC
Canavan, MJ  Cash, MC
Colbeck, R  Cormann, M
Di Natale, R  Edwards, S
Fawcett, DJ (teller)  Fierravanti-Wells, C
Fifield, MP  Hanson-Young, SC
Heffernan, W  Johnston, D
Lindgren, JM  Ludlam, S
Macdonald, ID  McGrath, J
McKenzie, B  McKim, NJ
Nash, V  Parry, S
Payne, MA  Reynolds, L
Rhiannon, L  Rice, J
Ruston, A  Ryan, SM
Scurrion, NG  Siewert, R
Simms, RA  Sinodinos, A
Smith, D  Waters, LJ
Whish-Wilson, PS  Williams, JR

NOES

Brown, CL  Bullock, JW
Cameron, DN  Collins, JMA
Conroy, SM  Dastyari, S
Day, RJ  Gallacher, AM
Gallagher, KR  Ketter, CR
Lazarus, GP  Leyonhjelm, DE
Lines, S  Ludwig, JW
Madigan, JJ  Marshall, GM
McAllister, J  McEwen, A
McLucas, J  Moore, CM
Muir, R  O’Neill, DM
Peris, N  Polley, H
Singh, LM  Sterle, G
Urquhart, AE (teller)  Wang, Z
Wong, P

Question agreed to.

The PRESIDENT (11:26): The question now is that the amendment moved by Senator Collins be agreed to.

The Senate divided [11:27].

(The President—Senator Parry)

Ayes ....................30
Noes ....................39
Majority ..............9

AYES

Brown, CL  Bullock, JW
Cameron, DN  Collins, JMA
Conroy, SM  Dastyari, S
AYES

Day, RJ
Gallagher, KR
Lambie, J
Leyonhjelm, DE
Ludwig, JW
Marshall, GM
McEwen, A
Moore, CM
O'Neill, DM
Polley, H
Sterle, G
Wang, Z

Gallacher, AM
Ketter, CR
Lazarus, GP
Lines, S
Madigan, JJ
McAllister, J
McLucas, J
Muir, R
Peris, N
Singh, LM
Urquhart, AE (teller)
Wong, P

NOES

Abetz, E
Bernardi, C
Brandis, GH
Canavan, MJ
Colbeck, R
Di Natale, R
Fawcett, DJ (teller)
Fifield, MP
Heffernan, W
Lindgren, JM
Macdonald, ID
McKenzie, B
Nash, F
Payne, MA
Rhiannon, L
Ruston, A
Scullion, NG
Sinodinos, A
Waters, LJ
Williams, JR

Back, CJ
Birmingham, SJ
Bushby, DC
Cash, MC
Cornann, M
Edwards, S
Fierravanti-Wells, C
Hanson-Young, SC
Johnston, D
Ludlam, S
McGrath, J
McKim, NJ
Parry, S
Reynolds, L
Rice, J
Ryan, SM
Siewert, R
Smith, D
Whish-Wilson, PS

Question negatived.

The PRESIDENT (11:32): The question now is that this bill may now proceed without formalities.

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (11:32): I move:

That the question be now put.

The Senate divided. [11:36]

(The President—Senator Parry)

Ayes .................40
Noes ..................30
Majority .............10
Question agreed to.

The PRESIDENT (11:39): Just so that senators are absolutely clear, standing order 101(3) says:

When successive divisions are taken, and there is no debate after the first division, the bells for each ensuing division shall—

it does not say 'may'—

be rung for one minute only.

I acceded to a request of the Leader of the Opposition in the Senate for four-minute bells on the last occasion, but I advise senators that for every other occasion where there is no ensuing debate, the bells will be rung for one minute only.

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### AYES

| Abetz, E | Back, CJ |
| Bernardi, C | Birmingham, SJ |
| Brandis, GH | Bushby, DC |
| Canavan, MJ | Cash, MC |
| Colbeck, R | Cormann, M |
| Di Natale, R | Edwards, S |
| Fawcett, DJ (teller) | Fieravanti-Wells, C |
| Fifield, MP | Hanson-Young, SC |
| Heffernan, W | Johnston, D |
| Lindgren, JM | Ludlam, S |
| Macdonald, ID | McGrath, J |
| McKenzie, B | McKim, NJ |
| Nash, F | O'Sullivan, B |
| Parry, S | Payne, MA |
| Reynolds, L | Rhiannon, L |
| Rice, J | Ruston, A |
| Ryan, SM | Seullion, NG |
| Siewert, R | Simms, RA |
| Smith, D | Waters, LJ |
| Whish-Wilson, PS | Williams, JR |

### NOES

| Brown, CL | Bullock, JW |
| Cameron, DN | Collins, JMA |
| Conroy, SM | Dastyari, S |
| Day, RJ | Gallagher, AM |
| Gallagher, KR | Ketter, CR |
| Lambie, J | Lazarus, GP |
| Leyonhjelm, DE | Lines, S |
| Ludwig, JW | Madigan, JJ |
| Marshall, GM | McAllister, J |
| McEwen, A | McLucas, J |
| Moore, CM | Muir, R |
| O’Neill, DM | Peris, N |
| Polley, H | Singh, LM |
| Sterle, G | Urquhart, AE (teller) |
| Wang, Z | Wong, P |
The question now is that this bill proceed without formalities.
The Senate divided. [11:41]
(The President—Senator Parry)

Ayes ..................... 40
Noes ..................... 30
Majority ............... 10

AYES
Abetz, E
Bernardi, C
Brandis, GH
Canavan, MJ
Colbeck, R
Di Natale, R
Fawcett, DJ (teller)
Fifield, MP
Heffernan, W
Lindgren, JM
Macdonald, ID
McKenzie, B
Nash, F
Parry, S
Reynolds, L
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Ryan, SM
Siewert, R
Smith, D
Whish-Wilson, PS

Back, CJ
Birmingham, SJ
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Cash, MC
Cormann, M
Edwards, S
F ierravanti-Wells, C
Hanson-Young, SC
Johnston, D
Ludlam, S
McGrath, J
McKim, NJ
O'Sullivan, B
Payne, MA
Rhiannon, L
Ruston, A
Scullion, NG
Simms, RA
Waters, LJ
Williams, JR

NOES
Brown, CL
Cameron, DN
Conroy, SM
Day, RJ
Gallagher, KR
Lambie, J
Leyonhjelm, DE
Ludwig, JW
Marshall, GM
McEwen, A
Moore, CM
O'Neil, DM
Polley, H
Sterle, G
Wang, Z

Bullock, JW
Collins, JMA
Dastyari, S
Gallacher, AM
Ketter, CR
Lazarus, GP
Lines, S
Madigan, JJ
McCullister, J
McLucas, J
Muir, R
Peris, N
Singh, LM
Urquhart, AE (teller)
Wong, P

Question agreed to.

The PRESIDENT (11:45): The question is that the bill be now read a first time.
The Senate divided. [11:45]
Question agreed to.

Bill read a first time.

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (11:47): I seek leave to move a motion to exempt this bill from the bills cut-off order.

Leave not granted.
Senator BRANDIS: Pursuant to contingent motion standing in my name, I move:
That so much of the standing orders be suspended as would prevent a minister moving a motion to provide for the consideration of a matter, namely a motion to provide that a motion to exempt the bill from the bills cut-off order may be moved immediately and determined without amendment or debate.
I further move:
That that question be now put.

The PRESIDENT: The question is that the motion be now put.

A division having been called and the bells being rung—

Senator Wong: Mr President, a point of order: this is different business.

The PRESIDENT: It is still valid if there has not been any intervening debate, so the bells will remain ringing for one minute.

Senator Wong: Mr President, you are not allowing any debate, because the government has moved a gag, but it is different business. I ask for four minutes.

The PRESIDENT: It is not me who is allowing or disallowing the debate. I am following the procedures in the standing orders. The bells will be rung for one minute. I indicated that earlier. The bells are ringing for one minute.

The Senate divided. [11:49]

(The President—Senator Parry)

Ayes .................40
Noes .....................30
Majority.................10

AYES

Abetz, E
Bernardi, C
Brandis, GH
Canavan, MJ
Colbeck, R
Di Natale, R
Fawcett, DJ (teller)
Fifield, MP
Heffernan, W
Lindgren, JM
Macdonald, ID
McKenzie, B
Nash, F
Parry, S
Reynolds, L
Rice, J
Ryan, SM
Siewert, R
Smith, D
Whish-Wilson, PS

Back, CJ
Birmingham, SJ
Bushby, DC
Cash, MC
Cormann, M
Edwards, S
Fierravanti-Wells, C
Hanson-Young, SC
Johnston, D
Ludlam, S
McGrath, J
McKim, NJ
O'Sullivan, B
Payne, MA
Rhiannon, L
Ruston, A
Scullion, NG
Simms, RA
Waters, LJ
Williams, JR

NOES

Brown, CL
Bullock, JW

CHAMBER
Question agreed to.

The PRESIDENT (11:52): The question now is that the suspension motion moved by Senator Brandis be agreed to.

The Senate divided. [11:53]

(The President—Senator Parry)

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<td>Waters, LJ</td>
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<td>Williams, JR</td>
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AYES

Back, CJ
Birmingham, SJ
Bushby, DC
Cash, MC
Cormann, M
Edwards, S
F ierravanti-Wells, C
Hanson-Young, SC
Lindgren, JM
Macdonald, ID
McKenzie, B
Nash, F
Parry, S
Reynolds, L
Rice, J
Ryan, SM
Siewert, R
Smith, D
Whish-Wilson, PS

NOES

Cameron, DN
Collins, JMA
Question agreed to.

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (11:56): I move:

That a motion to exempt these bills from the bills cut-off order may be moved immediately and determined without amendment or debate.

I further move:

That the question be now put.

The PRESIDENT: The question is that the question be now put.

The Senate divided. [11:57]

(The President—Senator Parry)

Ayes .................39
Noes .................29
Majority..............10

AYES

Abetz, E
Bernardi, C
Brandis, GH
Canavan, MJ
Colbeck, R
Di Natale, R
Fawcett, DJ (teller)
Fifield, MP
Heffernan, W
Ludlam, S
McGrath, J
McKim, NJ
O'Sullivan, B
Payne, MA
Rhiannon, L
Ruston, A
Scullion, NG
Simms, RA
Waters, LJ

Back, CJ
Birmingham, SJ
Bushby, DC
Cash, MC
Cormann, M
Edwards, S
Fierravanti-Wells, C
Hanson-Young, SC
Lindgren, JM
Macdonald, ID
McKenzie, B
Nash, F
Parry, S
Reynolds, L
Rice, J
Ryan, SM
Siewert, R
Smith, D
Whish-Wilson, PS

CHAMBER
Question agreed to.

The PRESIDENT (12:00): The question now is that the precedence motion be agreed to.

The Senate divided. [12:01]

(The President—Senator Parry)

Ayes ...................... 38
Noes ...................... 28
Majority ................. 10

AYES

Abetz, E
Bernardi, C
Brandis, GH
Canavan, MJ
Colbeck, R
Di Natale, R
Fawcett, DJ (teller)
Fifield, MP
Heffernan, W
Ludlam, S
McGrath, J
McKim, NJ
O'Sullivan, B
Reynolds, L
Rice, J
Ryan, SM
Siewert, R
Smith, D
Whish-Wilson, PS

Back, CJ
Birmingham, SJ
Bushby, DC
Cash, MC
Cormann, M
Edwards, S
Fierravanti-Wells, C
Hanson-Young, SC
Lindgren, JM
Macdonald, ID
McKenzie, B
Nash, F
Parry, S
Rhiannon, L
Ruston, A
Scullion, NG
Simms, RA
Waters, LJ
Williams, JR

NOES

Bullock, JW
Collins, JMA
Dastyari, S
Gallacher, AM
Ketter, CR
Lazarus, GP
Lines, S
Madigan, JJ
McAllister, J
McLucas, J
Muir, R
Peris, N
Singh, LM
Urquhart, AE (teller)
Wong, P

Cameron, DN
Conroy, SM
Day, RJ
Gallagher, KR
Lambie, J
Leyonhjelm, DE
Ludwig, JW
Marshall, GM
McEwen, A
Moore, CM
O'Neill, DM
Polley, H
Sterle, G
Wang, Z
Question agreed to.

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (12:03): by leave—I move:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to this bill, allowing it to be considered during this period of sittings.

I move:

That the question be now put.

The PRESIDENT: The question is that the question be now put.

The Senate divided. [12:05]

(The President—Senator Parry)

Ayes ..................... 37
Noes ..................... 27
Majority ................ 10

AYES

Abetz, E  Back, CJ
Bernardi, C  Brandis, GH
Bushby, DC  Canavan, MJ
Cash, MC  Colbeck, R
Cormann, M  Di Natale, R
Edwards, S  Fawcett, DJ (teller)
Fierravanti-Wells, C  Fife, MP
Hanson-Young, SC  Heffernan, W
Lindgren, JM  Ludlam, S
Macdonald, ID  McGrath, J
McKenzie, B  McKim, NJ
Nash, F  O’Sullivan, B
Parry, S  Reynolds, L
Rhiannon, L  Rice, J
Ruston, A  Ryan, SM
Scullion, NG  Siewert, R
Simms, RA  Smith, D
Waters, LJ  Whish-Wilson, PS
Wednesday, 2 March 2016

SENEG

AYES

Williams, JR

NOES

Bullock, JW
Collins, JMA
Dastyari, S
Gallacher, AM
Lambie, J
Leyonhjelm, DE
Ludwig, JW
McAllister, J
McLucas, J
Muir, R
Peris, N
Singh, LM
Urquhart, AE (teller)
Wong, P

Cameron, DN
Conroy, SM
Day, RJ
Ketter, CR
Lazarus, GP
Lines, S
Madigan, JJ
McEwen, A
Moore, CM
O'Neill, DM
Polley, H
Sterle, G
Wang, Z

Question agreed to.

The PRESIDENT (12:07): The question now is that the Commonwealth Electoral Amendment Bill 2016 be exempt from the cut-off.

The Senate divided. [12:08]

(The President—Senator Parry)

Ayes ....................37
Noes ....................27
Majority ...............10

AYES

Abetz, E
Bernardi, C
Bushby, DC
Cash, MC
Cormann, M
Edwards, S
Fierravanti-Wells, C
Hanson-Young, SC
Lindgren, JM
Macdonald, ID
McKenzie, B
Nash, F
Parry, S
Rhiannon, L
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Scullion, NG
Simms, RA
Waters, LJ
Williams, JR

Back, CJ
Brandis, GH
Canavan, MJ
Colbeck, R
Di Natale, R
Fawcett, DJ (teller)
Fifield, MP
Heffernan, W
Ludlam, S
McGrath, J
McKim, NJ
O'Sullivan, B
Reynolds, L
Rice, J
Ryan, SM
Siewert, R
Smith, D
Whish-Wilson, PS

CHAMBER
Question agreed to.

**Second Reading**

**Senator BRANDIS** (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (12:10): I table a revised explanatory memorandum relating to the bill and move: That this bill be now read a second time.

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

Leave not granted.

**Senator BRANDIS:** I am pleased to present the Commonwealth Electoral Amendment Bill 2016, to amend the Commonwealth Electoral Act 1918. The bill proposes to:

- simplify and improve the Senate voting system;
- improve the ability of voters to express their voting intention;
- require unique registered officers and deputy registered officers of political parties; and
- reduce voter confusion, by allowing political party logos to be printed on ballot papers.

A strong electoral system is one that is open and transparent, and allows for the clear expression of voter intent.

The parliament has been well served by the work of its Joint Standing Committee on Electoral Matters, or JSCEM, which regularly examines aspects of our electoral system, and issues that arise from the conduct of national elections.

This bill responds to key elements of the interim and final reports of the JSCEM inquiry into the 2013 federal election, which were tabled on 9 May 2014 and 15 April 2015 respectively.
To support the changes proposed in the bill, the Australian Electoral Commission will be provided with additional resources, including some minor new funding, to ensure their systems can address these reforms, and voters are made aware of, and understand, the changes. Let me deal with the provisions of the bill.

Part 1—Senate voting

Voters' dissatisfaction with the complexities of the current Senate voting system is well described in the JSCEM's report on the 2013 federal election. The committee concluded that the current Senate voting system lacks transparency, is overly complex, and is in need of simplification.

At the 2013 election, over 96 per cent of formal votes for Senate candidates were made above the line. The current Senate ballot paper encourages above-the-line voting, with voters relying on a complex, and often opaque, system of individual and group voting tickets to allocate their preferences according to a pattern determined by parties or grouped candidates. Individual candidates and political parties can register up to three voting tickets that determine preference allocation. While voting tickets are required to be displayed at polling places and on the AEC website, the JSCEM inquiry concluded that most voters are unlikely to understand where their preferences flow. This has led to some Senate candidates being elected on a very small first preference vote.

The bill will introduce optional preferential voting above the line, with voters to number at least six squares in sequence (except where there are fewer than six squares above the line). Advice will be printed on the Senate ballot paper to guide voters on this.

Consistently with the recommendations of the JSCEM inquiry into this bill, the government will also be moving an amendment to allow for optional preferential voting below the line. The amendment will provide for instructions to voters to number at least 12 boxes from one to 12 in order of their preference when voting below the line, together with a related savings provision that any vote with at least six boxes numbered from one to six below the line will still be considered formal.

The bill proposes the abolition of individual and group voting tickets. This will return the control of preferences back to voters themselves. The abolition of group voting tickets will not impact on the ability of candidates to group their names for the inclusion of a square above the line on the Senate ballot paper.

To reduce the risk of increased informal votes, as the proposed changes amend voting rules that have now been in place for some 30 years, the bill includes changes to vote savings provisions. These allow for a vote to remain formal even where voters have numbered fewer than six squares above the line. The objective is to capture voter intention by enabling voters to allocate their own preferences on the Senate ballot paper. This will improve the franchise and support the democratic process.

Taken together, the introduction of optional preferential voting above and below the line, the abolition of the voting ticket system and the enhanced savings provisions for voters will improve voter control over preference flows, support transparency and simplify the Senate voting system.

Part 2—Registered officers and deputy registered officers
Consistent with the JSCEM’s recommendations, the bill proposes changes to remove ambiguity around the accountabilities, affiliations and alliances of political parties by removing the capacity for an individual to be a registered officer or deputy registered officer of multiple political parties. This does not prevent a person from being the registered officer of a federal political party and the registered officer of a state branch or division of that party.

**Part 3—Party logos**

In its final report on the conduct of the 2013 election, the JSCEM considered the confusion that arises when political parties with similar names appear on ballot papers. The JSCEM suggested that the printing of party logos could help to overcome this confusion.

Therefore the bill proposes to allow for political party logos to appear, in black and white, on the ballot papers for both the House of Representatives and the Senate.

The Australian Electoral Commission will determine the most effective method for registering, authenticating, reproducing and printing party logos on ballot papers. The bill also proposes a new provision in the Electoral Act to protect the AEC against any action in relation to the reproduction of party logos.

**Conclusion**

This government is committed to an open and transparent voting system that has integrity, is simple and clear, and provides voters with the ability to express their will to the greatest extent possible and to have their voting intention upheld. The JSCEM is to be commended for its work in identifying the changes that need to be made in our current voting arrangements to achieve this objective in relation, in particular, to Senate elections.

The bill addresses the JSCEM’s concerns and further improves Australia’s democratic processes by placing more power in the hands of voters.

I commend the bill to the Senate.

Senator RHIANNON (New South Wales) (12:17): The Greens support the Commonwealth Electoral Amendment Bill. It is long overdue and it is welcome that it is now before the Senate. It is a bill that many people have put a great deal of effort into.

Senator Jacinta Collins interjecting—

Senator RHIANNON: Mr Deputy President, I wish to acknowledge at this point that it is traditional for Labor to follow the government. I waited here looking for Labor to jump. I am not going to lose my speaking place, but I acknowledge that Labor normally come second.

The DEPUTY PRESIDENT: Senator Rhiannon, I called you because you sought the call and no-one else sought the call. You have the call.

Senator RHIANNON: I just wanted to explain that. Thank you, Deputy President, for clarifying that. It is very welcome that at last we are debating this important legislation. As I was saying, it is overdue. The measures set out here with the above-the-line reform and below-the-line reform are a way to ensure that the intent of voters is reflected in how our electoral system works. At the moment, the essence of the problem we have is that when people vote above the line for the Senate—as we know, by far the majority of people do vote above the line—their preferences may end up somewhere that may not fit with their values. By far the majority of people do not know where their preferences end up, and that is the case because of group voting tickets.
Group voting tickets are part of the system. I acknowledge that, to get the box above the line, one has to go into those negotiations. Party representatives sit down and negotiate that and it is signed off—it is called a group voting ticket—and it is lodged with the Australian Electoral Commission. But over time we have come to realise, particularly in recent elections, that that system can be abused. That is why we are now debating this legislation.

The above-the-line changes and the below-the-line changes mean that no longer will people have to number all the boxes, but there will be a very clear requirement that a number of boxes have to be filled in—above the line, 1 to 6. I give emphasis to that because there has been a lot of misrepresentation about the bill before us and about the whole issue of how Senate voting reform is playing out. One of the accusations has been that it will wipe out small parties.

Remember, the only change—the significant change—with this legislation is that, rather than preferences being negotiated behind closed doors, with deals done and the voter not knowing that and not being able to determine their preferences, preferences will still be allocated but it will be the voter who determines those preferences. We now have reforms that can really drive a much healthier democracy—a democracy where candidates, parties, get up there with their election platform and engage in the political process. They get up with the courage of their convictions for their election platform to win votes. Surely that should be something that Labor recognises, because we do have to deal with Labor's position on this. Although we have not heard them formally here, we have heard their representatives in the House of Representatives, and there have been many debates in recent days about this very issue.

I notice that Labor's tactics change from day to day. In his contribution Senator Dastyari acknowledged that the system needs to change, but he wants more time for that. Let's remember it has been nearly two years since the first JSCEM report came down and that report, which advocated optional preferential voting, came off the back of considerable work. So much more than two years has already been put into this effort, and further delay is ridiculous. I want to go back to Senator Dastyari's comments, because they show that Labor has shifted. They can probably see the sand is moving under their feet on this one, they are losing some traction and they have to acknowledge that the system needs to change.

The proposal that is now outlined in a very well structured bill for optional preferential voting is the way to go. A cornerstone of our democracy should be the right of all citizens to run for election, either individually or collectively as political parties, regardless of wealth or background; another is that elections should be fair. This is the basis for the Greens' approach to Senate voting reform. I am very proud that the Greens have a democracy portfolio; I appreciated it enormously when former Senator Bob Brown asked me to take on that portfolio. The Greens have worked the Senate voting reform for a long time. Since 2004 it has been a key part of our work—2004, 2008, 2010 were the years when we introduced Senate voting reform legislation. Former Senators Bob Brown and Christine Milne put enormous effort into it, because they recognised how fundamental this reform was. You do not bring electoral reform forward because of the advantage it will give your party; you bring it forward because it will enhance the democratic process. That is what former Senators Brown and Milne recognised so deeply and that is why they continue to advocate for it up to today. The Greens won similar reforms in the New South Wales parliament: to end the backroom deals
and to ensure voters can decide their own preferences. I would also like to note that Senate voting reform was a condition of the Greens support for the 2010 minority Labor government. While Labor agreed with that—and it was in the formal agreement—they failed to deliver.

Why the Greens and many others have worked so hard for Senate voting reform is clearly apparent when one considers the current voting system. As we all know, voting above the line leads to the problem of the backroom deals deciding the outcome, which I outlined earlier. The essence of the change here is that it will be voters who have the final say in allocating their preferences. The group-voting ticket system results in some candidates being elected with less than one per cent of the vote; I would argue that that does not reflect the intent of the voters—when a candidate needs to get to 14.3 per cent of the vote for a quota. The current system is not democratic; you could call the current Senate voting system a lottery in which the will of the voters goes untranslated. You may vote for one party but end up electing another—that is how preferences currently work.

I go back to the intent of the voter: when voters consider their preferences they look for a party that has values similar to their own party, and that is what gets lost—what gets wiped out—under the current system. There are several examples in Senate elections that reflect this problem. In 2004 Labor preferences elected former Senator Steve Fielding from Family First. Labor's preference deal with Fielding helped him win a seat, despite only receiving 1.9 per cent of the primary vote. Mr Fielding ended up being a firm supporter of the Howard government since he held various conservative views—and that is not unusual in this place—but most infamously he compared marriage equality to incest. I reckon a lot of the Labor people, who voted 1 Labor and found out that through backroom preference deals, their votes ended up helping Mr Fielding become a senator, would not be too keen on the way that played out. Another example was the WikiLeaks Party preferencing the Nationals ahead of Scott Ludlam in Western Australia. Again, do we think the voters interested in internet freedoms and transparency were happy to have their votes go to the conservative National Party rather than a champion of internet freedoms like Senator Scott Ludlam? Could they even have known that this is what happened? Anthony Green in his testimony to the recent inquiry noted that even through thorough research of group-voting ticket arrangements, it is in practice near impossible for voters to know with 100 per cent certainty where their preferences will flow.

There is naturally some concern that reform might raise barriers to small or emerging parties. This is an issue that the Greens have given a great deal of attention to—we have debated it in the chamber before and we will continue to work on it. The Greens have stood firm in our longstanding support for the vital role of small parties in our democracy. We did this when Labor, the Liberals and the Nationals voted together to double the nomination fees to run in an election. It was clearly a move to try to knock out smaller parties, and some people have come to realise that that is not the fair way to enhance our democratic process. There was also the controversial attempt to raise the number of members needed to register a party, which the Greens did not agree to with, because we recognised that most parties start small with little money and there should not be barriers such as large memberships or high nomination fees put in their way.

The Greens have a bill before this parliament, called the Reducing Barriers for Minor Parties Bill, which takes up these issues and we will continue to work on that. We believe
other measures need to be put in place to ensure that new and emerging parties can come through in our democracy. We will continue to ensure that the Senate voting reforms do not create barriers for small parties. That needs to be an important part of our considerations. In 2013 the liberal national and Labor parties did vote for those increases to nomination fees and I want to remind the Senate that they were sizeable increases—for the Senate they went from $1000 to $2000 and in the House of Representatives from $500 to $1000. The Senate voting reforms that the Greens back do not reduce the rights of small parties to run to the Senate. Again, I want to emphasise this: the only change in this bill concerns who determines preferences, and parties can get out there and campaign strongly. The Greens support Senate voting reforms that would require above-the-line voting from one to six. That is a very important measure—requiring preferences above the line not to be according to the old system, so we get rid of group voting tickets, but then the voters will be required to vote at least one to six and there will be very clear instructions about that. With below the line, we welcome the recommendation coming through from the JSCEM inquiry that the bill needs to be amended so no longer will voters voting below the line have to fill in every box, which as we know is very onerous and turns a lot of people off. Below-the-line now would be a minimum of one to 12. You can obviously number more boxes, but at least one to 12 have to be filled in.

While we are speaking about the inquiry, I would like to put on the record my thanks to the secretariat, who worked very hard to bring forward that inquiry and organising the witnesses and preparing the report. It was a very useful process and that has been demonstrated by the fact that we now have this amendment. There was very strong evidence that we needed to change that aspect of the bill because of an inconsistency in how it would be presented to the voter, that above the line you were required to number a certain number of boxes—as we know, up to six—and filling in the rest was optional, so it was partial preferential, whereas below the line you had to fill in all the boxes. That would have been a confusing message. Some said it could even have been challenged down the track. Certainly the importance of that reform has been recognised, and it is good to see that that will now be in place. Again, because the whole validity of that inquiry has been so attacked by Labor, I did very much want to put that on the record and again note that for all the huff and puff and loud noises and undermining et cetera that went into setting up that inquiry, once we got there the Labor members did not have that many questions and even Senator Conroy, who is pretty famous for being able to talk for a long time, ran out of puff and handed over his time for non-Labor members to ask questions. That is clearly significant—

Senator Jacinta Collins: That is a misrepresentation, and you know it.

Senator RHIANNON: As always I am happy to take the interjections—

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson): Order! Senator Rhiannon, ignore the interjections. Senator Rhiannon has a right to be heard in silence.

Senator RHIANNON: As always I am happy to take the interjections and one just had to read the Hansard from the debate yesterday to see that the time was given over.

The ACTING DEPUTY PRESIDENT: Order! Senator Rhiannon has a right to be heard in silence.
Senator RHIANNON: Thank you, Mr Acting Deputy President. I think this is the time when we need to move on to the situation that has happened with Labor. Remember that Labor has had a long period of solid support for Senate voting reform—Senate voting reform that gets rid of group voting tickets, not half measures but dealing with the problem in a responsible way. The JSCEM inquiry into the 2013 election—

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT: I remind senators in the chamber that interjections are disorderly, and Senator Rhiannon has a right to be heard in silence.

Senator RHIANNON: The JSCEM inquiry into the 2013 election was very thorough, as these inquiries are. It brought down a number of reports, and one of those reports was into this issue of Senate voting reform. Labor, Liberal, National, Greens and Senator Nick Xenophon worked very thoroughly on this and brought down a united position—one recommending Senate voting reform. There was a submission from Labor to that inquiry. It is very interesting that yesterday Labor senators were downplaying Labor's role there, saying it never went through the Labor caucus. It would be useful to read that in detail in Hansard, because here you have Labor senators downplaying the role of their own party when it was having input on such an important issue, and even giving leadership because at that point there was no voice of opposition. They now say it never went through caucus, but that was never reported. They came in, the report was presented in the House of Representatives and here, we debated it thoroughly and there were no Labor voices of opposition. Until very recently we thought that we were working together for Senate voting reform. But what has happened in recent months? Senator Dastyari and Senator Conroy have led a very strong campaign to undermine the report, briefing journalists and getting in the ear of other senators. Obviously you can do that in politics, but it certainly has not given the leadership that is needed in resolving this issue.

Let us remember what Labor are doing here. Labor are defending their patch. They are defending a patch from last century, when their politics was about backroom deals. It was about working out deals, and Senator Conroy gave it away when he said 'it did not go through caucus—that was the party's position.' Surely they should be working with their own members through their own party and respecting that process, but here they were, negating—it is all about what the politicians think. When he says that he is talking about Senator Conroy and Senator Dastyari giving direction—no leadership from the opposition leader, Bill Shorten, on this important issue. They are protecting Senate voting tickets because it is through those Senate voting tickets that over the years Labor have gained so much of their power. They are two backroom dealers themselves—that is where they came from and that is what we have seen play out again.

We should remember that there are a number of Labor people who continue to speak for this, including former Labor MP and former leader of the ACTU Jennie George. Former Senator John Faulkner in this place made many speeches on the need for Senate voting reform, but here we have just a couple, Senator Dastyari and Senator Conroy, misleading Labor. The reforms urgently needed are now in this bill. It is now time to get on with a thorough debate and pass the bill. I hope Labor do not just avoid debating the issue but come in on it in a very thorough way. We have worked together in the past and I urge Labor at this
late stage to come on board—do not continue with the backroom deals, start being democratic and start working with the community for Senate voting reform that is long overdue.

**Senator JACINTA COLLINS** (Victoria) (12:37): Given where we are in this second reading debate at the moment and before I commence with the remarks that I intend to make on behalf of the Labor Party, let me address a few process issues. I was somewhat surprised to see the circulating speaking list with Senator Rhiannon listed first as if she is now the major opposition party. I suspect it more reflects the fact that the Greens are now in coalition with the Liberal Party and the National Party, and they were the only ones that were told that the government was not proceeding with its normal process and adjourning this matter off before it then continued to follow what was indicated in the red.

_Senator O'Sullivan interjecting—_

**Senator JACINTA COLLINS:** Let me remind senators, as Senator O'Sullivan is interjecting, that listed on the red, after we deal with the message regarding the Commonwealth Electoral Amendment Bill 2016, is that we move to the corporations amendment bill. At no point did the Manager of Government Business advise us that it was now your intention to move into the second reading debate on this bill, but, obviously, the Greens were advised. I want to paint a slightly broader picture for anyone listening to this debate. What we are talking about here is the very important issue of electoral reform. The Labor Party will treat this matter in that context. The issues that this fix has left off the agenda, such as the very important issues around political donations, we will seek to further in this debate. I will get to some points about that later.

_Senator O'Sullivan interjecting—_

**Senator JACINTA COLLINS:** Senator O'Sullivan, I would like to acknowledge that interjection—dangerous territory, is it? This is how you deal with these issues that Senator Rhiannon is seeking to claim some moral high ground on. I encourage anyone to listen to her contribution and see if that really is the case. I was very pleased to hear the full government second reading. We did not provide leave as would be customary for the minister, and it was interesting that the minister at the table at the time was Senator Brandis and not the minister who had circulated the revised explanatory memorandum or, indeed, the minister responsible for this legislation. I was interested to hear the second reading contribution of the government in this matter. It is a very important issue and the pace in which we are moving here is more than alarming. It highlights the point that Senator Rhiannon is so desperate to try to hide that what has occurred here is a Greens-coalition fix and you are seeking to just ram this through with unprecedented poor process.

It was the second or third time I have heard Senator Rhiannon prattle on about, 'Senator Conroy didn’t use all of his questioning time.' That is no cover at all for what you have agreed to. Five minutes in a round is what? Labor senators were given equal time with the Greens in a committee inquiry that was an absolute farce. Let me give one example of that farce, because I will not have time to talk further on this. At 9.20 pm last night, I received an email from the secretariat of this inquiry—it must be really embarrassing for this very new chair to have to manage this process—telling me that the chair's draft report was on commdocs. You cannot access commdocs unless you are on a PC in the building, which I was not at 9.20 pm last night.
Senator O’Sullivan: I was still here.

Senator JACINTA COLLINS: Eventually the secretariat forwarded me an email with the report attached. We then had until 8 am this morning to digest that report and provide any additional comments or dissenting remarks. We met that time frame, but I want everyone in this place to understand how ludicrous that process was. I have finally managed to get a copy of the Greens’ additional comments to that report. Examples of how ludicrous are illustrated by a couple of things represented in their comments. In the Greens’ comments to the chair's report they reflect on the issue that some people are raising the concern that there may be an advantage to the coalition in this deal. Do you know what they do not deal with in this report? It is the advantage to the Greens. The issue that former Prime Minister John Howard raised which is: this dirty deal will entrench the Greens Party. The Greens did not even have enough time to deal with that issue in their report. They have the former Prime Minister highlighting the consequences of this deal and they cannot even try to mount some counter except, 'Senator Conroy didn’t use all of his questioning time.' How absolutely ludicrous.

The committee process was a farce, and I made that point with a message. I have never, in 20 years in this place, participated in a committee inquiry where the government refused to allow the relevant department to appear, and I wonder why. Senator Cormann would not allow his department to appear and, indeed, he is not dealing with his own legislation. What is this government hiding? That is the real question.

The other issue, which is entertaining about the Greens additional comments, is that when they talk about resourcing and preparation they say, 'We're going to make sure that there's enough time.' They are not even allowing the full three months that the AEC said was absolutely necessary to implement these changes. They make recommendations that the Department of Finance be instructed to do some things, and we have not even heard from the department.

This process has been a joke and it is a joke that has been perpetrated by this coalition and naively accepted by the Australian Greens. The naivety that is involved here is highlighted time and time again as we get new amendments.

Debate interrupted.

STATEMENTS BY SENATORS

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson) (12:45): Order! It being 12.45, the debate is interrupted and we now move to senators' statements.

Tourism: Voluntourism

Senator REYNOLDS (Western Australia) (12:45): I rise today to speak on an important issue that came to my attention during a recent visit to Cambodia with Save the Children—that is, the issue of voluntourism. Voluntourism is where individuals and groups of well-intentioned, idealistic and relatively privileged travellers go overseas with the stated intent of helping poor people. Thousands of Australians go overseas every year now, with the best of intentions, to help those less fortunate than themselves. Some choose projects wisely and do make an enduring difference to the lives of individuals and their communities. Sadly, however, many inadvertently become involved in 'voluntourism', a term coined and used internationally.
Voluntourism is big business today, worth billions of dollars globally and many hundreds of millions, if not billions, of dollars here in Australia. There are many wonderful programs doing great things in local communities right across our region that absolutely deserve our support, but voluntourists typically do not do enough due diligence to ensure they are—a term I have coined—‘smart volunteers’. Too many Australian overseas volunteers are going into communities with no real appreciation of local history, culture, religion, traditions and way of life. Their laudable intent, on return home, is to know that they have done good and that those who have received their charity are grateful. Sadly, all too often, when returning home feeling really good about themselves, they have made, at best, a negligible long-term impact and they may have inadvertently created and left problems in their wake. Consequently, it is possible to do more harm than good and never be the wiser.

With our good intentions, our relative affluence and the millions of dollars that flow into these communities come many opportunities for sophisticated cons and scams. Consequently, the good intentions of many Australians—tourists, school groups, charities, service organisations and religious groups—can be, and are being, exploited by unscrupulous operators in Cambodia, my most recent destination, and other South-East Asian countries. Nowhere is this more obvious than in the support provided to the hundreds of so-called orphanages in the region that Australians are today flocking to support.

In Cambodia, the message to me and my colleagues from both sides of the parliament was very clear and unequivocal: please stop Australians coming here to support unregulated orphanages and unknowingly becoming what are internationally termed ‘orphanage tourists’. These warnings are also shared by DFAT on their Smartraveller website, but the advice is very hard to find—a situation I am now working to address, along with the addition, I hope, of a prominent new ‘smart volunteer’ site. UNICEF actively campaigns that children should never be tourist attractions, but that is, in effect, what thousands of children in residential facilities in South-East Asia have become.

In Australia, we have long known the harm that institutional care can do to children, so I am bemused that we are rushing in record numbers to support these same facilities overseas. We know that regular short-term visits from strangers, no matter how well-intentioned, can be harmful to a child's development and emotional wellbeing, and exposes them to the very real possibility of abuse. Furthermore, those going overseas to orphanages and other residential care facilities and enjoying the entertainment provided by children performing local-culture shows should instead be asking why the children are not in school.

According to UNICEF, at least 75 per cent of children living in so-called orphanages still have one living parent, many of whom are paid in exchange for their child living in these facilities. Orphanage operators in Cambodia have been known to seek out children to live in their establishments and to provide payment or exercise coercion for their parents to give them up. Often these children come from very poor families in rural areas, and the operators disingenuously offer parents the opportunity of a better life for their children than the parents believe they would be able to provide in their local communities. Just stop and think about that: thousands of children are being removed from their families, from their friends, from their communities, from those who love and nurture them, to fill places in these facilities.

Not only are these children isolated from their families; many of them receive substandard formal education, they live in unsanitary and unsafe conditions, they are highly vulnerable to
sexual abuse and they are deprived of the opportunities to develop life skills in society and in the workforce. It is well documented that, when they reach adulthood and leave the institution, they experience great difficulty integrating into society, and they already face major social and developmental challenges. So they often suffer the impact of long-term neglect and abuse, just as Australian children do in similar facilities. Perversely, the more we support these unregulated institutions, the more displaced children we are now creating as new orphanages spring up to satisfy our own personal desire to volunteer to help poor children.

NGOs internationally emphasise the importance of development programs that provide skills training and education—for example, in agricultural techniques and small business management—for individuals and communities so they are better able to support their children and keep their families together in their local communities. This is the approach now adopted by DFAT in the allocation of Australian aid, which specifically does not fund programs that work with orphanages in Cambodia and elsewhere.

While not all overseas orphanages are exploiting children for profit, for Australians it can be almost impossible to tell the difference. There are many programs, however, run by reputable NGOs that focus on community care for orphans or for children whose parents are unable to care for them. They believe, like I do, that this is the best method to ensure that they experience a childhood of stability, safety and strong education, and learn the life skills necessary to live successfully in their own communities.

Consequently, I am seeking to raise awareness of the harm unknowingly being done by many Australians who simply do not do sufficient due diligence before they travel overseas. I also want to make sure that they know about how to access information on reputable NGOs that are working with children and their families in local communities. To that end, I am advocating for a new DFAT 'smart volunteer' website to be prominently located on the main DFAT webpage to provide practical assistance for all Australians wanting to volunteer overseas to ensure that they make the best possible choices. I urge all Australians hoping to help, or donate money to, orphanages overseas to do their due diligence. They should only work with reputable international organisations or charities registered here in Australia that focus on community care for children, capacity building and education.

With that in mind I am now working with Save the Children and with Minister for International Development and the Pacific Senator Fierravanti-Wells, Minister O'Dwyer and other ministers to develop more accessible and informative resources to better inform and prepare Australian who want to make a real and enduring difference to the lives of others in our region how to become a smart volunteer instead of inadvertently becoming a voluntourist. I want to ensure that all West Australians and, indeed, all Australians become smart volunteers who make an enduring difference to the lives of many in other communities and not inadvertently become voluntourists—who can make the situation in the communities that they go to worse, not better.

Turnbull Government

Senator POLLEY (Tasmania) (12:54): I want to speak today in relation to the obvious lack of economic leadership by the current government and, in particular, the Prime Minister. Last week ended in chaos and dysfunction; this week, the chaos and dysfunction continues when it comes to the government's plan for the economy and for taxation reform.
Here we are on another day in Canberra and, no doubt, another day of dysfunction within the Turnbull government. The government is in full panic mode now and its economic leadership, or lack thereof, has turned into blindly throwing darts at a list of vague ideas. After 2½ years, and almost six months with a new Prime Minister, we still do not see any plans for the future of this country when we are talking about taxation reform or strengthening and growing the economy.

Senator O'Sullivan: Put your plan out there.

Senator POLLEY: I am going to outline to you, Senator, the plan that Labor has. We have, in fact, already put our policies out to the public, and they have been well received. We will continue to do that. When Mr Turnbull knifed the former Prime Minister, Tony Abbott, he said:

... the Prime Minister has not been capable of providing the economic leadership our nation needs.

... ...

We need a different style of leadership.

For a little while, we did get a different style—a nicer suit and a better vocabulary, but not much else. The man in the suit changed but the policies certainly have not.

The Liberal government is 2½ years into its term. But we on this side and, more importantly, the Australian community still have no clear understanding of what this government stands for. What the Australian people do know very clearly is that the person they voted for at the last election told them a whole range of mistruths about not cutting education, not cutting spending in health and no changes to the pension system. We know that those things were not true on the eve of the election. But then we had a change of Prime Minister—and I, along with a lot of others in the community, thought, 'Wow, finally we're going to have somebody who at least we're not going to fear what may or may not come out of their mouth every time they go to a lectern.' But what we do have now is a waffler. We know that Mr Turnbull is good at waffling on and on, but there comes a point when he is going to have to put policies to the Australian community. After all, he has the government, all of the departments and all of the resources available to him, so there is really no excuse for them not having an economic plan. There is no excuse for them not having taxation reforms.

They can come into this place and say that they are not going to be rushed. Well, when it comes to the electoral reforms to elect people to this place, that went right off the table, because they have rushed that legislation through. They have actually shown no respect at all to the Senate committee process, which is the backbone of the work that we do in this place. It is becoming increasingly clear that Mr Turnbull does not have a plan or the skills to lead this nation. The only thing we are certain of is that he is 'Mr Abbott in a top hat'.

This is an election year, and the Australian people should be given an opportunity to vote on detailed and considered plans. But we know that nothing has been done on the future of our economy and taxation reform—absolutely nothing. They ran away from putting a real proposal out to the people—a proposal that they all wanted to support—to increase the GST up to 15 per cent. They wanted to increase it on everything—on fresh food, on everything. But they ran from that. So I say to the Australian people: do not be misled; the GST is in the government's top drawer. After the next election, if they are successful at being re-elected, the increase to the GST will most certainly be back on the table.
We have seen this Prime Minister showing absolutely no leadership at all. In fact he, who has spoken up on a whole range of progressive policy issues in the past—including ones that I disagree with him on, when it comes to same-sex marriage—has failed to give his caucus a free vote on that. For someone who supports that proposition, what is he running away from? Why do we need to have a plebiscite? This is why we are elected in this place—to make decisions.

So I say to the Australian people: be very careful and make sure that you listen intently to what this Prime Minister says when and if he finally puts something out to the Australian people well in time for people to give it due consideration before they go to the polls. I can guarantee you that what they say today will not be what they implement when in government.

It is very important that people also understand that we now have a Treasurer in witness protection. It might be the best place for him to be because, quite frankly, it is not helpful to the Australian economy, and certainly not helpful to government, that the Prime Minister and the Treasurer keep contradicting each other. No wonder everyone is confused. Even in their own caucus they are confused.

But we are not confused on this side, because we believe that respect for the Australian voters, respect for the people who have to cast their votes in the next election, means that they need to have time to consider and know that the policies that are being put forward have been costed by the independent Parliamentary Budget Office. We have put forward some comprehensive policies already. Under Labor budget reforms, the capital gains subsidy will be halved and negative gearing will be targeted at new homes. Labor’s reforms will strengthen the budget by $565 million over the forward estimates period and $32.1 billion over the next decade. This has been costed by the Independent Parliamentary Budget Office. The savings from these reforms will be used to invest in education, health care and strengthening the budget.

We want to boost the supply of housing and create new jobs. At present, only 7c in every dollar spent on negative gearing subsidies is directed into new housing stock. Negative gearing of existing properties means no new housing supply and no new construction jobs. Under Labor’s reforms, negative gearing will only be available on new homes, creating a powerful new incentive to drive investment in new housing and create up to 25,000 jobs.

We are about levelling the playing field for new homebuyers. Our reforms will mean that homebuyers will no longer need to compete against property investors receiving generous negative gearing subsidies from the government. As I said, this will help to level the playing field so that home ownership is within reach of more working and middle-income Australians. Labor will protect investments made in good faith under the existing scheme. There will be no capital gains charged on the family home or superannuation investments. Labor will limit negative gearing to new homes, which will give opportunities to those who aspire to have their own home. We are going to grandfather the laws that are currently in place for those who already have investments in property.

We have seen that the government is divided. They are speaking out each and every day with a different message because there is no leadership, because there is no unifying taxation reform being adopted in the caucus. It is very clear that this government is in chaos. They do not have a plan. After 2½ years, they should.
The Takayna/Tarkine region in north-western Tasmania is a rugged, beautiful, windswept coastline and hinterland. It has outstanding natural values, spectacular scenic and ecological values and it is of extraordinary cultural heritage value, particularly Aboriginal cultural heritage value. It has been found by the Australian Heritage Council to have outstanding national heritage significance and parts of it have been included on the National Heritage List as the Western Tasmania Aboriginal Cultural Landscape. It deserves to be included in an extended Tasmanian Wilderness World Heritage Area for its outstanding universal values and listed on the World Heritage List so that all of its values, natural and cultural heritage, are protected on behalf of all of humanity.

One threat to the natural values and, particularly, to the Aboriginal cultural heritage values, is damage done over a long period of time by four-wheel-drive vehicles. I have had the honour to spend time on the Takayna/Tarkine coast with members of the Tasmanian Aboriginal communities and also to visit there with the late Geoff King, who was from a pastoral family of many generations whose land in that area dates back to the 1880s. I spent a couple of days there with Geoff, who fought so hard and so passionately to protect the cultural heritage values of those areas. I have had Geoff interpret the hut depressions that are so hard to see unless you know what you are looking for, and I saw the absolute fragility of both the natural and cultural heritage values of that area.

During the term of the last Tasmanian government, which I had the honour to be a minister in, 15 of the four-wheel-drive tracks in that region were closed and restrictions were placed on a number of others. Unfortunately, in an electorally populist decision, the Tasmanian Liberals campaigned during the election in 2014 on a promise to reopen those tracks. Equally unfortunately, they held to that position when they won the election and, thankfully, the Tasmanian Aboriginal Centre took legal action in the Federal Court. I would like to congratulate the Tasmanian Aboriginal Centre on having the courage to take that action in the Federal Court and, particularly, to mention Adam Thompson, Heather Sculthorpe, Jarrod and Crystal Edwards and others of the Pakana Rangers and the Premingana Mob. I also give a shout-out to my friend and colleague Senator Peter Whish-Wilson, who visited that area and whose photos of the destruction caused by four-wheel drive vehicles in that area were of immense assistance in the campaign, which is still ongoing, to protect the natural and cultural heritage values of that area.

I understand that both Jarrod Edwards and Adam Thompson were recently out camping at Sandy Cape, when the news came through that Justice Mortimer, on 1 March—very recently indeed—had handed down a decision in the Federal Court of Australia, after His Honour Justice Kerr put in place an interim order on 23 December, that, effectively, ensured that those tracks stayed closed. The order from Justice Mortimer on 1 March was that the proposal by the Tasmanian government to reopen those tracks would be likely to have a significant impact on the Indigenous natural heritage values of the area which would be contrary to the Environment Protection and Biodiversity Conservation Act 1999. Senator Whish-Wilson has informed me that he understands that, when Jarrod and Adam, camping at Sandy Cape, heard the fantastic news about Justice Mortimer’s judgement, they were moved to tears and have informed Senator Whish-Wilson that they were able to share that great news with their ancestors as they spent time in that place that is so precious to them. The cultural heritage
values of this area are just so important to Aboriginal people in Tasmania, and it is such a
relief that we now have a judgement from the Federal Court that will significantly assist in the
ongoing protection of those Aboriginal cultural heritage values.

But, unfortunately, the fight is not over. The Tasmanian government have refused to rule
out an appeal against the Federal Court judgement, determined, it seems, to press ahead with
something that they believe is electorally popular when they know, in their heart of hearts, it
is not the right thing to do. This is particularly a valid comment considering the commitment
last year by the Premier of Tasmania, Mr Will Hodgman, to 'reset his relationship' with the
Tasmanian Aboriginal people. A gratuitous piece of advice from this senator and, I know, all
my Greens colleagues in this place to Premier Hodgman: if you are genuine about wanting to
reset your relationship with the Aboriginal community, come out tomorrow—even better,
come out today—and announce that you will not be appealing the Federal Court decision.

I wanted to spend the few minutes left to me talking about the beauty and the value of this
unique place on our planet, but then I read the Mercury editorial today and it says it so much
better than I could, so I will quote a few sections of that editorial:

A lack of understanding about the ancient human history on the spectacular, windblown coastline is
shamefully widespread. Unfortunately, many attempts to enlighten the community to the global
significance and awe-inspiring cultural importance of the Aboriginal heritage in this landscape have
been thwarted by a concerted campaign to undermine any sense of empathy or shared understandi
It goes on to say:

… the heritage being actively protected by the Federal Court is many, many thousands of years old,
representing innumerable generations and countless families. It drills down into Deep Time, potentially
more than 40,000 years.

The treatment by European invaders of the Tasmanian Aboriginal people has been a terrible,
terrible part of our country's history. They had their land removed from them at the point of a
musket and at the point of a sword. We saw rape; we saw pillage; we saw kidnaps of
Aboriginal people in Tasmania by Europeans, particularly in the early days and years and
decades of European settlement in Tasmania. That tragedy extends to today, where we are not
doing enough to return lands to the Tasmanian Aboriginal people. We are not doing enough to
protect their priceless, unique cultural heritage on our beautiful island of Tasmania, and we
have a state government today that is refusing to rule out appealing against a Federal Court
judgement that will go some small way towards redressing the massive imbalance that has
existed for over 200 years now, since Europeans arrived in Tasmania.

Destroying Aboriginal cultural heritage, as many four-wheel drivers did in the takanya-
Tarkine region, is like bulldozing the great pyramids of Egypt and using the rubble as road
gravel. It is cultural vandalism of the highest order. It has to stop. The state government has to
show some leadership here. The Federal Court has done its job by interpreting the
Environment Protection and Biodiversity Conservation Act in the way it has and in making
both Justice Kerr's interim judgement and Justice Mortimer's final judgement. It is now time
for the state government to show leadership. (Time expired)

Live Animal Exports

Senator BACK (Western Australia) (13:14): Last night at the National Gallery here in
Canberra a book written by a senior officer of the RSPCA was launched by the ABC
journalist Sarah Ferguson. The book, Backlash, has an uncanny resemblance to my surname.
It is a book that discusses, in the view of the authors, the events leading up to the ban on the export trade of live cattle to Indonesia in 2011. It gives a view that is very much at variance to my own.

Mr Acting Deputy President Ketter, I will remind you of the background, if you are not aware of it. On Monday, 30 May 2011 the Four Corners program on the ABC, led by Sarah Ferguson, showed images of shocking cruelty to animals in meatworks in Indonesia. This was followed soon afterwards by a carefully orchestrated media and email campaign, of which all of us in this parliament were victims, that led the Labor government of the day to collapse at the knees and summarily ban the trade of live cattle to Indonesia without reference to anybody in the industry or anybody, including those in this place, who might have known a bit about it.

This is not the place for me, today, to discuss the integrity or otherwise of the footage that we saw on that evening of 30 May. That is for another place and another time. What I do want to do is investigate and expose the integrity of those who were part of the process that led to the ban.

The footage came into the possession of animal activists about the end of February or the start of March. To his credit, the then minister, Senator Ludwig, in a meeting on 6 April and subsequently in a phone call on 12 April asked for that footage. His requests were refused. Incidentally, I was refused any opportunity to see the footage, as was the then shadow minister, Senator Colbeck. It is interesting, because the question was asked of a young activist officer: why was it that the footage could not be made available? Her answer was very, very prescient. The answer she gave was 'because we wanted to get our ducks in a row'. I intend this afternoon to explain what the ducks were and where the end of that row was. The objective at that time and continuing to the present was to destroy if not the entire beef industry across north of Australia then certainly the live export trade. If there were a few victims along the way—and there were—that was just collateral damage.

Why not February? Why not April? I will tell you why it occurred at the end of May and early June to have effect in the beginning of June. It is simple. There had to be somebody in this conspiracy who understood the cycle of the weather, the climate and the industry. At the end of May, the entire northern cattle industry are at the bottom of their income curve. They had their last income in October of the previous year. They were at the bottom of their income curve but they were at the top of their expenditure curve. Guess when all of the costs associated with supporting stations, all of the costs associated with mustering—helicopters, trucking, station staff et cetera—happen? Right at the time when this ban was brought on. I am not blaming Senator Ludwig for this. I certainly am blaming the then Labor government for its motivation. It was not Senator Ludwig; it was to get carbon tax and then Prime Minister Gillard off the front page of the paper.

Let me get back to this scandalous circumstance. It is also the time when feed is starting to reduce on the rangelands. Cows have calves at foot and last year's calves should have been on ships going to Indonesia. The timing was so careful and so successful. Who was in on this? Certainly, and regrettably, the RSPCA seems to have been involved, because it would have been within their power earlier in the year to have produced that footage so that the minister and the department could have done something about it. Certainly GetUp! was very much involved. We know that animal activists were very much involved. If the meat processors and
the meat industry unions were involved they stand condemned for trying to do to a kindred part of their industry what ended up happening to that industry. I know from the email campaign that there are people whose names were used who never even knew they were sending these emails to us about banning this trade.

I introduced legislation into the parliament at this time last year to require that a person who had footage of what they believed to be cruelty to animals would be under an obligation to report that footage to a responsible authority so that it could be examined and investigated, and if the person or people were found guilty they could be brought to justice. But that was never, ever the motivation of this group of people. I regret to say it was not. The motivation was to try to bring this industry to its knees, and it jolly near did bring it to its knees. I am very proud to say that when those events took place all members of the coalition and all senators associated with the coalition stood as one to push the government to reintroduce that trade.

I give credit to the industry, with which I was associated for many years. All of the preparation of livestock for shipping, the transport, the feedlotting, the standard of feedlots in our target markets: we have done an enormous amount over 30 to 40 years. People might be interested to know that of the 109 countries that export live animals for production purposes we are the only one that has ever spent money, people and time to improve standards. Was it the case that standards in abattoirs needed to be improved? Yes, it was. But was this the way to achieve it? No, it was not. As Ms Alison Penfold from the Livestock Exporters' Council has recently, and quite rightly, said, 'Why could this group not have worked with us?' Look at what has been achieved over the last four or five years, not just within Australia but particularly in our target markets, and the fact that we are having such a positive influence on standards of animal welfare in all of the target markets in which we operate. Where has there been any acknowledgement by the RSPCA or the activists or GetUp! or anyone else for the improvements that have been made. Indeed, if this group were genuine about animal welfare standards they would be coming on board and congratulating the industry for what it has achieved. If they had any interest in the welfare of animals beyond Australia's borders they would be saying that what Australia is doing is fantastic, that what the exporters are doing, what the agriculture department and what the minister has been doing is excellent, but, no, we are not hearing about that.

Senator Colbeck: We're the only country doing it.

Senator BACK: As Senator Colbeck said, we are the only country that has ever invested in animal welfare. I can give you example after example of where the welfare of animals in our target markets has improved as a result of what Australia is doing.

But what was the impact? We completely destroyed our relationship with Indonesia—and up to 69 million low-socioeconomic Indonesians used to get their protein from Australian beef. As a result of that, we had mass bankruptcies and we had suicides. As I predicted, and as has regrettably happened, we had massive starvation on the rangelands through 2011-12. Previously I have stood in this place and said that, if we have a drought and/or bushfires, we are going to have a disaster of monumental proportions. Did any of those animal activist groups or the RSPCA express any interest at all in the wellbeing of those animals that died of starvation on the rangelands? No, they did not. It is the vision of the RSPCA to be the leading
authority in animal care and protection. Well, they went missing between 2011 and 2012 in the north of Australia—and I regret to say that.

If someone purchased a pup or a kitten from an RSPCA shelter and subsequently brutalised that animal, would anyone say it was the RSPCA's fault? Of course not. But in the live export trade, if there is a failure of animal welfare somewhere in the Middle East, somehow it is all of a sudden the fault of the industry here.

Ms Sarah Ferguson, from the ABC, appeared at a Senate inquiry when we were examining this issue. She had been in the Northern Territory. She insisted that she had provided footage to the people she spoke to from the Northern Territory Cattlemen's Association. Regrettably, I have evidence from the past president, Mr Ken Warriner, that Ms Ferguson did not show him the footage and neither had she seen the footage. She was not honest in her answer to me. Secondly, in regard to a cattle station that she named in her show, six times I offered her the opportunity to confirm that she had named that station and each time she said, 'No, we did not.' (Time expired)

Commonwealth Scientific and Industrial Research Organisation: Employment

Senator CAROL BROWN (Tasmania) (13:24): I rise to speak about the job cuts to the CSIRO and the impact they will have not only on my home state of Tasmania but also the wider scientific community. At the outset, I want to emphasise just how devastating these cuts will be for climate research and how they will damage Australia's reputation for leading international scientific research. We are talking about 350 jobs being cut over the next two years. To say that the scientific community is in shock over these cuts announced last month is an understatement. They are devastated. No-one saw them coming. Even Australia's Chief Scientist, Alan Finkel, only became aware of the cuts when they were announced publicly, and the head of the Bureau of Meteorology was only told about the cuts 24 hours before they were publicly announced.

But while the scientific community is reeling from these cuts, they are also rallying against them. Last week they rallied here at Parliament House—and I understand that more rallies are planned, including in Hobart. Since the announcement, the CSIRO's staff have been left in the dark. They are desperate for details. They received an email from the CEO but since then, as I understand it, there has been no further information forthcoming. So weeks after the announcement was made they still do not know who will be made redundant.

The CSIRO Research Fellow in oceans and atmosphere, Dr John Church, expects about 100 positions will be cut from his division in Hobart. Dr Church, who won a CSIRO medal for research achievement in 2006, said in an ABC radio interview last week that 'the lack of detail and clarity around the cuts was taking a toll on staff'. Dr Church said: 'Clearly staff are stressed, upset about their future. They are dismayed about the performance of the CSIRO executive. Clearly there is not as much consultation as many people would like, and clearly there is a lack of understanding from our leadership on what it is exactly that they are cutting.' The CSIRO Staff Association has lodged a formal dispute in the Fair Work Commission with management over the job losses. The association claims that the CSIRO management breached their enterprise agreement by failing to consult with staff over changes that could impact on their jobs. As Dr Church said, it is hardly surprising that the wait for details on their future is taking a terrible toll on the CSIRO staff.
As well as fearing for the futures of their own research work and job prospects, they also worry for the future of their families, many of whom have relocated to Hobart for work. PhD students are also very concerned about their prospects because of these cuts. They know there will be very stiff competition for any research positions if these cuts proceed. The CSIRO Staff Association Secretary, Sam Popovski, has dismissed suggestions by the Chief Executive, Larry Marshall, that, despite the loss of 350 jobs over the next two years, the CSIRO's overall headcount will not go down. Mr Popovski fears that one in five jobs will be lost and is adamant that climate scientists should be able to continue their research and generate new data.

But the fight against these cuts is not confined to Australia; the international scientific community has been quick to condemn them. Just five days after the cuts were announced a letter was sent to the Prime Minister, the CSIRO Board members and some members of parliament. This was coordinated by scientists Dr Paul Durack, in the United States, and Dr Anna Pirani, in Italy. More than 2,800 people from nearly 60 countries signed this letter. Nearly 1,000 climate scientists from the United States, nearly 400 from the United Kingdom, 200 from Germany and 159 from France signed the letter. The response was nothing short of overwhelming.

I would like to quote from that very important letter from the international climate community which they are hoping will be the first step in persuading the CSIRO to re-examine its decision to cut climate research. The letter says:

The recent announcement of devastating cuts to the Australian CSIRO's Oceans and Atmosphere research program has alarmed the global climate research community. The decision to decimate a vibrant and world-leading research program shows a lack of insight, and a misunderstanding of the importance of the depth and significance of Australian contributions to global and regional climate research. The capacity of Australia to assess future risks and plan for climate change adaptation crucially depends on maintaining and augmenting this research capacity.

The letter goes on to explain that CSIRO's climate research is a major part and player in examining pervasive climate change impacts. It says:

Australia is a canary in the climate change coal mine, spanning a large range of different climate zones, from the northern tropics to the cool temperate south. Large and persistent decreases in south-western and south-eastern Australian rainfall has occurred alongside persistent warming over the last four decades. The past year, 2015 was fifth warmest year on record for Australia, and the warmest on record globally—climate change is truly underway.

The widely respected Climate Council has also released a report which finds that the planned cuts to the CSIRO's climate science division would breach Australia's commitments under the Paris Agreement on climate change. The report also found that—as the letter from the world's scientists also pointed out—the job cuts will leave a gaping hole in the world's understanding of climate change in the southern hemisphere.

As my colleagues Mark Butler and Kim Carr have pointed out, last year's Paris Agreement was a commitment by the world to strengthen climate science. Mr Butler and Senator Carr said:

The Turnbull Liberal Government has a responsibility to ensure CSIRO maintains its climate science capability.
CSIRO is a key player in the global effort to measure and monitor climate change, playing a unique role in the Southern Hemisphere. This capability has taken decades to build and will be very difficult to recover—potentially breaching the Paris Agreement.

Labor understands the importance of investing in science and research. As Labor leader Mr Shorten said in a speech just last night at Science meets Parliament, science and research is critical to our future. It should be a national political issue and economic priority for Australia. That is why Labor has committed to delivering better skills and training for 25,000 current science, technology, engineering and maths teachers and 25,000 scholarships for future teachers.

It seems inconceivable that the Prime Minister does not understand how important science is for our future. As award-winning science journalist Peter Boyer said in The Mercury newspaper recently the CSIRO job cuts are a matter of national importance. Mr Boyer said:

CSIRO's decision calls into play scientific and policy questions that demand attention at the highest levels. As a backbencher in 2010 Mr Turnbull spoke against his party's prevailing sentiment that climate change was a non-event. When he became PM, many expected the government's climate policies to be strengthened. That expectation is vanishing.

Much of his party remains in denial about the crisis, including backbench MP Dennis Jensen, who tweeted that climate science has been overfunded for decades. Minister Christopher Pyne has taken the lazy way out, saying the CSIRO decision was an internal matter. In fact it's anything but internal, as the scientists' letter shows. If it stands, Australia's scientific reputation and the integrity of the CSIRO and Mr Turnbull will be irreparably damaged. Time is running out for the PM to stand up.

Time is indeed running out for the Prime Minister. Time is also running out for the Tasmanian government and Tasmanian Liberal members and senators to stand up against these devastating cuts. They must do more to save the jobs of our CSIRO scientists. Premier Will Hodgman and his minister Matthew Groom were fobbed off when they raised the cuts with Mr Pyne. Mr Hodgman has a meeting scheduled with Dr Marshall. I have to ask: will he be fobbed off again? I hope not.

Infrastructure

Senator MUIR (Victoria) (13:34): I rise to make some comments regarding an issue that impacts on the daily lives of five million Australians, and yet it is one you will rarely hear about in this parliament. Much of the discussion around funding of major projects is a familiar battle—cities versus rural areas. I come from a regional area myself—Gippsland in eastern Victoria. I am all too familiar with the differences in infrastructure between our regional areas—the parts of our country that supply our cities—and some of the inner urban areas. However, there is a significant group of Australians who are frequently overlooked in the 'city versus rural or regional' debate—those who live in the rapidly growing outer-urban areas of the major capital cities.

Five million people live in these areas. These are the fastest growing areas of the country, as people seek a more relaxed weekend lifestyle and, in particular, housing affordability. It is expected that 7.5 million people will call these areas home by 2031. This anticipated growth.
is double the overall national rate. A lot of reports talk about 'growing cities', but it is in these outer-urban areas where much of the growth is actually taking place.

But things are far from idyllic in these outer-urban areas. Local government bodies struggle to secure funding for major projects. Australians who live in these areas have highlighted roads, public transport and health facilities as their most pressing concerns. The millions of people living in these areas—growing by over 3,000 per week—are the ones paying the cost for years of neglect and failure of governments to provide the infrastructure to match the population increase as more and more affordable housing has been created.

Each new broadacre subdivision is home to thousands of people but, in many cases, the access to these new outer suburbs is via the same two-lane road that sufficed when they were farming land. There is a similarity to my previous call to direct more funding to rural and regional roads, with a disproportionate number of road casualties occurring on rural roads—roads not designed to carry the amount of traffic that they do today. There is a welcome increase in the number of people recognising the benefit of commuting by train. But trains in some of these areas are already overcrowded, and single railway lines prevent increasing the number of services that are provided each day. The need to access specialist medical facilities sees people having to make long journeys to inner urban areas for many services. Many children of families in our outer urban suburbs spend more time in the back seat of the family car than in the backyard of the family home.

The 24 councils representing these growth areas across the country share a lot in common. Rather than fighting each other for a share of limited funds, they have displayed a refreshing maturity that is lacking in some levels of government. Together, they have combined into the National Growth Areas Alliance. This week, it was my pleasure to meet with mayor Glenn Docherty from South Australia, who leads the alliance.

For the most part, significant infrastructure projects are beyond the financial capabilities of local government. Successive state and federal governments have neglected these fast-growing areas. I refer to areas including Playford, north of Adelaide—mayor Docherty's council area; Penrith in Sydney's west; Wanneroo and Rockingham in Perth; and Cardinia and Casey on the eastern and south-eastern edges of Melbourne. These areas have been neglected for so long that there is now a collective infrastructure backlog of $50 billion in necessary projects across our outer urban areas. It has been independently estimated—and I cannot overemphasise the importance of independence in helping to make sound decisions—that a further $20 billion is required over the next 15 years. These two figures combined amount to $5 billion per year from now until 2031.

Where is this funding going to come from? These councils have launched a national Fund our Future campaign, calling for a national fund that will be free of the changing whims of different governments. We are all too familiar with election cycles and what they can do to infrastructure projects. These major projects cover many years from concept, design and approvals through to construction and commissioning. Three-year federal election cycles, in addition to changes of state governments, can create real difficulties in gaining certainty and confidence to proceed with a project. I hope we will never again see a state or a federal election fought on the basis of abandoning a project that has already commenced. Of course, I am referring to Melbourne's East West Link project, which I imagine students of politics and economics will be writing about for decades to come.
While the cost to government of building infrastructure is significant, the alliance has said: Continued underinvestment will be catastrophic personally and for communities and businesses more broadly: increased stress, time wasted in traffic, fewer jobs and social isolation leading to divided communities.

From my perspective, there is the potential to grow this idea even further. Why is it that so many people need to work in high-rise towers in our major cities? As cities grow, the pressure on major highways and rail corridors is only going to increase. I would like to see these outer urban areas become more like some of our major regional centres—places where people can live and work. For people doing an hour and a half commute each way on roads like the Monash Freeway, perhaps there is a better way.

I congratulate the National Growth Areas Alliance on the work that they have put into the Fund our Future campaign. This is the sort of issue that the voters of Australia expect their elected representatives to be focussed on, not the self-serving politics that has dominated both houses over the past two weeks.

I commend the concept of a dedicated national infrastructure fund and look forward to being involved in positive discussions with both the government and the opposition around how this might be achieved. As the alliance says, ‘We need a national dedicated infrastructure fund with bipartisan support to meet the immediate and ongoing needs of communities in fast-growing outer suburbs.’ I look forward to visiting some of the affected areas in outer Melbourne in my electorate of Victoria and discussing with elected representatives their priority projects and how we can work together to bring about the establishment of a dedicated program to fund our future.

World Science Festival

Senator KETTER (Queensland) (13:42): In my contribution today, I seek to touch on a number of different points. I want to talk about the World Science Festival, which will occur from 9 to 15 March and be showcased in my home state of Queensland. Before going to that, I want to reflect on the resignation yesterday by Senator Joe Bullock. I note that with a tinge of sadness on my part. Senator Bullock is a friend and a long-time colleague of mine through our shared roles in the Shop, Distributive and Allied Employee's Association as branch secretaries in our respective state branches.

I understand that there may be an opportunity at a later time to speak on this matter. For now I just want to place on the record Joe's tireless, tough and effective advocacy for working people over a 37-year career with the SDA. I will miss Joe's incisive wit and self-deprecating sense of humour. Joe is a gentleman and a man of strong convictions, and I believe this place will be the poorer for his departure.

In reflecting on Senator Bullock's speech last night, I became aware that I have been remiss in this place in not talking of an issue about which both Joe and I share a very strong conviction, and that is our shared interest in the welfare of ordinary working people, particularly low-income workers in the retail and fast food industries. I had been an official of the SDA for 32 years, and, as I said, Joe had been an official for 37 years. In that period of time one cannot help but be impressed by the people working in this low-income industry. People try to support themselves and their families by working in the industry, which is
predominantly staffed by women and young people. So the industry has a preponderance of workers who are capable of being exploited. Another feature of the industry is that it is dominated by insecure employment and very long periods of casual employment, with people being casuals for 20 years.

It is in this environment of insecure employment, with people who are particularly vulnerable, that I note that I am remiss in not saluting people in the industry who come forward to seek to provide protection to their fellow workers in their workplace. Here I am referring to those people who are shop stewards for the SDA. These people selflessly come forward to assist their fellow workers, despite the fact that in the retail industry in particular there has been an intensification of work. People have a highly stressful workload. On top of that, the union they are a member of asks them to help their fellow members by providing advice and support for those in their workplace who might otherwise be subject to exploitation.

This is a voluntary role that people take on. They do not receive any additional remuneration from their union or from their employers for taking on the role of being a shop steward in their workplace. They do receive training. Under the various enterprise agreements there is a capacity for people to receive training on their basic entitlements. People can take part in training courses to get an understanding of what their entitlements are. It is one thing to have entitlements on paper, but unless you have people in the workplace who understand those entitlements, they are just words on a page. I wanted to place on record that I do salute those SDA shop stewards for their selfless dedication. I will talk about this issue more frequently in the future.

I want to make some quick remarks about the World Science Festival in Brisbane. It is very exciting that, from 9 to 15 March, some of the world's greatest thought leaders will be visiting Queensland as part of the inaugural World Science Festival, Brisbane, showcasing local scientists and performers from the Asia-Pacific region as well as hosting some of the best from previous events in New York. The festival gathers great minds in science and the arts to produce live and digital content that allow a broad general audience to engage with scientific discoveries. Through discussions, debates, theatrical works, interactive explorations, musical performances, intimate salons and major outdoor experiences, the festival takes science out of the laboratory and into the streets, parks, museums, galleries and premier performing arts venues around the world.

The word 'science' covers a lot of territory: it includes a range of distinct and complementary approaches to knowledge and practice that have been proven to produce benefit to society. There are the broad categories of the natural sciences, physical sciences and human sciences. And we are all now familiar with the reference to STEM subjects: science, technology, engineering, and mathematics. Common to all these subjects is the importance of classification; empirical studies; understandings of the provisional nature of knowledge; the use and limits of causality, replication and predictability in different settings; and subjective and objective elements of the work of scientists. The range and variety of the activities in Brisbane recognise this extensive scope: performances will cover such topics as black holes, the brain, bio-illumination, turtle hatching, madness redefined, alien life, science, Islam, cities in 2050, and more.
Ever since the then Chief Scientist Ian Chubb called on the federal government to 'support the national interest by maintaining the pipeline of STEM graduates, and increase the recognition of STEM education and careers as a public good', we have heard a lot about the importance for Australia's future prosperity of promoting STEM subjects at school level and beyond. Employment in STEM occupations is projected to grow at almost double the pace of other occupations.

In recognition of the significant public benefit of growing Australia's STEM capacity, Labor is committed to a policy to provide a financial incentive for students to enrol in and complete a STEM undergraduate degree. If we want innovation-led economic growth, we need to support every step of a child's education and better equip their teachers to show young people the possibilities that a career in STEM will offer—today, and in 10 and 20 years time. And I am talking about female participation as well as male participation. It is an equity issue. Currently, women comprise only 20 per cent of tertiary students enrolled in engineering and related technologies, and— believe it or not—14 per cent of enrolments in IT. For Labor, boosting the representation of women in STEM degrees will be a priority.

It should be a no-brainer. But the message from the coalition is, typically, a mixed one: on the one hand, the government is spruiking a national commitment to innovation and learning in science, technology, engineering and maths; while, on the other hand, it is moving to deplete Australia's most iconic scientific research institutions, as Senator Brown alluded to in her contribution earlier. This just does not make sense.

Australia has a proud history of contribution to scientific discovery. Researchers from the CSIRO have protected millions of people from deadly diseases with their groundbreaking research. They have brought to the world such marvels as wi-fi technology and polymer bank notes, and have helped beam the moon landing around the globe. Yet at a time when, as a nation, we should be promoting science, the government has decided to cull 100 scientists from the climate science division of CSIRO, despite the warning from a new Climate Council report that shedding those jobs would leave Australia ill-equipped to deal with climate change or to meet our commitments under the Paris agreement.

The World Science Festival will promote fresh thinking about what science is. I encourage Brisanites to get along to the festival if they can.

**Education Funding**

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (13:52):

In the short time that is available to me before we begin question time, I thought I would share with the Senate an article which appeared in The Spectator Australia Magazine, dated 29 February—very recent. It is called 'The conservative case for safe schools'. Reading it, I was empowered and moved by how valuable its contribution is to conservative members and senators in our national parliament. It is written by Michael Davis, and in the time that is available to me I will see how much I can get into Hansard.

Ronald Reagan's daughter Patti reckons her dad would support same-sex marriage if he was alive today. She remembers watching a movie starring Rock Hudson and asking why he looked so uncomfortable kissing the leading lady. Hudson was gay and kept his sexuality quiet, but he and Reagan were old friends. 'Because he’d rather be kissing a man,' Ronald explained to Patti. 'Some men are born wanting to love another man.’ Yes, it's a bit of a stretch to say the Gipper would support gay marriage just because he was comfortable with homosexuality. Hollywood, like boarding school and
prison, will do that to anyone. But there's certainly a lesson here, especially for those of us who cling to
the 1980s and the advent of Anglo-American conservatism.

Today, we tend to think of homosexuality in the public square as a purely political issue. We're
hardened soldiers in the Culture Wars; if we give an inch, the Cultural Marxists will take a mile. Nine
out of ten times we're right. We've been burned repeatedly by indulging too many juvenile progressive
tantrums. Eventually those juveniles become Labor politicians, and those tantrums become
parliamentary motions. It's that one instance in ten that separates the conservative from the merely
reactionary. The conservative, even (or especially) the conservative statesman, knows where social
issues become interpersonal issues.

Michael Davis writes:

To my mind, this is what really makes Reagan the greatest conservative of our time: his unflagging,
almost aggressive civility. One of his top advisers called him 'warmly ruthless'. It's a cliche, but it's true:
when Reagan was in the White House, conservatism was a force for dignity. It wasn't the shoddy
economics of Soviet communism that incensed him: it was the enslavement and degradation of men and
women. In theory, this continues today. And though we're more apt to tilt against social democrats than
Stalinists, conservatives still believe themselves to be the champions of freemen against the tyranny of
cold, materialistic barbarism. In his lauded speech, 'The Forgotten People', Sir Robert Menzies echoed
the same sentiment: 'That we are all, as human souls, of like value cannot be denied. That each of us
should have his chance is and must be the great objective of political and social policy.' It's the nature of
Anglosphere conservatism to be so 'warmly ruthless' — or, rather, so ruthlessly warm.

Michael Davis continues:

I think this is what really makes us nostalgic as conservatives. The Left pokes fun of us for looking back
to a time of white picket fences and Honey-I'm-home, but there's something to it. No one can deny that
our sense of common courtesy has completely evaporated. Sure, we had our shortcomings. Certain
groups — blacks, gays, etc. — weren't always included in that definition of the 'common'. But I can't for
the life of me work out why we decided to throw courtesy out altogether instead of widening its
franchise. If conservatives in the 21st century adopt one cause, let it be that nostalgia-driven fervor to
build a society where people respect one another. Let the great objective of political and social policy be
that each of us, as human souls of like value, should have our chance.

'Safe Schools is the perfect place to start,' writes Michael, and he goes on:

It will take decades — maybe even a lifetime — to reinforce the first and most important ethic in
Western civilization: love thy neighbor as thyself. Before we teach them what Pope John Paul II and
Roger Scruton said about the compatibility of same-sex couples, let's teach them, as Reagan did, that
some men are born wanting to love another man. And for now, leave it at that.

I can't help but mention three perfectly selfish reasons for conservatives to support Safe Schools. Look,
you know and I know that we're not usually the ones leaping up of our seat to fight for gay rights.
You're not going to find many Abbott loyalists coming out for Mardi Gras. But here's what we can
accomplish. Firstly, we can prove to the Left and to the politically disaffected that we mean business
when we say we're champions of human dignity. The Right is commonly derided for demanding
compassion for the unborn fetus... yet when that child is born and turns out to be gay, that compassion
evaporates. Let's show them they're wrong. Secondly, we can prove to ourselves that we mean business
when we say we're champions of human dignity. Voltaire said that defending free speech is worthless if
it doesn't apply to those with whom we disagree. Likewise, our appeal for civility has to be universal, or
else it's perfectly meaningless. Thirdly, and most importantly, we just might remember that
conservatism is about more than the merely political. It's an existential philosophy. In these days of
leadership spills and Donald Trumps, the conservative movement seems to be on unstable footing —
but that's only because we've allowed conservatism to be wedded completely to the fates of parties and
politicians. Now more than ever we could stand to remember that we don't just vote for conservatism:
we live it. And in so doing, we can make life a hell of a lot easier for some kids who are trying to come to terms with who they are. What's not to like about that?

**Turnbull Government**

**Senator CAMERON** (New South Wales) (13:59): I note that the coalition in their party room are still in absolute chaos and that they are at each other's throats. The former Prime Minister Tony Abbott is on the march against the current Prime Minister Malcolm Turnbull. We know that they are in a mess and we know that they are not fit to govern. We know that all they want to do is attack working families in this country. We will see Senator Cormann stand up here, but will he defend that 2014-15 budget? No, he will not defend that budget. It was alright sitting out with a big fat cigar when he was ripping off pensioners and working families, but nothing has changed—absolutely nothing has changed.

**The PRESIDENT:** Order! It being 2 pm, the time allotted for members' statements has expired and we will move to questions without notice.

**QUESTIONS WITHOUT NOTICE**

**Taxation**

**Senator DASTYARI** (New South Wales) (14:00): My question is to the Minister for Finance, Senator Cormann. I refer to the minister's interview on Sky yesterday—the most excruciating since Senator Brandis compared metadata to an envelope. Why did the minister refuse to back in the Treasurer's comments on excesses in negative gearing, not once, not twice but eight times?

**Senator CORMANN** (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:00): I am of course a strong supporter of the Treasurer. It is a great privilege to be representing the Treasurer in this chamber on behalf of the Turnbull government. The Treasurer and I, and indeed all of my colleagues in the Turnbull government, are working very hard every day to strengthen growth, create more jobs and give the Australian people the best possible opportunity to get ahead. Of course we are making the necessary decisions to put our budget on a sustainable foundation for the future. I understand that Senator Dastyari likes to play politics—I know he is a bit juvenile—but these are serious issues and the government is working in an orderly, methodical fashion to make sure that our tax system is the most growth friendly it can be. It is a great privilege for me to be part of that process.

**Senator DASTYARI** (New South Wales) (14:01): Mr President, I ask a supplementary question. When did the finance minister get shut out of the government's tax policy process—or, Minister, is there just no process at all?

**Senator CORMANN** (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:01): That is another juvenile question from those opposite, so clearly they do not have any other questions left. As I said very clearly yesterday, of course I am a part of the process where the government considers options to strengthen growth, create more jobs and ensure that everyone across Australia has the best possible opportunity to get ahead, and of course I am also part of the process where we are considering how our tax system can be made even more growth friendly. We got rid of Labor's disastrous carbon tax, which cost jobs and investment, we got rid of Labor's disastrous mining tax, which cost jobs and investment, and we reduced taxes for small
business in last year's budget, and of course I am part of the process but it is also true to say that tax policy of course is entirely a matter for the Treasurer.

Senator DASTYARI (New South Wales) (14:02): Mr President, I ask a further supplementary question. Has the minister been shut out of the tax policy process, because on his watch spending has blown out and the government is now budgeting for more than half a trillion dollars in gross debt by 2018-19. Minister, how does it feel to be Australia's worst finance minister?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:03): The answer to the first question is no. This government, since its election in September 2013, has worked very hard on getting under control the unsustainable and unfunded spending growth trajectory that Labor and the worst finance minister in Australia's history, Senator Wong, left behind. In the period of the Abbott government we made significant progress in getting expenditure under control, and the Turnbull government is working to further build on that progress to ensure Australia is on the strongest possible economic and fiscal foundation for the future, to ensure that Australia is as resilient as possible and in the strongest possible position to take advantage of the opportunities coming our way. What Labor has never understood and what Senator Wong clearly has not understood is that just before they were about to lose government they sought in a very deceptive way to lock in expenditure increases across a whole range of areas in government, to lock in in legislation permanent and structural increases in expenditure. (Time expired)

DISTINGUISHED VISITORS

The PRESIDENT (14:04): I draw to the attention of honourable senators the presence in the chamber of the Hon. Don Harwin MLC, the President of the Legislative Council of New South Wales. On behalf of all senators I wish you a warm welcome to the Senate, and with the concurrence of honourable senators I invite President Harwin take a seat on the floor of the Senate.

Honourable senators: Hear, hear!

Senator Sterle: What has he done wrong?

The PRESIDENT: I do note that it is his second visit—I am surprised he came back!

Mr Harwin was then seated accordingly.

QUESTIONS WITHOUT NOTICE

Economy

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (14:05): My question is to the Minister for Finance and Minister representing the Treasurer. How is the government supporting the transition of the Australian economy from the mining boom to more broad-based growth?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:05): Earlier today the national accounts for the December quarter were released, and they again show that Australia continues to successfully manage our transition from the largest resource investment boom in our history to broader-based growth and a secure economic future. We are as a country
managing that transition despite global economic headwinds, despite global uncertainty, and of course the result today shows that real GDP in the December quarter grew by 0.6 per cent and by a strong three per cent compared to a year ago, up from a revised 2.7 per cent through the year to September. This is the strongest pace of through-the-year growth since the March quarter of 2014 and is consistent with the strength of job creation in the second half of last year. We are growing faster than every economy in the G7, and we are growing well above the OECD average— we are growing faster than the United States, faster than the United Kingdom, more than twice the pace of Canada, a comparable resource-rich advanced economy, and we are matching growth rates in economies like South Korea.

This has not happened by accident. This government has been working to implement our plan for stronger growth and more jobs. We have been implementing our plan to make our tax system more growth friendly, which involves scrapping Labor’s carbon tax and the mining tax, which involves tax cuts for small business, and which involves an ambitious deregulation agenda, taking about $2 billion in costs out of the economy every year. It involves an ambitious innovation agenda, it involves an ambitious infrastructure investment program and it involves an ambitious free trade agenda, and of course in this past week we have added to these with an ambitious media reform agenda, initiated by my friend and colleague Senator Fifield—something that was in the too-hard basket for too long. My good friend and colleague Senator Payne delivered the defence white paper, helping to drive growth and innovation in our national security. (Time expired)

**Senator BUSHBY** (Tasmania—Chief Government Whip in the Senate) (14:07): Mr President, I ask a supplementary question. How do the government’s policies for a dynamic 21st century economy help to drive growth and create jobs?

**Senator CORMANN** (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:07): There was not enough time in the answer to the first question to go through all of the progress that we are making and all of the initiatives that the Turnbull government are pursuing to strengthen growth and to create more jobs. I was talking about the outstanding work done by my good friend and colleague the Minister for Defence, Senator Payne, who delivered, with the Prime Minister, last week a historic and fully funded defence white paper, which of course will not only lead to increase the national security for Australia—which is obviously critically important—but also help drive very significant investment and innovation across the defence industries in Australia.

We are continuing to implement the Prime Minister’s innovation agenda. We are continuing to pursue free trade opportunities. After the great work of the best trade minister in the history of the Commonwealth in Andrew Robb, we now have Minister Ciobo trying to finalise the deal with India and pursuing opportunities in Europe and other parts of the world. *(Time expired)*

**Senator BUSHBY** (Tasmania—Chief Government Whip in the Senate) (14:08): Mr President, I ask a further supplementary question. Is the minister aware of any alternatives to the government’s approach?

**Senator CORMANN** (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:08): The only alternative we are getting from the Labor Party is their 'bad,' 'spend too much,' 'taxed too much,' 'borrowed too much' policies. Right now Bill Shorten has made more than $50 billion in unfunded promises,
and that is despite all the massive tax increases that he has already announced. That is despite
the tax increase he has announced targeting investors in the housing market which will
undermine confidence in the housing market because it will drive down property values. We
have a Labor opposition led by Mr Shorten which has not learned from the past. They are still
at it, spending money they do not have. They are still at it, trying to play catch-up by ramping
up taxes. They are still at it, accepting blow-outs in deficits, adding to the deficit moving
forward. Of course what they are not telling the Australian people is that ultimately all of that
excessive Labor spending would have to be paid for by higher taxes.

Revenue

Senator CAMERON (New South Wales) (14:09): My question is to the Minister
representing the Prime Minister, Senator Brandis. I refer to the former Prime Minister, Mr
Abbott's statement yesterday saying, 'We don’t have a revenue problem.' Does the Turnbull
government have a revenue problem?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive
Council and Leader of the Government in the Senate) (14:10): Senator Cameron, as all
Australians know the Australian Labor Party cannot bring itself to acknowledge that, at the
time you were elected to government in 2007 at the end of the Howard government, you
inherited the best financial conditions and the best set of public accounts of any incoming
government in Australian history. But over six years—

The PRESIDENT: Pause the clock. Order, Minister. Senator Cameron, a point of order.

Senator Cameron: Mr President, a point of order on relevance. The question was clear
and concise: does the Turnbull government have a revenue problem? The minister should
address the question.

The PRESIDENT: Thank you, Senator Cameron. I will remind the minister of the question. Attorney-General.

Senator BRANDIS: Thank you, Mr President. I am just trying to contextualise it for you,
Senator Cameron. Over six years of a Labor government Australia went from the best
financial position it has ever been in and the best set of public accounts it has ever enjoyed to
an unprecedented level of debt and deficit, and that is what this government has been
grappling with under the prime ministerships of Mr Tony Abbott and Mr Malcolm Turnbull.

The PRESIDENT: Order! Pause the clock. Senator Cameron, a point of order.

Senator Cameron: Mr President, again, a point of order on relevance. We are now
halfway through the time allocated for the answer. That was a simple question: does the
Turnbull government have a revenue problem? The minister has not gone anywhere near that
question. You have reminded him and he should go in the question.

The PRESIDENT: Thank you, Senator Cameron. The Attorney-General did indicate that
he was contextualising his question or the answer to the question. I am listening carefully. It
does relate to finance and it does relate to revenue. Attorney-General.

Senator BRANDIS: So that is the context, Senator. When we came into power and Mr
Hockey was the Treasurer, and now under Mr Morrison as the Treasurer, we have to attack
the budget deficit and the structural deficit in the economy, and that has both revenue and
spending implications.
Opposition senators interjecting—

Senator BRANDIS: Mr President, I can barely hear myself speak. Senator Cameron, that has revenue implications and it has spending implications. We have tried to tackle government spending.

Senator Wong and Senator Macdonald interjecting—

The PRESIDENT: Order! A point of order, Senator Cameron. Senator Wong and Senator Macdonald, both.

Senator Cameron: Mr President, I rise on a point of order. I did not ask how hard the government was trying; I asked a simple question: does the Turnbull government have a revenue problem? The minister has still not answered that question.

The PRESIDENT: The Attorney-General did refer to the revenue in his answer since your last point of order. Attorney-General.

Senator BRANDIS: You seem, Senator Cameron, to be unable to grasp, which is perhaps one of the problems with Labor economic management, that these things are related to one another, Senator Cameron. Revenue and spending are related to one another, Senator Cameron. So as a result of the decisions made by the Abbott and Turnbull governments, government spending is now significantly less than it otherwise would have been. (Time expired).

The PRESIDENT: Before I call Senator Cameron, the level of noise is unacceptable on both sides of the chamber and particularly those close to the Speaker.

Senator Cameron (New South Wales) (14:13): Mr President, I ask a supplementary question. Do changes to negative gearing remain on the table as part of the Turnbull government's tax policy process?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:14): If I may finish my answer to your first question, Senator.

The PRESIDENT: No, Attorney-General, you need to address the question that has been asked.

Senator BRANDIS: I will address the question, and in doing so I will complete my answer to the first question and address the supplementary question.

Senator Wong: Mr President, on a point of order: this leader of the government is flouting the standard orders and flouting your indication. He did not come close to the question about whether or not the Turnbull government has a revenue problem. He now again is showing contempt, frankly, for the standing orders and for question time. I ask him to return to the question.

The PRESIDENT: Thank you, Senator Wong. The Attorney-General was just referring to the question, but the Attorney-General knows he has to answer the supplementary question.

Senator BRANDIS: I am referring to the supplementary question, Senator Cameron, and in doing so I will finish what I was saying in relation to the primary question. The real problem this country has is a debt problem. It is a debt problem which was inherited from you. Now, Senator Cameron, in relation to the question of negative gearing—
Senator Cameron: Mr President, I raise a point of order on relevance. The question, again, was quite unequivocal and clear. I did not ask for a review of his failure to answer the first question. The question I asked was simple: does negative gearing remain on the table as part of the Turnbull government's tax policy process? Again, we are halfway through the answer, and the minister is ignoring the question.

The President: Thank you, Senator Cameron. If I could just make a general observation in relation to questions and answers—

Honourable senators interjecting—

The President: Order, on my left and right! I would just make a general observation. I think it is a little bit unrealistic to expect ministers to jump instantly to the answer; that is the first point. But ministers can, in answering the question, put some contextualisation around the question, as the Attorney-General did in the previous answer. However, I will be listening carefully to ministers to ensure that they do come to the subject matter of the question.

Senator Brandis: Turning to the question of negative gearing, which of course bears directly on the question of revenue—it bears directly on the subject matter of your primary question, Senator Cameron—the only political party in this country that has published a policy to change negative-gearing arrangements is the Australian Labor Party, and what the Australian Labor Party wants to do is crash the value of the principal asset of most Australians by taking a third of buyers— (Time expired)

Senator Cameron (New South Wales) (14:16): Mr President, I ask a further supplementary question. Do changes to superannuation tax concessions remain on the table as part of the Turnbull government's tax policy process?

Senator Brandis (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:17): Senator Cameron, the only political party which by inference exclude the Liberal Party, that has a change—

Senator Cameron: Mr President, I rise on a point of order, again on relevance. I can understand why the coalition cannot answer a question on tax policy—

The President: To your point of order.

Senator Cameron: because they do not have one.

The President: To your point of order, Senator Cameron.

Senator Cameron: The point of order is clear. I simply asked: were superannuation tax concessions still on the table and part of the government's tax policy process?

Senator Bernardi: Mr President, on the point of order: this is not a point of order. This is a debating point and you should have sat him down.

The President: Thank you, Senator Bernardi. In relation to the point of order, the Attorney-General did answer the question directly by saying that the only party, which would by inference exclude the Liberal Party, that has a change—

Senator Wong interjecting—

Senator Cameron interjecting—
The PRESIDENT: That is exactly what he said. That would exclude the government from having a change of policy. So the Attorney-General has been completely directly relevant.

Senator BRANDIS: The only political party that is going to the next election with a policy to increase taxes and, in one particular respect—because of your negative gearing policy—to crash the value of the principal asset of most Australians by taking a third of the buyers out of the market is the Australian Labor Party. What you do not seem to understand, Senator Cameron, is that it is possible to have—

Senator Cameron: Mr President, on a point of order, again on relevance—

The PRESIDENT: I am sorry, Senator Cameron. The minister has been relevant to the question. There is no point of order.

Senator Cameron: Well, you have not heard—

The PRESIDENT: Senator Cameron, there is no point of order. Resume your seat.

Senator Cameron interjecting—

The PRESIDENT: You said 'direct relevance', and the minister has been directly relevant.

Senator Wong: Mr President, on the point of order: given your ruling, I draw your attention to the fact that the content of the supplementary question is superannuation, not negative gearing.

The PRESIDENT: But a minister can enhance their answers, as they have done forever in this chamber and all the time I have been here. The minister answered the question directly. There is no point of order.

Senator BRANDIS: You do not seem to be able to come to terms, Senator Cameron, with the fact that one side of politics in this country is able to have a mature, grown-up debate about tax policy without playing foolish rule in, rule out games— (Time expired)

Senator Ian Macdonald: Mr President, I rise on a point of order: I am sitting close to Senator Brandis, but I can hardly hear him because leader of the opposition keeps shouting consistently and constantly. I cannot hear. Please, Mr President, would you bring her to order.

Senator Cameron: Go to Australian Hearing before they close it down!

The PRESIDENT: Could I remind all senators of the need to be silent during the questions and the answers. That is all senators, on both sides.

Senator Cameron interjecting—

The PRESIDENT: Including you, Senator Cameron.

Budget

Senator WHISH-WILSON (Tasmania) (14:20): My question is to Senator Cormann, the Minister for Finance, representing the Treasurer. Minister, projections in last year's MYEFO show the budget returning to surplus in 2020 and 2021 and remaining in surplus for the out years. However, Parliamentary Library modelling done for my office, based on MYEFO projections, shows that the budget will now fall back into deficit by 2024 as a result of the extra $30 billion announced in the defence white paper. Minister, do you confirm these numbers, and where has the government's credible path to surplus gone?
Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:21): Firstly, the government stands by the forecast published in the Mid-Year Economic and Fiscal Outlook; and, in the ordinary course of events, as always happens, there will be a further update in the budget. Secondly, I would have to review the assumptions that were used.

Certainly, the government, in the 2014-15 budget, reflected the commitment that we took to the last election of a return to defence funding of two per cent as a share of GDP by 2023-24 in our medium- to long-term forecast, so that might be an assumption that the Parliamentary Library might not have been aware of. The point is that the cost in the defence white paper has been reflected in the medium- to long-term fiscal outlook of the budget for some time. As such, it was also reflected in the Mid-Year Economic and Fiscal Outlook delivered just before Christmas in 2015.

Senator WHISH-WILSON (Tasmania) (14:21): Mr President, I ask a supplementary question. The extra $30 billion was totally unexpected by just about everyone. Every extra dollar spent on the military-industrial complex is a dollar that needs to be funded. The Treasurer has previously stated that his budget rule is that any new spending must be fully offset with savings. What programs is this government going to cut to make up for the $30 billion in defence? Will it be more cuts to health or education? Will it be more cuts to crucial environment and climate programs?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:22): I do not believe that Senator Whish-Wilson actually listened to the answer to the primary question. The defence white paper is fully funded, fully costed. The medium- to long-term fiscal impact of the funding allocated through the defence white paper was already reflected in our medium- to long-term forecasts in the Mid-Year Economic and Fiscal Outlook before Christmas.

Senator WHISH-WILSON (Tasmania) (14:22): Mr President, I ask a further supplementary question. I reiterate that the $30 billion was totally unexpected. Minister, every extra dollar you spend on weapons companies and military hardware is a dollar that could be spent somewhere else. The government has talked up the industry benefits. Just two weeks ago, Infrastructure Australia detailed the massive shortfall in public funding in infrastructure and then outlined the productivity benefits to our nation. Has the government modelled what the economic and productivity benefits would be from funding the infrastructure gap rather than warships and weapons?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:23): It is obviously very difficult for me to comment on what Senator Whish-Wilson did or did not expect about the level of investment in defence and national security. What I can say, though, is that this government went to the last election very transparently declaring what our commitment was. Our commitment was to bring defence funding from the disastrously low levels that they went to under the Labor government back up to two per cent of the share of GDP within a certain time frame. We reflected that, and we are implementing that commitment.

The PRESIDENT: Order! Pause the clock. On a point of order, Senator Whish-Wilson?
Senator Whish-Wilson: Mr President, on relevance: I asked whether the government had considered whether that money would be better spent elsewhere. The minister has not answered the question.

The PRESIDENT: I remind the minister of the question.

Senator CORMANN: The government did a lot of work considering all of the necessary priorities to ensure that Australia was safe and secure and that we could have a strong and prosperous economy. Of course, our national security is an important part of underwriting our economic strength and prosperity into the future. These are all matters that were well ventilated and debated in the lead-up to the last election. We are implementing a commitment that we took to the last election.

Media Ownership

Senator WILLIAMS (New South Wales) (14:24): Can I just take this opportunity to wish Senator Bullock all the best, following his announcement of leaving this place. He has been a very good man to work with on the committees. I wish him all the best. My question is to the Minister for Communications and Minister for the Arts, Senator Fifield. Can the minister advise the Senate of the reaction of third parties and regional broadcasters to the government's historic media reform package?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:25): Thank you, Senator Williams, for the question and for your interest, particularly in regional communications issues. Yesterday, I announced media reforms which are the most significant in a generation.

I am pleased to report to colleagues that the package of measures has been very well received by a broad cross-section of media organisations. The Chairman of Prime Media, John Hartigan, said:
Abolition of the out-dated media laws demonstrates the Turnbull Government's commitment to television viewers in regional and rural Australia.

The CEO of Southern Cross Austereo, Grant Blackley, said:
It's time for the rules to reflect media in the 21st century.

We encourage all Members and Senators to embrace these reforms and support a swift passage through both houses of Parliament.

The CEO of Network Ten, Paul Anderson, said:
Removing these archaic media laws is an important first step in dismantling a set of rules that are making Australian media companies less competitive in a global, converged media market.

The CEO of Fairfax, Mr Greg Hywood, said:
Fairfax Media strongly supports the government's decision today to update media ownership laws, making them more relevant by removing outdated and irrelevant restrictions in the legislation.

We believe the removal of these restrictions will provide substantial benefits to all Australians by strengthening local media.

It is clear that not only media organisations but, in particular, consumers recognise that the media laws that we have today just simply do not reflect the world that we live in. I think that is particularly true of those consumers of media who might be younger than those of us in the
chamber here today. I think that, if you took them through the media laws that we have in place today, they would actually be quite bemused. It is time for outdated media laws to go.

Senator WILLIAMS (New South Wales) (14:27): Mr President, I ask a supplementary question. Can the minister outline how the government's reforms will maintain protections for media diversity?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:27): There is, indeed, a plethora of media and new sources now available online. As I look to the press gallery let me randomly pick one, BuzzFeed. It is just one of many examples of what you might call non-traditional media that is available online.

Also, there are the remaining media diversity rules. There is the five/four rule, which mandates minimum voices in media markets. There is the one-to-a-market rule, which ensures diversity in terms of television. There is the two-to-a-market rule which ensures diversity in terms of radio. But, of course, the best guarantee of diversity is that we have strong and viable media organisations in Australia, and that is what our reforms are all about.

Senator WILLIAMS (New South Wales) (14:28): Mr President, I ask a further supplementary question. Can the minister outline how consideration of these reforms as a package is important?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:28): I think it is important that these reforms are considered as a package. It is the government's intention to refer the legislation to the Senate Environment and Communications Committee for consideration. We do need to make sure that Australian media does have the capacity to build scale and to compete in a global and converged media market. I was very heartened to hear the comments from my counterpart in the other place, Mr Clare, last night on Sky. He said: 'We have to judge this on its merits. We have to work out what is in the public interest. If you make decisions based on one media company or another, then you are not doing your job properly'. Hear, hear to the observations of Mr Clare. I must say it has been good working with him. I look forward to continuing to work with him, and I very much hope that we can reach agreement on these important media reforms.

Goods and Services Tax

Senator WANG (Western Australia) (14:29): My question is to the Minister for Finance representing the Treasurer. For years now the call for a fairer distribution of GST has gone unanswered. The Western Australian Treasurer has warned his federal Liberal colleagues to stop pussyfooting around, or both Liberal governments would be held accountable over repeated promises for reform. As one of the WA cabinet ministers in the Liberal federal government, which has been in power for some years now alongside a Liberal WA government, can the minister explain to his fellow Western Australians why the government has not already made a change to the method of sharing GST revenue among states to make the distribution fairer?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:30): I thank Senator Wang for his question. I remind Senator Wang that it was this government that last year stopped the
drop in GST revenue for the great state of Western Australia. Indeed, the way we did this—I believe at the time with some supportive comments from the Leader of the Opposition—

Senator Lines interjecting—

Senator CORMANN: You would not think that Labor was supportive when you listen to one of the few remaining Labor federal members of parliament from Western Australia, Senator Lines. We have had four out of six pull the pin—what a vote of no confidence in the current leadership of the Labor Party! There are only two of them left, Senator Sterle and Senator Lines, and Senator Lines is jumping up and down complaining about the fact that this government invested an additional $500 million into infrastructure projects in Western Australia to ensure that the share of the GST for Western Australia effectively did not continue to drop. We said that once the GST relativities were released by the Commonwealth Grants Commission this year, we would assess what, if any, additional funding would be required in a similar fashion to ensure that the GST share for WA did not continue to drop below the 37.6 per cent that it was in 2014-15.

The truth of the matter is that GST is a tax that is collected for the states. 100 per cent of it is shared across all the states. You cannot just take away money from one state in order to give it to another state. That is not the role of the national government. But we do recognise the particular challenges faced by Western Australia and we have responded to them positively. That is our commitment to the state of Western Australia: to continue to work with them to ensure that we can respond in a similar fashion this time round. The expectation, sadly, is that because of the significant drops in iron ore prices the current problem will start to subside. (Time expired)

Senator WANG (Western Australia) (14:32): Mr President, I ask a supplementary question. When I asked the minister about this issue almost 2 years ago in this chamber, he said:

... any changes to our tax system would have to flow from a tax review white paper process ...

Minister, what has happened to the comprehensive and strategic tax white paper the government promised? Will you commit to taking a fair GST distribution to the next election, whether or not the government chooses to go to the polls in a double dissolution election to avoid scrutiny of its budget papers?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:32): I thank Senator Wang for that supplementary question. Of course a lot has happened since Senator Wang asked me that question. The government has done a lot of work to improve our tax system. For example, the government got rid of Labor's mining tax, which was very good news for the great state of Western Australia. That helps to strengthen growth, attract investment and generate more jobs in Western Australia. The government got rid of Labor's carbon tax, which is very good news for Western Australia—for families, small businesses and the resources sector in Western Australia. It helps attract investment, it helps generate growth and it helps create more jobs.

As I indicated in my answer to the primary question, the government has provided an additional $500 million investment in infrastructure projects in Western Australia in order to ensure that the WA share of the GST did not drop to the inappropriate 30 per cent that the Commonwealth Grants Commission recommended last year. Our commitment to Western
Australia is that we will assess what might be required in a similar fashion this year. (*Time expired*)

Senator WANG (Western Australia) (14:33): Mr President, I ask a further supplementary question. The big GST revenue recipients, South Australia and Tasmania, are on track to budget surplus soon. Yet WA, as a net GST contributor, is struggling to control its widening deficit. Does the minister realise that every single day that WA is denied its fair share of GST revenue the state's employment and growth prospects deteriorate even further?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:34): Every single day those of us on this side of the chamber are focused on strengthening growth and opportunity in Western Australia and, indeed, right across Australia. Western Australia is responsible for about 45 per cent of our merchandise exports. Western Australia is the ultimate trading state. When we pursue an ambitious free trade agenda by entering into free trade agreements with China, Japan and South Korea, that is particularly good news for the great state of Western Australia. For example, the opportunities for the cattle industry in Western Australia from our free trade agreement with China are enormous. The opportunity right across the services and manufacturing industries in Western Australia out of our various free trade agreements that we have been able to enter are enormous. Of course, Western Australia right now is going through a transition in the same way that Australia is going through an economic transition. Western Australia is facing particular challenges because of what has happened to the price we can attract in global markets for our key commodities. (*Time expired*)

Employment

Senator LINDGREN (Queensland) (14:35): My question is to the Minister for Employment, Senator Cash. Will the minister update the Senate on the government's record on job creation?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:35): I thank Senator Lindgren for the question. Yes, I can. Since being elected in September 2013, this government has overseen the creation of 421,400 jobs. This is an increase of 3.7 per cent from when we came into office. One of the figures that we need to compare is the last 12 months of this government compared to the last 12 months of the former Rudd-Gillard-Rudd government. There is one ratio that the Australian people need to remember. That ratio is three to one: we have created three jobs for every one job that Labor created. Under this government in the last 12 months we have seen the Australian economy create almost 300,000 jobs. That is more than three times the rate of job creation under those opposite when they were last in government.

I am also pleased to advise Senator Lindgren that the rate of growth in the Australian jobs market over the last 12 months is higher than any other G7 nation. In signs that the Australian people have confidence in the job market, the participation rate has now risen to 65.2 per cent, and female employment—as the Minister for Women, I am pleased to advise—has risen by 163,200. Simply put, more Australians are out there and are willing to get out and look for work. We are also fostering the conditions for job creation because we understand the government is able to set the framework in which business can create jobs. That is why, under

CHAMBER
this government, we have signed three free trade agreements—because that is how you create jobs in the long term. *(Time expired)*

**Senator LINDGREN** (Queensland) (14:38): Mr President, I ask a supplementary question. Will the minister advise the Senate what the government is doing to further boost jobs and growth?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:38): We understand on this side of the chamber that Australians expect their government to implement the necessary policies to ensure that our economy can grow. That is very much why, on this side of the chamber, whether it is restoring law and order to the Australia building and construction industry, whether it is promoting innovation or whether it is securing our defence, every single lever that we are able to pull is being pulled in the direction of investment, in the direction of growth, in the direction of innovation and in the direction of jobs and promoting our direction towards the new economy. Under this government, employment has been growing strongly and it has risen by 2.6 per cent over the last year. That compares with the decade average of 1.8 per cent. So, again, we will continue to implement policies that ensure we create jobs. *(Time expired)*

**Senator LINDGREN** (Queensland) (14:39): Mr President, I ask a further supplementary question. Will the minister advise the Senate what the government is doing to ensure job seekers are job ready?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:39): On this side of the chamber, we believe that the best form of welfare is a job. Under this government and its jobactive program, job seekers are able to get tailored assistance from jobactive providers not just to get them a job but to ensure that the job that they get they hold onto—because on this side of the chamber we do not just believe in a placement; we believe in sustained and ongoing employment. I am pleased to advise the chamber that, since commencing on 1 July 2015, jobactive has recorded placements into 214,422 jobs across Australia. Again, this is a government that understands you need to have the necessary conditions to ensure job creation, which it is doing, but then you need to ensure that Australians have the skills to get those jobs—and, again, that is what we are focused on.

**Election of Senators**

**Senator DAY** (South Australia) (14:40): My question is to the Special Minister of State, Senator Cormann, regarding Senate voting changes. I refer to public comments made by the minister on 15 February regarding Senate voting changes, when he said:

The Government hasn't made a decision on the way forward.

Yesterday, in evidence to the Joint Standing Committee on Electoral Matters, the Australian Electoral Commission testified that it had received a copy of the voting change legislation on 11 February. In saying what he said on the 15th, how could the minister say the government had not made a decision when it had already drawn up a bill and sent it to the Electoral Commission on the 11th?

**Senator CORMANN** (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:41): I stand by my statement
when I made it. The government at that point had not made a decision. When the government
did make a decision, we announced it.

Senator DAY (South Australia) (14:41): Mr President, I ask a supplementary question.
Minister, the crossbench supported the repeal of the carbon tax, repeal of the mining tax,
stopping the boats, abolishing the National Water Commission and many other government
matters, all of which the Greens opposed. They say no good deed goes unpunished. Is the
minister aware how bitterly disappointed some on the crossbench are with the government's
deal with the Greens to get rid of us crossbenchers?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the
Government in the Senate and Special Minister of State) (14:41): The reform that the
government is pursuing to Senate voting arrangements, of course, responds to the unanimous
report and crossbench party report and recommendations from the Joint Standing Committee
on Electoral Matters which was released some two years ago, which was supported at the time
not just by the then shadow special minister of state, Gary Gray, but also by former Senator
John Faulkner, who was, of course, on that joint standing committee, and Senator Tillem, a
Labor Victorian Senator.

So it was a cross-party report, which came up with a unanimous set of recommendations.
The government considered it very carefully and, on balance, we decided that it was in the
public interest to ensure that voters have the power to determine what happens not just to their
primary vote when voting above the line but also to their preferences, because, as the former
shadow minister, Gary Gray, said, we believe that the electoral process has to facilitate
election results which reflect the will of the Australian people. And that is what the
government is doing. (Time expired)

The PRESIDENT: Senator Day, do you have a further supplementary question?

Senator Day: I do not know what else to say, Mr President, so I will not say anything.

Defence Procurement

Senator McEWEN (South Australia—Opposition Whip in the Senate) (14:43): My
question is to the Minister for Defence, Senator Payne. Minister, former defence minister Mr
Andrews repeatedly justified the government's sham competitive evaluation process by saying
it was necessary to ensure the first Future Submarines were built by the mid-2020s. Yet the
defence white paper now clearly states that the Future Submarines will not be built until the
early 2030s. When asked about the decision to delay the build by nearly a decade, former
Prime Minister Mr Abbott said he was 'not just disappointed' but 'flabbergasted'. Why has the
minister walked away from Mr Abbott and Mr Andrews's promise to deliver our Future
Submarines in the 2020s?

Senator PAYNE (New South Wales—Minister for Defence) (14:44): I thank Senator
McEwen for the question. I can state very clearly for the record that the material upon which
Senator McEwen relies for her question is, in fact, completely incorrect. The Secretary of the
Department of Defence and the Chief of Defence Force have advised the Prime Minister and
me that their consistent advice to government has been that, firstly, it was highly unlikely the
first of the future submarines could be delivered by 2026 and, secondly, an extension of life
for the Collins class submarine would almost certainly be required. The secretary and the
CDF further advised that a study commissioned by the defence minister confirmed in 2012 that an extension of life for the Collins was feasible and practical.

The Department of Defence and the ADF have since that time worked on the basis that an extension of life would be undertaken as the only practical option to ensure there was no capability gap between the Collins and the future submarines. The 2016 Defence white paper reflects precisely that advice from the secretary and the Chief of Defence Force.

Senator McEWEN (South Australia—Opposition Whip in the Senate) (14:45): Mr President, I ask a supplementary question. Can the minister confirm that the defence white paper drafted under Prime Minister Abbott and Mr Andrews stated that the future submarines were to be built by the mid-2020s? When did the minister decide to shift the build by a decade to the early 2030s and when did she inform Mr Abbott and Mr Andrews of that decision?

Senator PAYNE (New South Wales—Minister for Defence) (14:45): I am not going to make any comment on matters of drafting that may or may not have been the subject of advice. Let me repeat that both the Secretary of the Department of Defence and the Chief of Defence Force have advised that their consistent advice to government since 2013 has been that it was highly unlikely that the first of the future submarines could be delivered by 2026 and that an extension of life of the Collins class submarine would almost certainly be required. The government's 2016 Defence white paper reflects that advice accurately.

Senator McEWEN (South Australia—Opposition Whip in the Senate) (14:46): Mr President, I ask a further supplementary question. Minister, how do your South Australian Liberal colleagues feel about the Turnbull government's decision to delay the future submarine build by nearly a decade, putting at risk thousands of South Australian jobs. Are they just as flabbergasted as Mr Abbott?

Senator PAYNE (New South Wales—Minister for Defence) (14:47): As I have clearly indicated to the Senate, there is no delay in the build of the future submarines. The reason we need to have a sustainment program for the Collins class submarine is that when those opposite announced in their white paper in 2009 that work had to start immediately if they were to be in service with the planned withdrawal of the Collins they did absolutely nothing. My colleagues in South Australia, though, are very pleased to see this government commit to a $50 billion investment in our security which will deliver jobs in South Australia and which will maximise Australian industry involvement. The Future Submarine program itself, for starters, will deliver hundreds of highly skilled jobs for decades to come. That is very welcome. The majority of those jobs will be through the build phase, including in combat system integration, design assurance and land based testing—(Time expired)

Northern Australia

Senator IAN MACDONALD (Queensland) (14:48): My question is to the Minister for Northern Australia, Senator Canavan. Recognising that with less than five per cent of the population of Australia, northern Australia produces something like 50 per cent of its exports, I ask the minister how the development of northern Australia will support growth in the nation and in the national economy as Australia transforms from the resources boom.

Senator CANAVAN (Queensland—Minister for Northern Australia) (14:48): I thank Senator Macdonald, my fellow senator from the north, for his question. At the outset, I would like to recognise all the work that Senator Macdonald has done over the years to help deliver
the government's plan on this agenda. I am very thankful he has done that work because there is a lot to do in this space now, given the government's agenda. He is also right to point out how important is the contribution of the north to our nation's growth, because it is uniquely placed to help deliver the transition we need to get beyond the resources boom.

Senator Macdonald is right that only about six per cent of Australians live in the north, but it does deliver from our northern ports more than 50 per cent of our exports. It also delivers more than 11 per cent of our GDP from just six per cent of our people. It is also well placed to help this transition because it is uniquely geographically placed in our nation. By 2050, half of the world's population will live in tropical regions across the globe. Of course, the north of our country is the tropical region of Australia.

We believe that the natural advantages that the North has should be reinvested in and that the government should focus on them, because driving growth in those areas will help drive growth across our nation. We are doing that through establishing a $5 billion low concessional loan facility and investing $600 million in roads across the north to help improve connections between communities and an additional $100 million specifically in our beef supply chains to get down costs in our beef sector. Through all of these investments we will make a stronger and more prosperous north and create more jobs in the north. A stronger north of our nation means a stronger nation overall.

Senator IAN MACDONALD (Queensland) (14:50): I thank the minister for that information. Mr President, I ask a supplementary question. Could he advise how the coalition government's Northern Australia white paper is unlocking the potential of people and businesses across the north during this time of transition from the mining boom?

Senator CANAVAN (Queensland—Minister for Northern Australia) (14:51): The senator is also right to point out the other advantages that the north has. Apart from the measures I have already mentioned, the government is focused on taking advantage of these areas, particularly in areas like education and tourism in our north. They are already strong industries in our north and in many parts of our country but they are things we can build on, too. That is why we are investing $15.3 million in tropical health and medical research initiatives across the north as part of our white-paper plan and $75 million in establishing a new, industry led cooperative research centre to develop Northern Australia. Of course, on Monday the government announced $13.6 million through the Northern Australia tourism initiative, which will deploy a team of experts across our north to provide one-on-one business advice, particularly to tourism businesses. Tourism is going to be a particularly important industry now that our dollar is lower.

Senator IAN MACDONALD (Queensland) (14:52): Mr President, I ask a further supplementary question. In addition to the Northern Australian white paper, the government has recently released the defence white paper. Can the minister outline how the defence white paper will attract and involve investment in Northern Australia?

Senator CANAVAN (Queensland—Minister for Northern Australia) (14:52): Senator Macdonald is right. Building our defence resources and facilities in our north is a key part of our white paper and our plan for Northern Australia. We want to improve our defence facilities and increase our Defence personnel presence in the north. The white paper released last week by the Minister for Defence delivers on that commitment because we will make a significant investment over the next decade to upgrade Defence bases and facilities across our
north, including Darwin, Cairns, Townsville, Alice Springs and Katherine. Right across our north we will be delivering a more capable force for Australia's security. This means we will be better able to detect, and rapidly respond to, threats to our maritime borders; protect our communities, cities and remote regional areas in the north; operate into the region from Northern Australia to support our region's security; and respond when help is needed.

Commonwealth Scientific and Industrial Research Organisation

Senator KIM CARR (Victoria) (14:53): My question without notice is to the Minister representing the Minister for Industry, Innovation and Science, Senator Sinodinos. Can the minister confirm that, since the government's released its much hyped innovation and science statement, the CSIRO has started assessing the value of its science on the basis of how much external revenue its so-called business units can generate? Does the Turnbull government endorse this approach to measuring the value of publicly funded science?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:54): I thank the honourable senator for his question. Let me begin by saying we are going to be providing a record $3.1 billion of funding in the 2015-16 budget to the CSIRO over the forward estimates. In relation to the issue you have raised, what is wrong with public institutions seeking to maximise the value of their outcomes at a time when we are providing record funding? I strongly support a CSIRO which is in the community, collaborating with industry and creating new opportunities to promote innovation and science.

Senator KIM CARR (Victoria) (14:54): Mr President, I ask a supplementary question. Does the Turnbull government agree that the CSIRO has made, and continues to make, a vital contribution to global climate change science? If so, why is the minister allowing this capability to be cut in half?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:55): I have answered questions on this before. Let me make it absolutely crystal clear. As a result of the changes that the CSIRO is undertaking, there will be no net job losses out of the realignment of employees with strategic priorities over the next couple of years. And the capability to which the honourable senator refers, a capability that we all value, will continue to be undertaken in partnership with like-minded organisations within Australia. What we will be doing through the work of the CSIRO is orienting their activity on strategies to mitigate and adapt to climate change rather than continuing as an organisation to simply focus on the measurement of it. They will continue to do that in partnership with like-minded organisations.

Senator KIM CARR (Victoria) (14:56): Mr President, I ask a further supplementary question. Given that the Abbott-Turnbull government has cut $115 million from the CSIRO’s funding, how can it be claimed that this government bears no responsibility for the latest job cuts and cuts in the capabilities of the CSIRO? Isn't this another example of the government saying one thing on science and innovation and doing another thing in practice?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:56): I remind the honourable senator that he himself presided over cuts to the CSIRO when he was the Minister for Industry and Science. And he said at the time that it was because he was 'fighting a war against inflation'. The fact of the matter is that governments, over time, do make judgements about priorities. The honourable senator's government did, and we did. But in the last budget we devoted $3.1 billion over the forward estimates to the CSIRO.
Tourism

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (14:57): My question is to the Minister for Tourism, Senator Colbeck. Can the minister update the Senate on the performance of Australia's tourism industry?

Senator COLBECK (Tasmania—Minister for Tourism and International Education and Minister Assisting the Minister for Trade and Investment) (14:57): I thank Senator O'Sullivan for his question. I am very pleased to be able to inform the Senate that today's tourism industry figures indicate that the industry is performing exceptionally well. You do not have to take my word for it; reports from Deloitte, McKinsey and the Business Council of Australia have confirmed that tourism is one of Australia's super-growth sectors and it is underpinning our economic future.

Just this morning, we saw a string of tourism records smashed with the release of the latest international visitor survey. The number of international visitors to Australia increased by eight per cent. Expenditure increased by 18 per cent to reach a new record high of $36.6 billion. That is an impressive rise of $5.5 billion in just one year. This is the largest increase on record and the highest percentage growth since the Sydney Olympics in 2000. Tourism contributes $100 billion a year to the Australian economy—that is, three per cent of our GDP. It is also a critical contributor to the development of regional Australia, accounting for 14 per cent of our regional economies. The government's efforts to increase flight capacity, visa reforms and targeted international marketing campaigns, as well as the lower Australian dollar, have all contributed to this very, very strong growth.

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (14:59): Mr President, I ask a supplementary question. Following the transition from the mining boom, how is the tourism industry supporting the creation of new jobs and growth in the economy?

Senator COLBECK (Tasmania—Minister for Tourism and International Education and Minister Assisting the Minister for Trade and Investment) (14:59): I thank Senator O'Sullivan again for his question. As I said in my primary answer, tourism has been identified as one of the five super-growth sectors of the Australian economy. It is, in fact, underpinning our economic future, and it will help the economy transition away from the mining boom.

At a time of structural change, the growth of our tourism industry will be one of the essential elements to rebalance and re-position our economy for new jobs. Almost one million—or one in 12—workers in Australia are employed in the tourism sector compared to 280,000 in the mining industry. Strong growth is forecast for our tourism industry over the next decade, at the rate of 4.1 per cent each year, and that is well above the national growth average. It is clear that tourism is an important economic portfolio and a major employer.

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (15:00): Mr President, I ask a further supplementary question. What a phenomenal job you have done, Minister, in your short time in the portfolio! What opportunities lay ahead for the tourism industry, particularly in regional Australia?

Opposition senators interjecting—

The PRESIDENT: On my left!

Senator COLBECK (Tasmania—Minister for Tourism and International Education and Minister Assisting the Minister for Trade and Investment) (15:00): Again, I thank Senator
O’Sullivan. With 44c in every tourism dollar spent in regional areas, it is clear that there are significant opportunities in regional Australia. The report released this morning shows that the attraction of regional Australia to international visitors was significant. Visits to wineries increased by 37 per cent. Visits to farms increased by 14 per cent. Visits to national or state parks increased by 13 per cent. One hundred and twenty million Chinese took an international holiday last year. Of those 120 million, one million came to Australia. That number is projected to double to two hundred million by 2020.

Senator Wong interjecting—

Senator COLBECK: Senator Wong is right: we should be seeking to increase the numbers. (Time expired)

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

QUESTIONS TO THE PRESIDENT

President’s Overseas Travel

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (15:02): by leave—Mr President, at the recent additional estimates hearing of the Finance and Public Administration Legislation Committee you advised that there was a change to the longstanding practice of the Prime Minister agreeing to the President's overseas travel proposals. You indicated that, unlike your predecessors and unlike ministers, you now have the authority to approve your own overseas travel, together with travel arrangements for your spouse and staff. In response to questioning, you indicated that you were prepared to have 'a detailed discussion' with senators about arrangements for approving and overseeing your travel arrangements. Could you please outline to the chamber the approval and oversight arrangements you propose. Can you also confirm that you will not undertake overseas travel until such arrangements have been agreed by the Senate.

The PRESIDENT (15:03): First of all, I advised the Clerk very shortly after the estimates hearings that I would like that matter listed on the agenda for the next meeting of the appropriations and staffing committee, which is the appropriate body to deliberate on that. Equally, as you would recall in the estimates hearing, you asked if it would be a matter to come before the Senate. I said, no; I believed it was for the appropriations and staffing committee meeting, and that if that committee decided that it was a matter for the Senate then that committee could make that decision.

In relation to not undertaking any travel: if I am correct in what you are saying, that is a matter for me to decide, at whatever point I wish to go, through the current process. I have made sure that the current process, in light of that estimates hearing, will be maintained until such time as the appropriations and staffing committee are more fully briefed on the proposals that I have.

ANSWERS TO QUESTIONS ON NOTICE

Question No. 2903

Senator CAROL BROWN (Tasmania) (15:04): Pursuant to standing order 74(5), I ask the Minister representing the Minister for Social Services, Senator Fifield, for an explanation
as to why an answer has not been provided to question on notice No. 2903 asked on 13 January 2016.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (15:04): Thank you, Senator Brown, for the opportunity to advise the Senate that this is the only outstanding question on notice in the Social Services portfolio. I should note that this particular question was asked on 13 January this year. I also advise colleagues that all answers to in excess of 1,000 questions on notice received by Social Services at additional estimates, budget estimates and supplementary budget estimates 2015 were submitted to the committee secretariat by the due date, with the exception of 13 that were submitted within one month of the due date. I am assured by the minister that the response to this single question, which is outstanding, will be tabled before the end of the week.

Senator CAROL BROWN (Tasmania) (15:05): I move:
That the Senate take note of the minister's failure to provide either an answer or an explanation.

I appreciate the response that the minister gave just now. But, again, it shows a lack of commitment to parental leave. This is a question that we have asked a number of times, and we still have not had a response to it. It is a very straightforward question asking for information—and I will advise the Senate exactly what we are looking for. It is a shame that we have not been furnished with this information.

As I indicated, on 13 January I tabled questions seeking information about the planned changes to paid parental leave that the government announced in the Mid-year Economic and Fiscal Outlook. Specifically, with reference to the proposed changes to Parental Leave Pay announced in the Mid-year Economic and Fiscal Outlook, I asked the Minister representing the Minister for Social Services the following questions: one, what would be the total number of eligible parents who would be adversely affected by proposed changes to the PLP; two, can the minister advise the number of parents who will (a) lose part of their paid parental leave payment and (b) no longer be eligible for paid parental leave; three, what will be the estimated average paid parental leave payment that partial eligible parents would lose compared to under current arrangements; and four, what will the estimated average paid parental leave payment that parents will lose when they are not eligible for any paid parental leave payment be compared to current arrangements?

Senator Ian Macdonald: He told you he'll give you the answer at the end of the week!

Senator CAROL BROWN: Thank you, Senator Macdonald. This is a question that has been put on the agenda from 13 January. It is a question that many people would like to—

Senator Ian Macdonald: It took your government two years to answer a question!

Senator CAROL BROWN: You are a part of the rolled gold paid parental leave fiasco that was Mr Abbott's primary policy. It was thrown out, along with Mr Abbott himself, and then you come back in with a policy to actually dud mothers out of paid parental leave. What we are asking here are some simple questions for very straightforward answers. There is no reason why this information could not already have been provided.

Yes, the minister says the answers will come at the end of the week. You know what? I have been at an estimates committee where Senator Nash said we would be getting a response 'shortly' on a community affairs legislation report—that was 18 months ago! What 'end of the
week’ is Senator Fifield talking about? I do not know. But I do not trust what they on the other side have to say. I have asked, the Senate has asked, for a timely response. It is not asking for much at all. We have asked for a timely response, and the minister still leaves parents in the dark as to their plans.

Time and time again the Liberals have failed to show any real commitment to supporting paid parental leave. They did not support the Labor Party's paid parental leave scheme; instead, they have attacked it at every opportunity. As I mentioned earlier, they had a rolled gold paid parental leave, championed by Mr Abbott, and eventually thrown out, with Mr Abbott. What did they do next? They went from having his rolled gold paid parental leave to coming in with a scheme that seeks to attack. Everyone will remember what they said about mothers. They said they were 'double dippers'. It was a disgraceful performance on behalf of the government. Australian families, Australian mothers, deserve better.

I want to remind the Senate that it was in 2010 that Labor introduced Australia's first ever national paid parental leave scheme—one that was attacked by the government, who were the opposition at the time. Prior to the Labor government introducing the national paid parental leave scheme—the first ever in Australia—Australia was one of just two OECD countries without a government-funded paid parental leave scheme. More than 55 per cent of Australian women had no access to paid parental leave prior to the introduction of that scheme.

Based on the recommendations of the Productivity Commission, Labor's fair and sustainable scheme provides new mums with 18 weeks leave at the minimum wage. Since it commenced in 2011, more than 550,000 families have benefitted from Labor's paid parental leave scheme, allowing them to spend more time with their newborn babies. On this side of the chamber, we know how important it is for mothers to spend as much time as they can with their newborn babies. Many of these mothers have also been able to extend their leave, with support from their employers. Under Labor's dad and partner pay scheme, dads can receive two weeks paid leave at the minimum wage. The scheme is good for parents, good for children, good for employers and good for the nation.

An independent evaluation of Labor's scheme, released in March 2015, showed the scheme is delivering valuable support for families when they take time off work to care for a newborn or a recently adopted child. The evaluation also found that the scheme was particularly assisting low- and middle-income women who had no access to any form of paid parental leave prior to the introduction of the scheme. More importantly, one of the key findings of the evaluation was that paid parental leave had a clear effect of delaying mothers returning to work, up to about six months after the birth of their baby.

That is the Labor Party record on paid parental leave. Let us contrast that with the Liberals' record on paid parental leave. We know that the former Prime Minister, Mr Abbott, initially said that a scheme would be introduced over his 'dead body'. I am sure everyone on this side of the chamber remembers when Mr Abbott indicated that any paid parental leave scheme would be introduced over his dead body. I have already mentioned what Mr Abbott did then, and it is worth mentioning again because the backflip after backflip on paid parental leave really show what this government is all about. It is not committed to paid parental leave. It has shown that. Mr Abbott has shown that.

*Senator Edwards interjecting—*
Senator CAROL BROWN: Senator Edwards can chuckle all he likes over there. It is all on record, Senator Edwards. First of all, Mr Abbott said 'no scheme' and 'over his dead body'. Then he said he had his rolled gold Paid Parental Leave policy, and he took that to the 2013 election. As I understand it, half his caucus was not in support of that policy anyway, but he pushed on. He promised an extravagant $20 billion scheme that gave wealthy women $75,000 to take six months off to have a baby. $20 billion! That scheme, which would have paid $75,000 to millionaires to have a baby, we know was all a con to try to buy votes from women. Then he said he would cap the amount at $50,000. What did he do next? He abandoned the scheme altogether. So first of all it was no scheme and 'over my dead body', then he came up with a rolled gold scheme costing $20 billion, then he capped it and then he abandoned it—pretty much like what has happened to Mr Abbott by his colleagues. He scrapped his 'signature policy', despite declaring that it was a 'fundamental conviction'.

Last year, what did we see next? In last year's budget, the government did a complete U-turn and announced a massive cut to paid parental leave. It was proposed to make savage cuts to paid parental leave that would have left around 80,000 new mums worse off every year, some by as much as $11½ thousand. It is clear that the Liberals' word stands for nothing in this area. It is clear that you cannot trust this government when it comes to helping Australian families with the costs of their new babies.

It is also worth noting that the government not only sought to cut assistance for new mothers but also sought to demonise them. Not only did Mr Abbott and Mr Morrison want to slash as much as $11½ thousand, as I said, but the language they have used to justify these cuts has been absolutely appalling. That can be agreed with by the majority of the senators, I believe, in this chamber.

First, the budget papers refer to working mothers who access their employer scheme and a government scheme as 'double dippers'. They should be ashamed at that language. They should be ashamed at describing Australian mothers as double dippers, as rorters. Then Mr Morrison launched an incredible attack on new mothers, describing the situation where they access two schemes—just as the law allows, I remind you—as a rort. He called it a rort.

Senator Edwards interjecting—

Senator CAROL BROWN: Senator Edwards, if you do not like the history of paid parental leave, the history of your government's commitment to paid parental leave, then just leave.

Senator Edwards: Well, put your policy out there—

Senator CAROL BROWN: We introduced the scheme. For goodness sake, Senator Edwards!

Senator Edwards interjecting—

Senator CAROL BROWN: Senator Edwards! We can just start again. Seriously!

Honourable senators interjecting—

The DEPUTY PRESIDENT: Order! Senators should not interject, and senators should not respond to the interjections. The comments and remarks should be made through the chair.
Senator CAROL BROWN: My apologies, Mr Deputy President. As I was saying, Mr Morrison launched an incredible attack on new mums, describing the situation of them accessing two schemes if they were able to as a rort.

Honourable senators interjecting—

The DEPUTY PRESIDENT: Senator Brown, just resume your seat for a moment.

Honourable senators interjecting—

The DEPUTY PRESIDENT: Senator Brown.

Senator CAROL BROWN: Thank you, Mr Deputy President. As I was saying, Mr Morrison called the new mums rorters, then, to make matters worse, Mr Hockey, the former Treasurer, when it was put to him by Laurie Oakes that accessing the two schemes was a 'fraud', agreed. So they are double dippers, rorters and fraudsters. That is the language we heard from the government about new mothers.

Parents who want to spend more time with their newborn babies are not rorters, and they are not fraudsters. They are accessing the scheme just as it was designed.

But apparently the attack on Australian mothers in order to justify the savage cuts does not stop just because Mr Abbott has gone. Under Mr Turnbull's plans, new mums will no longer be able to top up their paid parental leave beyond 18 weeks with support from employers. This means that around 80,000 new mums will be forced to spend less time with their new babies, and they will lose $11,800. These cuts—

Senator Bushby interjecting—

Senator CAROL BROWN: It is interesting that you should say that because obviously under our policy, Senator Bushby, there is leave for new dads as well. You should actually know that. Given that your government has been hell-bent on destroying paid parental leave, I am not surprised that you are not aware.

These cuts will rip $3.7 billion in support from parents over the next decade. These cuts are due to come into force from July and could slash as much as $11,800 from the household budgets of young families. However, the government is yet to get the legislation through the parliament. This means that women who are pregnant right now and due from July have no idea what paid parental leave scheme they will have access to when their baby is born.

I want to take a small amount of time to look at what the Hon. Jenny Macklin MP, the shadow minister for families and payments, had to say about the coalition's paid parental leave chaos. That is exactly what we have seen from the coalition—chaos. Ms Jenny Macklin said:

Thousands of pregnant women have been caught up in the Turnbull Government's paid parental leave chaos, not knowing what support they'll receive when their new babies arrive later this year. The Coalition's cuts to paid parental leave—first announced in the 2015 budget—will rip $3.7 billion dollars in support from parents over the next decade, and leave—
as I have said and as every government senator knows—

80,000 new mums worse off every year.

These cuts are due to come into force from July …

That is what this will do—it will take $11,800 off those young families. The government has not got the legislation through the parliament so these parents have no idea. There is complete
and utter chaos. We know on this side that this is not the only area where there is complete and utter chaos. This is an extremely important piece of legislation. The legislation you want to get through should be withdrawn and thrown out. You should support the Labor Party's legislation.

Senator Bushby: Another minute and three-quarters. Come on; you can do it.

Senator CAROL BROWN: Please do not say to mums in Tasmania, Senator Bushby, that you support taking money off them at that very special time. You have done nothing but support ripping money off Australian families. Money has been ripped off pensioners and money has been ripped off new families. You supported the schoolkids bonus being ripped down. This is a government that is in chaos. I do not know if you are part of the backbench doing the tax reform, but this is a government that is actually in chaos.

Australian women deserve to know what to expect. Women who are pregnant right now are living with uncertainty. They do not know if they will be able to access the existing scheme or will have support cut under the Turnbull scheme. Expecting mums are busy planning for the arrival of their newborn. They should not have to worry about whether they can afford to stay home to care for their child. What kind of Prime Minister rips $11,800 from the pockets of new mums? It might seem like small change to Mr Turnbull, but to young families it makes all the difference. Mr Turnbull needs to put an end to his war on working mums and drop these unfair cuts. This government is in chaos and new mums deserve certainty.

Senator Bushby interjecting—

Senator CAROL BROWN: All you have done, David, is rip money off Australian families. You should be ashamed of yourself. (Time expired)

Senator MOORE (Queensland) (15:26): I am going to add some comments on the questions that Senator Carol Brown asked Minister Fifield. I particularly want to comment on why this series of questions was important at the time we asked them. I want to put on record my acknowledgement of Minister Fifield's statement about the number of questions that were put on notice in the Social Security portfolio. Mr Deputy President, you and I both know that since we have been in this place there have been increasing numbers of questions put before them in the Senate estimates process. That does not take away from acknowledging that questions need to be answered.

In this case the questions were quite straightforward. They were not complex. They were not calling for information or data that the department or the minister would not have expected to be asked for. That is one of the reasons I am particularly keen to rephrase why it is important that we have the answers. In this place we have an effective exchange of communication and data. Consistently though, particularly in the last few months—and I have said this a few times both here and in committee meetings—it seems that departments are not effectively prepared for their appearance at different committees and in the estimates process. We have built up a process over many years. There is an expectation that specific data questions will be asked around policies and legislation. I expect that departments, with trained professional personnel, would be aware of the kind of information that would be sought to justify a position and also that ministers in particular would understand, through their own experience on both sides of this chamber, how the system actually works.
The questions we have asked here are quite specific about the impact of the MYEFO changes to paid parental leave. There is no trick question in this bunch. It is straight data exchange: how many people will be impacted by the changes, how many parents and how many families will lose entitlement under these changes and what will be the average impact? These are the kinds of questions that are asked in every single hearing. When the Turnbull changes to paid parental leave were brought forward, it was obvious that this was the information that opposition and Independent senators would be wanting to know.

Senator Brown gave a very strong review of the background to paid parental leave and also the tension around changes to paid parental leave. Senator Brown talked about the process around the introduction of paid parental leave when our government brought it in. At the time when paid parental leave was brought in, there was an extensive committee process around what would be the impact, the cost, the number of families who would have entitlement, the number who would not, the fairness of the cut-off point and the overall payment processes for the families that would be able to claim their payments. All that data was expected to be discussed and known at the committee process before any decision was made on paid parental leave. For those of us who went through that process, there were always serious questions about what would be a fair entitlement.

It was clear at that time, at the introduction of the original scheme, that the 18-week payment was going to be a baseline payment. This was the safety net payment, and the clear intention was that people who were looking at planning families would have the option that, if they were in a workforce, they would be able to access the Paid Parental Leave scheme—that is, the government segment of a Paid Parental Leave scheme. The intent was always that families would be able to negotiate at their workplace level with their employers, through bargaining processes, an extension of paid parental leave to build up an optimum time for families to work together with their children in the very important first year.

There was an expectation internationally that a 26-week payment, or even a higher payment, would allow more flexibility for families to make these plans and to build the basis of strong parental relationships. We had data at that time from across the world about what the optimum time for parenting would be. Certainly, as always in this field, we were shamed by the evidence given to us by Scandinavian countries about the way they operate their family payment processes, actively encouraging fathers and mothers to work together, to share time and to build up, with work entitlements, up to two years in some of the Scandinavian countries. The 18-week first round introduction that we brought forward was always seen as being a first step: we would entrench this scheme, review how it would operate, see the impact on individual families, assess the costs and get an effective review of how the process operated.

Senator Brown, in her contribution, touched on some of the findings of that review, and they were very strong findings which indicated that workers were accepting their ability to take paid parental leave and to work effectively. I know Senator Bushby was particularly concerned about the role of fathers in this process, and absolutely, through the review of the scheme, the role of fathers taking effective paid parental leave was clearly part of the arrangements. In fact, one of the things that came out of it is that it would be good in the future to actually enhance the entitlement for fathers in this process, allowing even more time for families to have that option. From my background, I remember that, when we sought paid
maternity leave in the old days, the clear intent of the change in the legislation was to change that into a parental focus so that the scheme introduced by the government was a paid parental scheme.

It was very encouraging to see the review and to discuss that in Australia. I know that our paid parental leave system was also part of international discussions. Whilst we were slow on the uptake in this area—one of the last Western OECD nations to put in place a paid parental leave scheme—there has been very positive review about the way it operated. We know that there were questions even at the start, when we brought this in, about the fairness of whether people would be able to have a double chance—having the government scheme as well as their own workplace arrangements—and whether that would give some workers more entitlement than others. That was clearly discussed in this place at that time. But we always held fast to the idea that some workers would have a higher ability to negotiate enterprise bargaining agreements than others, so we wanted to ensure that the guaranteed entitlement of workers who were able to access paid parental leave would be the 18-week Paid Parental Leave scheme paid for by the government.

We know that that was an issue when the government changed. Mr Abbott had his own views about how a Paid Parental Leave scheme would operate, and that caused a number of discussions in this place about whether the process being brought forward by the government would be the best possible scheme economically and also for people planning families in this country. The Labor Party at that time said that that scheme was overly generous considering the situation we were in. I always said that we should always look at the best ways of making payments and ensuring strong families and that we should consider in the future how we could enhance our scheme. We did not support the original Abbott scheme, and it went off the agenda for a period of time.

Then a new scheme was brought in which was the subject of discussion in this place and also another round of Senate inquiry, which was tweaking around the process, and that was what Senator Brown was talking about in her contribution. It was a really unpleasant time for debate, and there were things said which were taken by many women in this country to be a direct insult to them as parents. Whether that was meant or not, there is no doubt that there was wide-ranging commentary both in this place and through social media about how angry women were at comments made about combining a government scheme and a workplace scheme to give you an overall entitlement. That was being referred to by leaders in the government of the day as double-dipping. There was great outrage about that, and no-one can take away from the fear and anger which was clearly expressed in the Senate Community Affairs Committee hearing about the changes to paid parental leave. Anyone who attended those hearings, read the Hansard or listened to the media commentary about those hearings would be left in no doubt that there was anger about how mothers—and not just mothers—felt that they were being disrespected and that, in their role as parents planning their families, there was this allegation that they were somehow working the system unfairly and that they had not in fact just been taking their absolute legal right to their entitlements that were there in front of them.

After that debate, the proposed legislation, which we opposed on this side of the House, did not come to further debate in this place and that scheme around paid parental leave was put to one side. Then there were other changes brought forward by Mr Turnbull in the MYEFO
It is where we come to the questions in front of us today. Senator Brown asked for the minister to provide details of how these savings would be found. When you look at the detail of the questions, they go particularly to this point. The questions are trying to seek exact information about where savings will be made in this particular change to the Paid Parental Leave scheme and how people would be impacted. How many families in our country, who thought they were eligible for paid parental leave under the existing scheme would lose under the new scheme and how much would they lose? These are not academic questions. These are questions of detail about what the impact of the proposed changes to PPL would have on families in our community.

One of the reasons I am most concerned that we do not have this detail, nor do we have any information from the government about what their intent is in moving forward with their PPL changes, is this lack of certainty and lack of detail is causing great concern for families who are currently making decisions about their families and about falling pregnant. I met with a number of women the other day who work in the Australia Public Service who are in the situation where they are looking at when they will have their next children. They had made plans around the current scheme, with the security of their current paid parental leave entitlements under the Public Service Act and also provision under the current PPL of being able to augment that with the government scheme, as that scheme now operates. They do not know at this time what entitlements they will have in making their forward planning around their families.

I am also aware of families who have asked Centrelink about what their entitlements into the future as to what their workplace entitlements will be, what their budget will be and, with all the added expenses that we know of when setting up for a first child and for subsequent children, exactly what their entitlements will be. These are real issues and up until the proposed changes to paid parental leave, people knew where they were at. The scheme had been operating for a number of years. People had made future plans based on what they knew their real entitlements would be. This was based on the government component of paid parental leave and also enterprise bargaining arrangements that they had been part of in good faith.

We asked questions to find out the details of the change. Minister Fifield has assured us, and I accept that this is his intent, that we will have the answers to those questions by the end of the week. That would be a good result. It is unfortunate that we did not have them earlier. Why I needed to speak in the debate on taking note is that I wanted to make clear the import of getting the answers to the questions. It is not just a great plan to build up a databank and to have lots of information from which to draw, it is really to find out the details of the scheme. Again, one of my concerns is that there were no surprises in the questions. The department should have had this data. The department should have known the questions that people would need to know. They are very similar questions to those we asked about the previous
scheme when we had the Senate estimates hearings. They are similar questions about exactly what the impact would be. When you are getting a range of questions in areas from people through the Senate estimates process, I know that the department has very strong processes in place to receive questions, to prioritise questions and to see what methodology would be needed to respond to the questions. That system is long standing and it works relatively well. However, when we have the fact that the only question that has not been responded to, out of the batch to which Minister Fifield referred, you have to ask why. When the government and the department were formulating their changes and making the MYEFO changes, they would need to know the answers to these questions in order to effectively brief their minister, to go through the internal processes in government to cost the plan, to look at the proposed impact of the plan and to know what the consequences of the changes will be. This is basic information in the development of any new policy.

We would expect by the end of this week to know: the total number of eligible parents who will be adversely affected by the proposed changes to PPL; when the minister will be able to advise the number of parents who would lose part of their paid parental leave—not such a hard ask; and who would no longer be eligible for paid parental leave? When you are introducing a new program, or a change to a program—which is what they did in this proposal—would you not know how many people who are currently eligible for PPL who will no longer be eligible for any PPL? What will be the estimated average paid parental leave payment that people on a partial eligible payment will lose compared to the current arrangements? I know that sounds a little complex, but if you know what people are currently receiving I would think you would be able to work out the average PPL payment that people who receive partial payment now get. What would be the average that they would lose if you introduce the very changes that you have decided you will introduce? And what will be the estimated average PPL payment that parents will lose when they are not eligible for any PPL payment compare to the current arrangements?

If you are having your first child you can look at what you will get in paid parental leave under the current system. Under the proposed system, the general departmental resources of the day have been able to build together a new scheme. As part of building together that new scheme they would have been able to look at what the impact would be on people and if they would lose money. Indeed, they will lose money; there is no doubt. That is one thing about which there is no doubt.

In finalising, one of the things we have always said whenever asking questions to the department at any time in any Senate estimates process in which I have been involved on questions on notice is, 'If there is a problem in getting the answers back, just let us know. Let us know if there's a problem. Let us know what issues are difficult and then we will be able to discuss it, reframe the questions and come back and look at what answers we can get.' Just not giving us any answers at all is not respectful to the questions that were asked, does not look at the data that is needed and also makes us wonder whether in fact we will get the answers when we are told we will at some time in the future.

Question agreed to.
QUESTIONs WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Taxation
Revenue

Senator CAMERON (New South Wales) (15:47): I move:

That the Senate take note of the answers given by the Minister for Finance (Senator Cormann) and the Attorney-General (Senator Brandis) to questions without notice asked by Senators Dastyari and Cameron today relating to tax policy.

What a performance we witnessed today in question time! Two of the government's so-called leading lights were trying to run away from simple economic questions as fast as they possibly could. When Senator Brandis was on his feet he was asked, 'Do we have a revenue problem?' He was asked, 'Is negative gearing still on the table?' We asked, 'Are superannuation tax concessions still on the table in the government's tax policy process?' He would not go near those questions. What did he do? What answers did he give? In typical Senator Brandis style, he gave this pompous response. He tried to denigrate people who were asking him a question. He tried to patronise me because I was asking a reasonable question. He behaved in a condescending manner. That is not all that Senator Brandis does in here, but that is typical of the way Senator Brandis responds to questions. And it is pretty typical of the absolute arrogance of this government, a government that cannot be trusted. It demonstrated in its first budget that it cannot be trusted.

Then we had the other leading light of the government in this place, Senator Cormann. Senator Cormann just goes into this robotic rote. Words just fly out from Senator Cormann; they do not mean a lot. There is just a constant wall of noise coming from Senator Cormann. If you look at the questions that Senator Dastyari asked of Senator Cormann he was asking about the interview that he did on Sky yesterday in relation to negative gearing. I picked up the transcript of Senator Cormann's responses to David Speers in the interview on Sky yesterday. Eight times Mr Speers asked whether he agreed with the former Prime Minister Tony Abbott when he argued in the party room that there should be no changes to negative gearing rules. If anyone ever wants to see an absolutely terrible interview, they should look at the interview that Senator Cormann did yesterday. He was in a position where he just did not want to support the Treasurer of the country and the Treasurer who he works with. Somebody said yesterday, 'He probably doesn't like the new Treasurer because he doesn't smoke fat Havana cigars like the former Treasurer and Senator Cormann do.' Senator Cormann just would not go near those questions. All his answers were robotic rubbish. They were just spewing out from Senator Cormann every time he was asked a question.

The reality is that this government actually want to introduce a GST increase. The position they are in now is that a GST increase was going to be their election policy. Increase the GST, attack penalty rates for ordinary workers and diminish the standard of living for workers around this country—that was the policy of this government. Yet they could not get a GST increase up because they did a bit of polling and discovered that a GST increase was not very popular.

So what did this new Prime Minister do? Malcolm Turnbull, the new Prime Minister, was going to be different. He did exactly the same as the former Prime Minister, Tony Abbott, did—that is, he reverted to sloganising. This is an opposition—I mean 'government'—that has
no economic policy and a government with absolutely no way forward for the workers of this country. *(Time expired)*

**Senator EDWARDS** (South Australia) (15:52): I also rise to take note of the answer. Senator Cameron has belled the cat! In his last five seconds, he said the opposition has no idea on economic policy, and he is quite right. There is evidence of it littered all through the history of when you were last in government—the six years that you tormented the Australian people with this nonsense of a response to the GFC. I need go no further than the minerals resource rent tax to expose your economic illiteracy in areas of any kind of prudent fiscal management. That was a tax that went to the very heart of the biggest sector contributing taxes to our economy: the resource sector in Australia. Incomprehensibly, the then government forecast $3 billion worth of revenue in their first period. Actually, it was forecast to raise $3 billion over the first year; I must be specific. We came in, and we got rid of it six months after getting in. That was one of our key election policies. It had not raised $1.5 billion in the first six months. It had raised $126 million. That is how your projections go. At the same time, you put a great cloud over this country in terms of sovereign risk. That was the minerals resource rent tax. Can you imagine if that policy was still there today in the resources sector? It was one of your key planks, your key responses, to the global financial crisis to saddle up one of the biggest taxpaying sectors of our economy.

Then we had the carbon tax. 'There will be no carbon tax under a government I lead,' was the cry at the time that Julia Gillard was the Prime Minister of the country. In fact, can I have a show of hands? Has anybody on the other side of the chamber got a passport?

**The DEPUTY PRESIDENT:** Senator, you may not pose questions to other senators. Speak through me.

**Senator EDWARDS:** I would be interested because, unfortunately, when you are a big resource player and when you have industries, you tend to want to export whatever you make, dig or process. We had the carbon tax, which drove up the cost of doing business in this country in comparison to the ability of other countries to produce the same goods. You are all probably getting a little bit ho-hum about it, but it is economics 101. It is demand and supply. If you cannot supply global products, if you cannot supply products which we are proud to make, dig, process or grow here then you will not be competitive. If we put taxes on these growing areas of our economy, we are not going to be competitive. We export 60 per cent more than what we consume of what we grow. We certainly cannot use all of the ore or coal that we have—all of those sectors. But it is, 'Oh, no. We'll have a carbon tax. What we'll do is show our costs of production are disproportionate, and we'll put us at a direct disadvantage to other countries which we're up against.' Well done! That is a good way to drive business out of this country!

Then we had the renewables. That is the next one. I am glad Senator Gallacher is in the chamber. Because of his Labor colleague former Premier Mike Rann and his lax planning laws and investment policies and his high rebates on tariffs, 53 per cent of the nation's wind farms are now in South Australia. By virtue of that, we now have the third highest energy costs in the world. Well done, Premier Mike Rann! We have 53 per cent of the wind farms and no baseline energy. I know Senator Gallacher's patron seat of Grey has just closed its coal fired power station. Well done! You are useless and hopeless at managing an economy. Do not lecture us on what we should be doing here. *(Time expired)*
Senator GALLACHER (South Australia) (15:57): I intend to return to the matter that was in front of the Senate, not wander off on a frolic like Senator Edwards. The question was: do we have a revenue problem? You can make up your own mind about that. Revenue for 2015-16 is expected to be $405.4 billion—an increase of 5.5 per cent on the estimated revenue of 2014-15. Total expenses of 2015-16 are expected to be $434.5 billion—an increase of 3.4 per cent on the estimated expenses in 2014-15. Looking broadly at the actual figures from the Parliamentary Library, we spend more than we get in. I suppose the question is: what do you do about that? That is where those people on the other side are incredibly confused. We have the Hon. Malcolm Turnbull saying that negative gearing changes will drive housing prices down. We have the Hon. Kelly O'Dwyer saying that negative gearing changes will drive house prices up. We have Senator Cormann saying that the excesses alluded to by the Treasurer are nothing to do with him because his is an expenditure-driven portfolio; it is not an income-driven portfolio. The Treasurer and the Assistant Treasurer deal with taxation measures, and he deals with expenditure measures.

You cannot keep straddling a barbed wire fence without doing some injuries. It is impossible. Sooner or later, you are going to get injured. The government cannot have it both ways. It is bad going up, and it is bad going down. There are excesses in negative gearing; that is what the Treasurer said. The finance minister is saying: 'It's nothing to do with me. There's nothing to see here. Look the other way. I'm an expenditure man.'

Very clearly, they need to get their act together. We know where the income comes from. The evidence is there. PAYE taxpayers contribute $194.3 billion; 47.8 per cent of the revenue comes from people who go to work and pay their taxes. We know that company and resource rent taxes contribute $71.2 billion; 17.6 per cent of revenue comes in that way. We know that sales tax contributes $61.6 billion, 15.2 per cent of revenue. So, if you add all those up, there are only a few places you can go to get some more revenue in the light of commodity prices being at their lowest point for this cycle.

We know that negative gearing is one of those areas that has been spoken about. The Labor Party has very clearly put in the public domain a clear, forward-thinking strategy, grandfathered, out there for all to see, and the coalition are completely at odds with each other. We read each day about a ginger group of backbenchers who are against negative gearing. We know the Treasurer is saying that there are excesses. 'Excesses' means it probably needs to be curtailed; there probably needs to be some policy there. The Minister for Finance walks away from that argument. The Assistant Treasurer says that it is going to put prices up, and the Prime Minister says that it is going to put prices down. They are all at sea on their tax policy. We are being governed by a group of individuals who are warring in their own ranks. It is not good for the country. It is not even good for the Liberal Party—not that I would want them to be in a more favourable position. Their internal fighting is appalling. The lack of policy enunciation and their lack of forward thinking this close to a budget is nothing short of astounding.

The fact that they cannot get their party room over the line on anything does not bode well for this country. We see Senator Cormann virtually refusing to back his role in the government, refusing to put on the table some clear thoughts about negative gearing or whatever else. He is a member of the Expenditure Review Committee. He should be able to elucidate what the Treasury is thinking. He denied it was his role. He said: 'I'm an expenditure
man. That is the Assistant Treasurer's and the Treasurer's job.' He waffled his way through the questions of the interviewer and walked away. (Time expired)

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (16:02): I rise to speak on the motion to take note of the answer to the question to the effect: do we have a revenue problem or a spending problem? I just heard Senator Gallacher's contribution to this debate. One of the things that strike me about the comments coming from the opposite side is that people frequently confuse public announcements or the lack thereof with a lack of activity in policy development. One of the first steps the coalition government took in 2013 was to instigate a significant review of taxation so that we would understand the consequences of various actions. Part of that commitment was to work through what those consequences were. We felt that was important because when we came into government we inherited commitments made by the Labor government that locked in structural spending, and the revenue was not there to support that structural spending.

In actual fact, in 2013 spending increases were some $7½ billion more than revenue over the forward estimates. The minerals rent resource tax, which my colleague Senator Edwards mentioned just before, is the typical case of policy which was made on the run by the Labor Party so that they could rush something out. At the moment they are encouraging us to rush stuff out, like they did with the MRRT. That tax was forecast to raise billions of dollars, because it was based on the returns Labor felt the mining industry was achieving at the time. The problem is that, as we all know, world circumstances have changed, so those returns are lower. But even at the time, 2013 into 2014, that tax was delivering significantly less than Labor planned. The problem was that they had already locked in structural spending commitments based on revenue that they did not have. Part of the reason that Australia now has such a high debt that we are borrowing money to pay the interest on that debt is that those spending measures have been locked in.

Part of this coalition government's election commitment was to get rid of some of those spending commitments, because the revenue that was supposed to support them did not eventuate. We did manage to get rid of some, but many of those measures and much of the savings—in fact even some of the savings measures that Labor themselves had proposed at the 2013 election—Labor subsequently refused to support here in the Senate. It is a bit like saying you don't like the direction the Titanic is on, yet you are chaining the steering wheel or the helm so that the government has limited ability to change its direction. If you want us to reduce the structural spending that the Labor Party put in place then you need to allow the government freedom of action to implement its policies. There is no point claiming that the government has a spending problem of our making when we inherited it from the now opposition and the now opposition has consistently blocked attempts by this government to make the savings measures that it promised to make during the election.

So the reality is that there is a spending problem in Australia that has a significantly greater impact than the revenue problem. Revenue is an issue. We are seeing declining revenue because of the decline in the mining sector, but even before this most recent decline occurred, as highlighted back in 2013 at the time of the election, we had already seen that the former government committed to spending that was not matched by revenue, and that has to be undone if Australia is going to be on a sustainable footing. Just as any household knows that they cannot commit to more spending than income being earned, this Senate needs to
recognise that the government has a mandate to get spending under control. This Senate needs
to be prepared to work with the government to allow us to pass the very savings measures that
we have put forward so that we can put Australia's economy onto a sustainable basis into the
future.

Senator LINES (Western Australia) (16:07): I too rise to take note of answers given to
questions by Senator Cormann and Senator Brandis today. Before I do so, one of the issues
that that Turnbull government has is the references it uses. Remember when the Prime
Minister Mr Turnbull invoked the Thelma and Louise reference, it was obvious that he had
not seen the end of that movie; clearly he needs to go back and watch it again. And now we
have Senator Fawcett invoking the Titanic—does he not know that it sank?

The problem with this Turnbull government—it is all over the place when it comes to tax.
What we have seen today from Senator Cormann and Senator Brandis is nothing short of
disgraceful. As I have been saying this week, I have been following the backbenchers because
that is where the real truth lies. We know that the backbenchers told Mr Turnbull, 'You're not
to do anything on negative gearing.'

Let's look for a moment at Senator Cormann's performance—if you can call it that. It was a
shocking response, but it was not as bad as his performance when he was interviewed on Sky
News by David Speers. I would have thought that Sky News and the Turnbull government
were on side and that they might throw them a few free kicks. I think David Speers actually
did, but Senator Cormann failed to take hold of those free kicks. He was asked eight times
about excesses in negative gearing. Senator Cormann's history is that he has outlasted two
Treasurers—either he is very smart or he has been cut out of the loop—and I think it is the
latter. After being asked eight times about excesses in negative gearing, he finally came up
with the answer of 'It is not really my portfolio.'

For a government that wants to deregulate and break down silos, we have the finance
minister locking himself away. Either that or perhaps he is embarrassed and does not know
the answers. We have had two Treasurers talk about negative gearing. In fact in his
valedictory speech, Mr Hockey said:

Negative gearing should be skewed towards new housing so that there is an incentive to add to the
housing stock rather than an incentive to speculate on existing property.

No wonder Senator Cormann is trying to hide—trying to be the new man missing in action—
because he does not want any reporter to raise the question with him of 'Mr Hockey said this.
What about you?' Then there is the famous Kochie interview with Mr Morrison where he was
asked whether it goes too far, and Mr Morrison said, 'Well, there are excesses.' Kochie asked
again, 'Does it need to be reformed?' Mr Morrison said, 'There are excesses.' Here we have
had two Treasurers talk about the excesses in the GST, but it is as if that just passed Senator
Cormann by. It is as if he did not hear it, but it is out there. He was asked eight times and the
best he could come up with was: 'It is not my area, because I live in a vacuum, I live in a silo
and I am going to be the next finance minister missing in action.'

I can only conclude from the answer to Senator Dastyari's second question that Senator
Cormann is not involved in those discussions, because he cannot answer a basic question. The
reality is that the spending has blown out and we will be up to $½ trillion by 2018-19. Despite
the government trying to pretend it has a good health card, that is not what the economists out
there are saying. This government is leading us nowhere; it has no plan. When the
government was asked by one of the crossbenchers about the tax white paper, they suddenly all look down at their tables and shuffled their papers. I can only conclude that perhaps Mr Hockey took it to Washington with him, that it has cigar ash and coffee stains and that it is sitting in the bottom of his bag somewhere— *(Time expired)*

Question agreed to.

**Budget**

**Senator WHISH-WILSON** (Tasmania) (16:12): I move:

That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Whish-Wilson today relating to defence spending.

I rise to take note of answers to my questions to the Minister for Finance, representing the Treasurer, Senator Cormann. In the last 30 minutes we have been focusing on government spending and one of the most obvious examples of that spending is an extra $30 billion which was outlined in the Defence white paper. Senator Cormann said that he was not sure what the Parliamentary Budget Office assumptions were, but I would like to highlight for Senator Cormann that they are in the white paper and that is what the Parliamentary Budget Office used. On page 178, at 8.6, it outlined what the 2015-16 budget was and then at 8.7 it said: Defence will be provided with $29.9 billion more than was previously planned in the period to 2025-26. So that is over the 10-year model and that is where the $30 billion comes from.

I think it is a fundamental point to make that every extra dollar we spend on military hardware, weapons companies, warships or weapons is a dollar that needs to be funded. Every single dollar is a dollar which could have been spent on something else—something that is productive or that employs people or that makes people more prosperous or that helps our communities— which helps our nation. We should be having a national debate, but unfortunately it is only the Greens who are asking the questions in parliament about Defence expenditure increases— only the Greens. We have not heard a peep out of Labor. So we are happy to be the opposition on this and ask this chamber to have a debate on whether we need to be spending an extra $30 billion over the forward estimates on our defence expenditure, taking it to an arbitrary level, with no justification, of two per cent of GDP. Where did that two per cent of GDP number come from? It is absolutely crucial that as elected representatives of the Australian people we debate and discuss and ask the hard questions about where their taxpayer dollars are spent.

This is industry policy dressed up as defence expenditure. If it is going to be industry policy, spending money on the military industrial complex, then we should look at where else we could spend that money. I asked a question on infrastructure today—we have a huge infrastructure gap in this country, we all know that—about what added benefits could we see from expending money on education, health care and all the other things that are important to our country. Where is the cost-benefit analysis of these kinds of expenditures? For some reason defence has been quarantined. As I have said in this place before, it strikes me as odd that somehow there is a political culture amongst elected representatives in here of silence and perhaps even fear about asking questions on defence strategy. There are a lot of questions about where the money is going to be spent—how many jobs are going to be created, which states are going to get the industry and who is going to benefit the most—but where are the questions on whether this is the right strategy? Where is the scrutiny of that?
It is clear from the Parliamentary Budget Office analysis that we asked them to do that this $30 billion wipes out a return to surplus in this country. We have just had a debate in this chamber for the last 20 minutes about where are we going to raise more revenue and where are the cost savings coming from. As I said in my supplementary question, the Treasurer, Mr Morrison, has clearly said that his budget rules are that any new spending must be fully offset by savings. We have $30 billion in extra spending—I must say Senator Cormann was very agile and nimble in question time today and would not quite admit that there was an extra $30 billion but I am telling you that that is what the defence white paper says—so where are those cuts going to come from? Where are those savings going to come from? Will the Labor Party support that detail when it has been made clear?

If we are to get some structural reform around negative gearing or super concessions, is that then going to go on spending more on warships and weapons? These are questions that average Australians would like to know more about. I think all Australians support having a Defence Force, with the operative word on ‘defence’. There is a lot of stuff in this defence white paper that spells offence to me—it spells more meddling in foreign wars, developing hardware like drones for foreign operations and submarines and frigates that can go to the South China Sea. We need to have a mature debate about this, and that needs to start now.

Question agreed to.

BUSINESS
Consideration of Legislation

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (16:18): I give notice that on the next day of sitting I shall move:

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

Aged Care Legislation Amendment (Increasing Consumer Choice) Bill 2016
Appropriation Bill (No. 3) 2015-16
Appropriation Bill (No. 4) 2015-16
Tax Laws Amendment (Norfolk Island CGT Exemption) Bill 2016

I also table a statement of reasons justifying the need for Appropriation Bill (No. 3) 2015-16 and Appropriation Bill (No. 4) 2015-16 to be considered during these sittings and seek leave to have the statement incorporated in Hansard.

Leave granted.

The statement read as follows—

APPROPRIATION BILL (NO. 3) 2015-2016, APPROPRIATION BILL (NO. 4) 2015-2016

Purpose of the Bills
The bills request legislative authority for additional appropriations to fund expenditure to be incurred in 2015-2016.

Reasons for Urgency
Appropriations proposed in the bills provide funding for expenditure that is required to implement decisions and funding adjustments that involve further expenditure in 2015-2016, which have been agreed since the 2015-2016 Budget. Passage of the bills before the last day on the 2016 Autumn sittings will ensure continuity of the Government's programmes and the Commonwealth's ability to meet its
obligations as they fall due. Should passage not be granted in the 2016 Autumn sittings then activities to be funded by the bills may be deferred or significantly delayed.

**Leave of Absence**

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (16:19): by leave—I move:

That leave of absence be granted to Senator Bilyk for today, for personal reasons.

Question agreed to.

**Senator MADIGAN** (Victoria) (16:19): by leave—I move:

That leave of absence be granted to Senator Xenophon for today, for personal reasons.

Question agreed to.

**NOTICES**

**Presentation**

**Senators Lindgren and Reynolds** to move:

That the Senate—

(a) notes that Vietnam Veterans Day:

(i) is celebrated on 18 August every year,

(ii) commemorates the service and sacrifice given by almost 60,000 Australians who served in the Vietnam War, including the 521 who were killed and the 3,000 wounded, and

(iii) was, until 1987, known as Long Tan Day, which commemorated the service of 108 personnel of D Company 6RAR, who on 18 August 1966, with limited supplies and in torrential rain, successfully fought off 2,000 North Vietnamese and Viet Cong troops near the village of Long Tan;

(b) reiterates its sincere appreciation for the service of all veterans of the Vietnam War; and

(c) express its regret that many veterans of the Vietnam War did not receive appropriate recognition of their service upon their return to Australia.

**Senator Conroy** to move:

That the Foreign Affairs, Defence and Trade Legislation Committee meet on Thursday, 17 March 2016 between 3.30 pm and 7.30 pm to further consider the 2015-16 additional estimates and examine the Department of Defence, and, in particular, the implications for the department of the 2016 Defence White Paper and that the Minister for Defence appear before the committee to answer questions for that time.

**Senators Xenophon and McEwen** to move:

That—

(a) the Senate notes that:

(i) on 17 November 2014 the Senate agreed to an order for the production of documents directed at the Minister for Defence for ‘any documents produced by Macroeconomics.com.au Pty Ltd as a result of tender reference DMOCIP/RFT 0315/2012, including economic modelling and other examination of the potential economic impact of the SEA1000 submarine project on the Australian economy, among other subjects’,

(ii) on 23 February 2016 the Minister for Defence rose in the Senate and made a 'Cabinet-in-Confidence' related public interest immunity claim with respect to the documents ordered, and
(iii) on 16 July 1975 the Senate laid out by resolution its position with respect to public interest immunity claims—where paragraph 4 of that resolution makes it clear that, while the Senate may permit claims of public interest immunity to be advanced, it reserves the right to determine whether any particular claim will be accepted; and

(b) there be laid on the table by the Minister for Defence, no later than 15 March 2016, the independent legal advice which grounds the Minister's public interest immunity claim made in the Senate on 23 February 2016 in relation to the Senate resolution agreed to on 17 November 2014.

Senator Muir to move:

Senator Lines to move:
That the Senate—
(a) notes that Ruah Community Services has coordinated Perth's third Registry Week, held between 8 February and 19 February 2016, with teams of trained volunteers surveying rough-sleeping homeless people, with the aim of providing the sector a current snapshot of who is homeless in these areas and what are their needs;
(b) commends the City of Perth, the City of Vincent, the Town of Victoria Park, the City of Kwinana, the City of Rockingham, the City of Joondalup and the City of Wanneroo for their participation in the survey; and
(c) condemns the Abbott-Turnbull Government for its inaction on homelessness and affordable housing.

Senator Cash, and Senators Moore and Waters to move:
That the Senate—
(a) notes that:
(i) 8 March is International Women's Day (IWD), and that the theme for IWD 2016 is 'Planet 50-50 by 2030: Step It Up for Gender Equality',
(ii) International Women's Day is a time to celebrate acts of courage and determination by women who have played an extraordinary role in the history of their countries and communities to achieve gender equality, and
(iii) 2016 marks 40 years since Australia appointed its first Minister Assisting the Prime Minister in Women's Affairs;
(b) acknowledges:
(i) the work that UN Women, the United Nations (UN) organisation dedicated to gender equality and the empowerment of women, undertakes to improve the conditions of women, both domestically and internationally,
(ii) that, despite the many rights and privileges Australian women enjoy, there remain challenges that we must strive to overcome, and
(iii) that all women have the right to be safe and live without fear of violence, and women's safety must therefore remain at the forefront of Australia's national consciousness; and
(c) recognises:
(i) that in Australia, violence against women is still far too common, with Australian Bureau of Statistics data revealing that one in four women has experienced violence at the hands of a current or former partner, and
(ii) that Australians have an obligation to speak out and protect the human rights of women, both in Australia and overseas.
Senator Collins to move:

That there be laid on the table by the Special Minister of State, no later than 2 pm on Thursday, 3 March 2016, documents recording the agreement between the Government and the Australian Greens relating to changes to Senate voting.

Senators Madigan, Leyonhjelm, Day, Muir, Lambie, Wang and Xenophon, and the Leader of the Glenn Lazarus Team (Senator Lazarus) to move:

That there be laid on the table by the Minister representing the Minister for Sport (Senator Fiona Nash), no later than 4 pm on Friday, 11 March 2016, the following documents relating to the Australian Sports Anti-Doping Authority (ASADA) and the National Anti-Doping Framework:

(a) the final report by ASADA investigator, Mr Aaron Walker, on its investigation into the Essendon Football Club’s player supplements program during the 2012 AFL season (Operation Cobia), dated 4 March 2014;

(b) the independent review of Operation Cobia conducted by former Federal Court judge, Garry Downes;

(c) the report of the independent review of ASADA commissioned by former Minister for Sport (Ms Ellis); and

(d) the decision of the AFL Anti-Doping Tribunal signed by the chairman, Mr David Jones, and members, Mr John Nixon and Mr Wayne Henwood, dated 31 March 2015 which cleared 34 Essendon footballers who played for the club during the 2012 AFL season of an alleged violation of the 1 January 2012 AFL Anti-Doping Code.

Senator Dastyari to move:

That there be laid on the table by the Minister for Education and Training (Senator Birmingham), the Minister for Finance and the Minister representing the Treasurer (Senator Cormann), no later than 3.30 pm on Tuesday, 15 March 2016, all documents prepared since 15 September 2015, relating to the indexation of total school funding by the consumer price index with allowances for changes in enrolments from the 2018 school year onwards, as referred to in the measure contained in the 2014-15 Budget ‘Students First’—indexation of school funding from 2018.

Senator Ryan to 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:

Aged Care Legislation Amendment (Increasing Consumer Choice) Bill 2016

Appropriation Bill (No. 3) 2015-2016

Appropriation Bill (No. 4) 2015-2016

Tax Laws Amendment (Norfolk Island CGT Exemption) Bill 2016.

Postponement

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (16:20): by leave—I move:

That business of the Senate notice of motion no. 3 standing in my name for today, proposing a reference to the Environment and Communications References Committee, be postponed till 15 March 2016.

Question agreed to.
REGULATIONS AND DETERMINATIONS

Customs (Anti-Dumping Review Panel Fee) Instrument

Disallowance

Senator KIM CARR (Victoria) (16:20): I move:
That the Customs (Anti-Dumping Review Panel Fee) Instrument 2015, made under subsections 269ZZE(3) and 269ZZQ(2) of the Customs Act 1901, be disallowed.

Question agreed to.

COMMITTEES

Economics References Committee

Reference

Senator WILLIAMS (New South Wales) (16:21): I move:
That the following additional matters be referred to the Economics References Committee as part of its inquiry into the implications of financial advice reforms:
(a) the need for further reform and improved oversight of the life insurance industry;
(b) whether entities are engaging in unethical practices to avoid meeting claims;
(c) whether a life insurance industry code of conduct is required;
(d) the role of the Australian Securities and Investments Commission in reform and oversight of the industry; and
(e) any related matters.

Question agreed to.

BILLS

Regulatory Powers (Standardisation Reform) Bill 2016

First Reading

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (16:22): I move:

Question agreed to.

Senator RYAN: 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 RYAN (Victoria—Minister for Vocational Education and Skills) (16:22): I table the explanatory memorandum relating to the bill and move:
That this bill be now read a second time.

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

Leave granted.
The speech read as follows—


The Regulatory Powers Act provides for a standard suite of provisions in relation to monitoring and investigation powers, as well as provisions regulating the use of civil penalties, infringement notices, enforceable undertakings and injunctions.

That Act commenced on 1 October 2014, but only has effect where Commonwealth Acts are drafted or amended to trigger the standard provisions in that Act.

By standardising regulatory powers across the Commonwealth, the Act is intended to:

- significantly reduce the length of legislation governing each regulatory regime
- provide greater clarity and consistency for agencies that need to exercise powers with respect to multiple regulatory regimes
- make it easier for businesses that are subject to multiple regimes to understand and comply with the law, and
- facilitate the development of a common body of law.

The Regulatory Powers Act also ensures that Commonwealth regulatory powers are sufficiently certain and predictable, while being flexible, to ensure that agencies with specialised functions can operate effectively.

This Bill will amend 15 Commonwealth Acts to repeal existing provisions providing for regulatory regimes and instead apply the standard provisions of the Regulatory Powers Act.

Those Acts fall within the portfolios of the Attorney General’s Department and the Departments of Agriculture and Water Resources; Defence; Employment; Health; Industry, Innovation and Science; and Social Sciences.

In most instances, the Bill will not alter existing arrangements because application of the Regulatory Powers Act will result in either the substitution of an equivalent provision or a provision that is the same in effect with modernised terminology or minor technical changes reflecting current drafting standards.

Where necessary, the amendments will modify the operation of the Regulatory Powers Act to retain existing regulatory powers that do not have equivalent provisions in the Regulatory Powers Act.

In a small number of instances, the Bill will alter existing arrangements because application of the Regulatory Powers Act will result in the acquisition of new provisions or additional powers or functions. This only occurs where such provisions are necessary for the effective performance of duties or functions and the effective exercise of powers under the Regulatory Powers Act.

Alignment with the Regulatory Powers Act also provides an opportunity to consider whether existing regulatory powers or functions are still relevant and appropriate.

Accordingly, in some cases the Bill will either repeal or narrow existing regulatory provisions that do not have equivalent provisions in the Regulatory Powers Act on the basis that those existing provisions are no longer required or required in their current form.

The standard provisions of the Regulatory Powers Act represent best practice in relation to regulatory powers of general application. That Act also includes operational safeguards, and maintains Parliamentary scrutiny over application of that Act to specific regulatory regimes.

The Bill will also make minor amendments to the Regulatory Powers Act to clarify the operation of certain provisions and remove unreasonable administrative burdens on agencies exercising regulatory powers under the Regulatory Powers Act.
Those amendments relate to:

- the ability to secure evidence of a contravention when exercising monitoring powers
- the age of photographs for identity cards
- the time period for the making of a civil penalty order, and
- the cap on the amount to be stated in an infringement notice.

Implementing the Regulatory Powers Act supports the Government’s regulatory reform agenda, as that Act intends to simplify and streamline Commonwealth regulatory powers across the statute book.

Over the last 20 years there has been an enormous proliferation of regulatory powers and associated provisions, across the Commonwealth statute book. Those powers and provisions vary in their breadth and detail, resulting in inconsistency or unnecessary duplication across regimes.

Standardisation provides regulatory agencies with the opportunity to use more uniform powers, and increase legal certainty for businesses and individuals who are subject to those powers.

Ordered that further consideration of the second reading of this bill be adjourned to 10 May 2016, in accordance with standing order 111.

**Migration Amendment (Free the Children) Bill 2016**

**First Reading**

Senator HANSON-YOUNG (South Australia) (16:22): I move:

That the following bill be introduced: A Bill for an Act to amend the Migration Act 1958, and for related purposes.

Question agreed to.

Senator HANSON-YOUNG: 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 HANSON-YOUNG (South Australia) (16:24): I table the explanatory memorandum relating to the bill and 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—

**MIGRATION AMENDMENT (FREE THE CHILDREN) BILL 2016**

The Migration Amendment (Free the Children) Bill 2016 seeks to amend the Migration Act 1958, to implement legal safeguards to protect children and young people from the harms of immigration detention. With the government’s own medical experts, including the Chief Medical Officer of the Department of Immigration and Border Protection, recognising that detention is deleterious to the mental and physical health of children, the need for this legislation is abundantly clear.

There are children in detention on the mainland in Australia and others have been left to languish in the detention centre on Nauru. They should be released from detention while they have their claims for protection assessed and then integrated into the Australian community so that they can get on with rebuilding their lives in safety.
Through legislative changes, the Coalition Government has already restricted people's access to protection in Australia, reintroduced Temporary Protection Visas and has removed essential procedural safeguards designed to make sure that refugees aren't sent back to face danger in their home countries. The Minister is also attempting to restrict the ways in which people seeking asylum can access Complimentary Protection. Considering all of these legislative changes, it is a small ask to see this legislation that would release children from immigration detention enacted.

Numerous reports over the years have identified the mental health effects of detaining minors in immigration detention. In 2014, the Human Rights Commission released a report entitled 'The Forgotten Children: National Inquiry into Children in Immigration Detention' which stated "The overarching finding of the Inquiry is that the prolonged, mandatory detention of asylum seeker children causes them significant mental and physical illness and developmental delays, in breach of Australia's international obligations."

The report also found that;

- Children in immigration detention have significantly higher rates of mental health disorders than children in the Australian community.
- Former Labor and Liberal Ministers for Immigration agreed that holding children for prolonged periods in remote detention centres, does not deter people smugglers or asylum seekers. There appears to be no rational explanation for the prolonged detention of children.
- The numerous reported incidents of assaults, sexual assaults and self-harm involving children indicate the danger of the detention environment.
- At least 12 children born in immigration detention are stateless, and may be denied their right to nationality and protection.
- Dozens of children with physical and mental disabilities are detained for prolonged periods.
- Some children of parents assessed as security risks have been detained for over two years without hope of release.
- Children detained indefinitely on Nauru are suffering from extreme levels of physical, emotional, psychological and developmental distress.

The Greens have long advocated for a more humane approach to the world's most vulnerable, particularly children and families, and that is why I have introduced this Bill.

The Bill seeks to expand the residence determination process, to ensure that the Immigration Minister must, within 30 days, determine that a minor is to reside at a specified place within the community rather than being held in detention.

The Liberal Government has disingenuously stated that it considers releasing children from detention to be a priority. How can this be the case when the government is currently engaged in sending children to face indefinite detention and a life in limbo on the Prison Island of Nauru?

Importantly, the Bill expands the scope of protection afforded to minors held in regional processing centres, by ensuring that the Minister cannot affect the transfer of minors to any other country that intends to detain them, and by requiring the immediate return to Australia of any minor currently held in immigration detention offshore.

The removal of any children and unaccompanied minors from immigration detention to date is a testament to the long public campaign by key non-government organisations and concerned members of the community. This advocacy was key in bringing about change in 2005 under the Howard Government, and will play a key role in bringing about change in the future.

As a signatory to the 1951 Refugee Convention and its 1976 Protocol, Australia has an obligation to ensure that "No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest,
detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time."

If we agree that children should not be subjected to immigration detention, we must have that enshrined within legislation - there should be no argument.

I commend this Bill to the Senate.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MOTIONS

International Women's Day

Senator MOORE (Queensland) (16:24): I, and also on behalf of Senators Gallagher and Waters, move:

That the Senate—
(a) notes that International Women's Day will be observed on 8 March 2016;
(b) recognises that the day has its origins in the labour movement, and that 8 March was the date of the New York garment workers' strike of 1908, in which women called for an end to sweatshops and child labour;
(c) acknowledges that International Women's Day is a day to seek the need for further progress in advancing the political and economic welfare of women at home and across the world;
(d) recognises that:
   (i) violence against women and their children is preventable, and that gender inequality is the core of the problem and the heart of the solution,
   (ii) gender parity is linked to economic prosperity, and
   (iii) increasing the numbers of women filling positions of leadership in Australian workplaces is a key part of addressing equal pay; and
(e) in marking International Women's Day, recommits to promoting gender equality, and to advancing the political and economic welfare of women, domestically and internationally.

Question agreed to.

DOCUMENTS

Australian Electoral Commission

Order for the Production of Documents

Senator McEWEN (South Australia—Opposition Whip in the Senate) (16:25): At the request of Senator Collins, I move:

That that there be laid on the table by the Minister for Finance and the Special Minister of State, no later than 9.30 am on Thursday, 3 March 2016:
(a) documents recording all communications with the Australian Electoral Commission (AEC) by:
   (i) the Minister for Finance,
   (ii) the Acting Special Minister of State,
   (iii) the Special Minister of State, and
   (iv) the Department of Finance;
relating to proposed changes to the Senate voting system, including the Commonwealth Electoral Amendment Bill 2016, since 1 September 2015; and
(b) the minutes of all 'round table' meetings that have taken place in which the AEC participated.

Question agreed to.

BILLS

Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2016

First Reading

Senator RHIANNON (New South Wales) (16:25): I move:

That the following bill be introduced: A Bill for an Act to amend the Commonwealth Electoral Act 1918 and for related purposes.

Question agreed to.

Senator RHIANNON: 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 RHIANNON (New South Wales) (16:26): I table the explanatory memorandum relating to the bill and move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

The Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2016 would make a significant step towards restoring public confidence in our democratic institutions.

There is deep cynicism among the public about politicians and much of it stems from the hefty donations that candidates and political parties receive. Expanding the transparency that covers the receipt of such money is therefore of crucial importance. At the very least, the public should know who is funding political parties and candidates and this information should be provided in close to real time.

Knowledge of the relationship between donors and political parties needs to improve.

While bringing details about political donations into the public spotlight will not in itself stop corruption, it is a significant part of any regulatory regime.

Federal laws on disclosure are long overdue for an overhaul.

The essence of this Bill is that it would shine a light on who hands over political donations and who takes the money.

The threshold for donations that have to be disclosed will be lowered to $1,000. The Howard government in 2006 lifted the threshold from $1,500 to $10,000. Through indexation it is now at about $12,800.

The change to the disclosure threshold was part of the Howard government's agenda to weaken electoral funding rules. In what one could see as an act of desperation to attract more donations prior to the 2007 election that was not looking good for the Coalition, the Howard government used its control of the Senate to lift the threshold.
It was widely understood that raising the threshold was a way the Liberal-National parties hoped they could attract more donations as people could effectively give donations without disclosing that they had done so.

The argument used to justify the secrecy about donation sources is that donors have a right to privacy. This justification sidesteps the public's collective right to know who donates to political parties and candidates.

When the Howard government moved to make this change in 2006 Senator Abetz argued that amounts of $10,000 were not enough to improperly influence political parties.

Responding to this argument, Joo-Cheong Tham from the Democratic Audit of Australia said – "...the observation that a $10,000 sum does not carry risk of undue influence or corruption is implausible".

This Bill would also require for political donations made in different states and territories to be accumulative. That is, it prevents 'donation splitting' by ensuring that for the purposes of the disclosure threshold, related parties are treated as one entity. Currently a donor could donate $10,000 in every state and territory. That means a donor can donate nearly $100,000 by donation splitting while avoiding disclosing their generosity as they have split their donation across a number of jurisdictions to remain under the disclosure threshold.

The Bill bans all anonymous gifts except where the gift is $50 or less and received at a 'general public activity' or a 'private event'. Again, this provides greater transparency and accountability. If donors want to give a significant gift, the public has a right to scrutinise that gift and the donor should accept that accountability.

The Bill also shortens the timeframe for disclosure for all political donations above $1,000. Such donations would have to be publicly disclosed within eight weeks of a polling day. The present disclosure regime could not be called transparent. In the 2013 election held in September, donations made between July 1 and election day were not publicly revealed until 1 February 2015.

This is ludicrous. To have to wait nearly 18 months to find out who donated and who received millions of dollars in donations is one of the factors that makes so many people deeply cynical about our democratic institutions and politicians.

Requiring donations over $1,000 to be made public within eight weeks is significant. It will enhance transparency and I believe create a more ethical approach to private political funding.

This Bill will also make foreign donations unlawful. This would rightly restrict the influence that foreign entities and people can have on elections and policy.

The Bill also provides for recovery of gifts of foreign property, anonymous gifts and undisclosed gifts that are not returned. If recipients do not return these sorts of gifts, the public should rightly expect that they are recovered.

The Bill would allow the AEC to request advertisers take down misleading statements and advertisements. If advertisers refuse to withdraw misleading statements, as deemed by the AEC, courts are able to take this response into account as evidence in court proceedings. This is beneficial to voters as it encourages transparency and truthfulness in electoral campaigns, ensuring that politicians remain accountable to their promises, campaigns are penalised if they attempt to mislead voters and ensuring voters are well informed for elections. Surely a properly informed electorate is a cornerstone of a well-functioning democracy.

Finally, the Bill introduces new offences and penalties, and increases the penalties for existing offences. The new offences and penalties are required to provide an incentive for compliance. Increases in penalties for existing offences are sorely needed. It is clear that the existing penalties are not sufficient to dissuade donors and recipients from being careless or deliberately breaking the law.
Labor, as well as the Coalition, has used their time in government to weaken disclosure laws. In 1995 the Keating Government removed the requirement that receipts be provided for funding. This eased the administrative burden on political parties, but meant less information on political donations was made available to the public.

I am proud of this Bill. If passed it would make a significant contribution to people's understanding of political funding. I acknowledge it does not deal with the all-important issue of putting limits and bans on political donations and election expenditure.

The Greens have campaigned hard for limits on election spending and bans on corporate donations. The Liberal, National and Labor parties have voted together to block such changes.

In our representative system of democracy while the top order accountability measure is on election day – that is, when people cast their vote – the actual operation of the whole electoral process needs to be opened up to greater transparency and accountability.

The Greens Bill helps to drive these important reforms. They are long overdue.

The agreement reached between Labor, the Greens and the Independents before the last Labor government was formed included a clause to progress important issues to do with enhancing electoral funding transparency.

It was disappointing that Labor did not move on electoral funding reform when the Gillard-Rudd government were in office.

I congratulate former Senator John Faulkner for his work in this area.

It is now time to act. Voters have a right to be thoroughly informed on all aspects of how the party and the candidate they vote for raise money to undertake their work. As legislators surely we should back reform that requires transparency of political donations.

Last year the High Court heard a most important case about political donations. The judgement of the Court has significantly reset the debate on how donations impact on political life of this country.

Their conclusion was clear - elected representatives should be beholden only to the public, not to donors. To achieve this we need to clean up the rules governing political donations. This Bill is an important step to changing the rules and culture of how democracy operates.

I seek leave to continue my remarks later.
Leave granted; debate adjourned.

MOTIONS

Environment: Protection of Shark Species

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:27): I move:

That the Senate—
(a) recognises that:
(i) sharks play an important role as apex predators in marine ecosystems, and
(ii) world shark populations are falling by between 63 to 273 million per year due to fisheries overexploitation;
(b) notes that the Australian Government has entered reservations against five shark species (big-eyed, pelagic and common thresher sharks, and scalloped and great hammerheads) under the Convention on the Conservation of Migratory Species of Wild Animals, removing those shark species from the full protection otherwise provided by the Environment Protection and Biodiversity Conservation Act 1999 (the Act); and
(c) calls on the Australian Government to remove reservations for those five shark species, and to provide them full protection under the Act, by continuing to list Appendices I and II species on the Convention on Migratory Species as 'migratory species' under the Act.


The PRESIDENT: Leave is granted for one minute.

Senator RYAN: Australia strongly supports the MOU on the conservation of migratory sharks under the Convention on the Conservation of Migratory Species and was the 14th country to sign. Australia has some of the best protections in the world for sharks for sustainable fisheries under the Environment Protection and Biodiversity Conservation Act. Our domestic protections go well beyond what is required under the convention. We have also committed $23.9 million to establish the Marine Biodiversity Hub under the National Environmental Science Program. A significant focus of this hub is research into shark species. In 2015, Australia entered a reservation to the convention for the listing of five shark species because, without it, recreational fishers would have been liable for large fines even if they accidentally caught one of the sharks. The reservation has no effect on the protection of these shark species in Australia.

The PRESIDENT: The question is that notice of motion No. 1063, moved by Senator Siewert, be agreed to.

The Senate divided. [16:32]

(The President—Senator Parry)

Ayes .....................28
Noes .....................29
Majority...............1

AYES
Brown, CL
Cameron, DN
Collins, JMA
Di Natale, R
Hanson-Young, SC
Lines, S
Ludwig, JW
McAllister, J
McKim, NJ
O’Neill, DM
Rhiannon, L
Siewert, R
Singh, LM
Waters, LJ

Bullock, JW
Carr, KJ
Dastyari, S
Gallagher, KR
Ketter, CR
Ludlam, S
Marshall, GM
McEwen, A (teller)
McLucas, J
Peris, N
Rice, J
Simms, RA
Urquhart, AE
Whish-Wilson, PS

NOES
Abetz, E
Bernardi, C
Bushby, DC (teller)
Cash, MC
Day, RJ

Back, CJ
Birmingham, SJ
Canavan, MJ
Colbeck, R
Edwards, S
Senator Conroy did not vote, to compensate for the vacancy caused by the resignation of Senator Ronaldson.

Question negatived.

Howard Government

Senator McEWEN (South Australia—Opposition Whip in the Senate) (16:34): At the request of Senator Wong, I move:

That the Senate—

(a) notes that 2 March 2016 marks the 20th anniversary of the election of the Howard Government in 1996;

(b) recalls the record of the Howard Government, including:

(i) dogs on the waterfront,

(ii) the false claim that children of asylum seekers had been thrown overboard,

(iii) committing Australia to the war in Iraq on a false premise,

(iv) refusing to sign the Kyoto protocol,

(v) regional rorts,

(vi) wheat for weapons,

(vii) the absence of economic reform,

(viii) failing to support the transition of Australia to a republic,

(ix) refusing to say sorry to Indigenous Australians for past wrongs,

(x) its 10 point plan to amend native title legislation following the Wik decision,

(xi) spending over $1 billion on government advertising,

(xii) WorkChoices, and

(xiii) the erosion of decent standards in our public affairs; and
(c) calls on all Australians not to forget the legacy of the Howard Government and its contribution to public policy in this country.

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (16:35): Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator RYAN: The government opposes the motion—even if I do appreciate the comedic nature of it. Twenty years ago today, John Howard was elected Prime Minister, and his government began the job of building a stronger, more prosperous Australia.

The Howard government led Australia through one of the most successful periods in our history, helping to take Australia to the forefront of the world's leading economies. Its economic policies rebuilt Australian prosperity after yet another period of Labor mismanagement, which had resulted in the worst recession—which, apparently, 'we had to have'—and the highest unemployment in 60 years. Labor's $96 billion government debt was eliminated, and over two million jobs were created.

The economic prosperity achieved by the Howard government meant that people had more money to invest in savings for their future. Australia's strong position allowed the government to invest in new roads and rail, as well as in environmental projects across the country. We pay tribute to John Howard and the enormous contribution of his government to our nation.

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

The Senate divided. [16:37]

(The President—Senator Parry)

Ayes .................... 29
Noes .................... 30
Majority.............. 1

AYES

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

Bullock, JW
Carr, KJ
Dastyari, S
Gallagher, KR
Ketter, CR
Ludlam, S
Marshall, GM
McEwen, A (teller)
McLucas, J
O'Neil, DM
Rhiannon, L
Siewert, R
Singh, LM
Waters, LJ

NOES

Abetz, E
Bernardi, C

Back, CJ
Birmingham, SJ
Senator Conroy did not vote, to compensate for the vacancy caused by the resignation of Senator Ronaldson

Question negatived.

Israel

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (16:39): I ask that general business notice of motion No. 1061, standing in my name and in the name of Senator Rhiannon for today concerning Israel and the visit of the Chief of General Staff of the Israel Defense Forces, be taken as a formal motion.

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

Senator Ryan: Yes.

The PRESIDENT: There is an objection.

Senator LUDLAM: I seek leave to make a brief statement.

The PRESIDENT: Leave is granted for one minute.

Senator LUDLAM: I thank Senator Ryan for giving notice that he was going to do that. This, I guess, comes as a long line of—

Senator Seselja: Anti-Semitic, anti-Israel rubbish.

Government senators interjecting—

Senator LUDLAM: instances in which the government refuses formality. These people have sparked up without even knowing what I am going to say. It is amazing. They are denying formality on a fairly simple statement that the retired commander-in-chief of the Israeli army, Lieutenant Colonel Benny Gantz, is in Australia this week. This is the individual
who was in charge of the Israel Defense Forces at the time of Operation Protective Edge in 2014 and Operation Cast Lead in 2008-09.

The UN Conference on Trade and Development late last year identified that Gaza would be uninhabitable by 2020 as a result of the serial assaults by the Israel Defense Forces on the people of Gaza City. The very least that the Australian government could do would be to make some comments, or allow a vote in this chamber, on the visit of this individual to Australia, should they have seen fit to issue him with a visa. It is very disappointing that the Australian government would not— (Time expired)


The President: Leave is granted for one minute.

Senator Ryan: Serious and complex foreign policy matters should not be dealt with through a Senate motion. The ongoing conflict between Israel and the Palestinians is of deep concern to the Australian government. We called on all parties to respect international humanitarian law during the 2014 Gaza conflict. Australia supports the full and thorough investigation of any alleged violations of international humanitarian law. The 2014 Gaza conflict and more recent violence underline the importance of a return to negotiations toward a two-state solution. The government is committed to a future where the Israeli and Palestinian peoples live in peace and security within internationally recognised borders.

I will leave my comments there lest I say too much.

The President: That concludes the discovery of formal business.

Matters of Urgency

Donations to Political Parties

The President (16:41): I inform the Senate that at 8.30 am today two senators each submitted letters in accordance with standing order 75. Senator Moore proposed a matter of urgency and Senator Day proposed a matter of public importance for discussion. The question of which proposal would be submitted to the Senate was determined by lot. As a result, I inform the Senate that the following letter has been received from Senator Moore:

Pursuant to standing order 75, I give notice that today I propose to move "That, in the opinion of the Senate, the following is a matter of urgency:"

"The need to reform Australia's political donation system by lowering the disclosure threshold, banning foreign donations, restricting anonymous donations and preventing donation splitting to avoid disclosure."

Is the matter of urgency supported?

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

The President: Yes, it is. I understand that informal arrangements have been made in relation to speaking times in today's debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

Senator Cameron (New South Wales) (16:43): I move:

That, in the opinion of the Senate, the following is a matter of urgency:
The need to reform Australia's political donation system by lowering the disclosure threshold, banning foreign donations, restricting anonymous donations and preventing donation splitting to avoid disclosure.

I stand in support of the motion on the need to reform Australia's political donation system by lowering the disclosure threshold, banning foreign donations, restricting anonymous donations and preventing donation splitting to avoid disclosure.

We have heard much in this place this week about democracy. We have heard much about how changing the voting system in the Senate would be good for democracy. But there was one issue that should have been dealt with in any proposal to change any voting system, and that was the system of political donations. I have outlined here on many occasions what happened in New South Wales, my home state. In Newcastle, a multimillionaire developer pulled up in a Bentley, dragged a Liberal Party member into the front of the Bentley and handed over a brown paper bag with $10,000 in $100 notes. That is the type of rorting that we have in our electoral system because of the lack of transparency and proper disclosure.

This week I have also gone through some of the trust funds that have been established under the name of the Liberal Party associated entities. An associated entity—

_Generator O'Sullivan interjecting_—

**Senator CAMERON:** Here we have Senator O’Sullivan, who was up to his neck in an associated entity up in Brisbane. Maybe, if he wants to give full disclosure about all his activities in that associated entity one day in the Senate, democracy might be improved. In terms of whether we should change the voting system, the reality of the situation is that fundamentally we should change the system that allows the rorts by the coalition to go on.

The argument that we should just change the voting system and give the balance of power to the Greens—the Greens will have a huge capacity for balance of power under this, and we know what that can lead to. We know that it is going to be a real problem. People think the Greens stand for working people, but Greens Senator Peter Whish-Wilson believes that his party could double its vote by courting small business. He also backed a bigger national discussion about weekend penalty rates and suggested that they are outdated. We know what the Liberals want to do. We know that the Liberals wanted to introduce a GST. They wanted to introduce a GST so that ordinary working families, every time they went to the supermarket, would be paying extra through a GST to reduce corporate tax so that they could get bigger executive salaries for the top one per cent in this country. That is exactly what the Liberals were all about. Why were the Liberals running that? Check the money trail. The money trail shows that people who are out arguing this, from the Business Council of Australia, are the people who donate hundreds of thousands of dollars to the coalition for their electoral funding.

When you look at policies the Liberals take up, always look at where the money is coming from. If it is in relation to negative gearing, it is the white shoe brigade who are in there pushing the price of housing up to the extent that you are paying $905,000 for a tarted up fibro Housing Commission house in the western suburbs of Sydney, just outside Parramatta. What young person can afford that? What young person can bid or outbid the property developer who is in there pushing these prices up? I have heard a lot of talk about how Labor’s policy would distort the market. The market is distorted so badly that the fundamental
of housing—to give people shelter—is diminished because of the negative gearing policies that the coalition are protecting.

Let me get back to the Greens. When they sat down and did the dirty deal with the coalition to change the voting system in this country, they had an opportunity to deal with this issue of electoral funding. You have to wonder what the Greens stand for. What do they stand for, when you have Senator Peter Whish-Wilson out there saying that we need a bigger discussion about weekends versus weekdays? Talking about penalty rates, he says:

I think it's just a white Anglo-Saxon cultural thing that we've inherited. Society is different now. A lot of people are happy to work weekends and not work during the week.

I suppose, given that Senator Peter Whish-Wilson is a former senior vice-president of the Deutsche Bank, I can understand how this sort of thing comes in. This is all about transferring money from working people into the pockets of business and allowing business to make more profit with the theoretical argument that it will create more jobs. When I was a blue-collar worker, working on the tools in the Hunter Valley and in Sydney, I needed penalty rates. My family needed the penalty rates. I had to work on a Saturday and Sunday if I could to pay the bills and put food on the table and make sure I could send my kids on a school excursion. The penalty rates did that. That is why I will never, ever support any proposition that comes from people who are misguided and do not understand the importance of penalty rates.

We heard an intervention earlier from Senator O'Sullivan. I say to Senator O'Sullivan that the people who depend on penalty rates more than any other are people in rural and regional Australia, because their base rates are so low that they need that penalty rate to give them a living that allows them to put food on the table. The National Party, when they are in there being the lap-dogs of the Liberal Party, should think about what these issues do for their constituencies in rural and regional Australia. I never hear the National Party actually standing up for rural and regional Australia in this place. They never ask a question about rural and regional jobs; they never make speeches about rural and regional jobs; yet they skulk back to their electorates and try to pretend that they are looking after working people in their electorates. It is an absolute shocking rort that is going on there.

Look at the donations. Just look at some of the headlines over recent years. 'Illegal donations from developers fund New South Wales Libs win.' The key Liberal fundraising body took mafia money for access—mafia money for the Libs. Another heading was 'Donation disclosure reveals murky deal for Country Liberals'. And on and on it goes. Then you look at these schemes that they have got set up. The people who want to cut penalty rates and put a GST increase in place are the people who fund the coalition, and you cannot get any access to who is funding them because of the rorts that are going on.

Every Liberal who stands up here in this debate should say, 'I will be honest and I will be open, and I will open all the donations over $1,000 I have received to public scrutiny.' Will they do that? No, they will not. That is the challenge for every Liberal who stands up here and for every National Party member who stands up. My challenge is: you be open with the Australian public. Tell them where the money is coming from. We know what the cuts in penalty rates and the GST increase are all about. Follow the money with this mob, and that is where their policies come from. (Time expired)

Senator O’SULLIVAN (Queensland—Nationals Whip in the Senate) (16:53): I will take up the invitation to follow the money. As I have said often in this place—
Senator Cameron: Make the pledge!

Senator O'SULLIVAN: Doug, kick your shoes off, sit back and have a listen.

The ACTING DEPUTY PRESIDENT (Senator Back): Order!

Senator O'SULLIVAN: Who is Zi Chun Wang? He donated $850,000 to Labor. Do not go, Senator Cameron. I will pause to give you time to get back to your office and turn your television on. You need to listen to this. There was $12,000,057 from the organised crime outfit of the CFMEU. There was $4.5 million from the ASU and $9 million from the AWU. You want to talk about connecting money and influence; we are happy to have the conversation with you. Some of these are criminal entities. There are 81 CFMEU representatives currently before the courts for standover tactics, blackmail and extracting money from industry, affecting the productivity and jobs of this nation. And what do they do? They take it with this hand, transfer it to this hand and slide it over to the Labor Party. Let's keep going. I do not even know who the SDA are. Can someone help me out? It is an acronym for some union. They donated $15 million. The TWU donated $7.2 million. The CEPU donated $4,400,053. The HSU donated $1.4 million. The NUW donated $5.9 million. It goes on and on. United Voice donated $10.5 million.

But forget about the trade union movement because we already know the dirty connections between the Australian Labor Party and the trade union movement. Doug, I will yield some of my time to you so you can stand up and tell me who Zi Chun Wang is. He donated $850,000. What about the Australian Kingold Investment Development Company? They donated $600,000. And you are on your pegs here talking about tax reforms that have to do with developments. We have Australian Chinese Business Elite Awards Pty Ltd. Doesn't that sound like a great, upstanding commercial corporate citizen? If that is not a $1 company, I am not here, but it donated $260,000. You might, at your next opportunity, tell us what Wei Wah International Trading Pty Ltd trade in. I think they might trade in favours with the Australian Labor Party. They donated $200,000. It goes on and on. I can hardly find a name that is not Chinese here. Mr Zhaokai Su—I am sorry to him if I have not pronounced that right—donated $70,000. The Yuhu Group—I would like to run into the Yuhu Group—donated $60,000. Hong Kong Kingson Investment donated $50,000. Truly, this sounds like the evolution of the first democratic party of the republic of China, and you want to talk about influence. I would like you to get up and deny some other time that these entities are not connected—that they are not brothers, sisters or subsidiaries—because the information that is published is not enough. You are right about one thing, Senator Cameron: we need transparency. That is what we need. We need serious transparency in this space.

We have situations with our friends in the Greens. The Wotif founder, Graeme Wood, donated $1.6 million in a one-off donation to a political party. You cannot avoid influence when that occurs. You will not find these numbers with the Liberal Party or the National Party—and I know a thing or two about this.

Senator Lines interjecting—

Senator O'SULLIVAN: They have brought you down here to try to drown me out. I tell you what, I will lift it up a decibel or two.

What we have here is the fact that the Australian Labor Party is owned, lock stock and barrel, by a collection of trade unions, some of them almost organised criminal entities. There
are ways you can deal with that, Senator Cameron. If they are not organised criminal outfits, support us as we bring the legislation into this place for the ABCC and also for the registration of these entities. Of course you will not. In the whole time I have been here, every day I call out to you, Doug—or Senator Cameron, through you, Mr Acting Deputy President—to condemn them. Not once have you condemned them. When the evidence is hard and cold and fresh from our ministers, what happens is that you sit there silently with your head on your chest.

Senator Cameron: Mr Acting Deputy President, I raise a point of order. That is an aspersion on me as a senator. I have consistently indicated my opposition to violence, bullying, intimidation and corruption. It is on the record and the senator should withdraw.

The ACTING DEPUTY PRESIDENT: You have made your point. Would you resume your seat, Senator O'Sullivan—

Senator O'SULLIVAN: Thank you, Mr Acting Deputy President. What we have is a very criminalised activity—

The ACTING DEPUTY PRESIDENT: Senator Cameron, I am dealing with the point of order. Senator O'Sullivan, Senator Cameron is of the view that you cast an aspersion on him. I ask you to reflect on it, withdraw it and continue.

Senator O'SULLIVAN: Can I submit on this, Mr Acting Deputy President? I had not completed my sentence. I began a statement about what I see as corruption and organised criminal activity in the trade union movement. If he lets me finish, Senator Cameron's name will not even come into mention.

The ACTING DEPUTY PRESIDENT: Thank you, Senator O'Sullivan. I ask you, however, to withdraw the aspersion on Senator Cameron in calling out to him across the chamber. I ask you to withdraw that and continue.

Senator O'SULLIVAN: I withdraw. The organised criminal activities of the CFMEU are well published—they are no longer allegations—and here they are on the list of donors to the Australian Labor Party. What might be useful Senator Cameron and others in the party to do the next time they get up—I have not heard these condemnations, might I say, but I accept what the senator has said—is look squarely down the barrel of the camera and tell the CFMEU and everyone in Australia that you are not going to take one more red cent, not a razoo, off the CFMEU to fund the ability of you people to return to your seats.

It is breathtaking that you would pick the subject of corruption and influence from donors. It is unbelievable, Doug—sorry, Senator Cameron. I have only 10 minutes to run through the list. Ten minutes is clearly not enough. We are talking about amounts of money that are breathtaking. Since 1995 it is $100 million. Actually, I am being unkind. I should be accurate in here: it is $98,951,511.11.

You pick a spot anywhere you like. Run a ballot amongst yourselves. I am happy to do the against case; you do the for case. Let us get a couple of old soapboxes in the middle of Sydney or Melbourne or you can come out to my patch at Charleville and let us see whether people believe that $100 million buys you influence or not. It does not just buy you influence; you have the full ownership. You get a lifetime warranty with a hundred million bucks. I promise you cannot find any other cohort who would blow whistle up the kilt of our collective
parties in the coalition with those sorts of donations. It goes on and on. I say to you, Senator Cameron, it would be a hell of a lot more if many of the officials—

**The ACTING DEPUTY PRESIDENT (Senator Williams):** Order! Senator O'Sullivan, direct your comments through the chair, please.

**Senator O'SULLIVAN:** I will. Thank you, Chair. A wonderful chair you are. I am telling you now, it would be a lot more if most of these union people did not clip the ticket on the way through. They have big bills to meet, themselves—house payments, buying houses, going to bordellos, rich wine—it goes on and on. Many of these people are unsavoury individuals.

Long before you want to start trotting out questions about transparency and putting caps on donations, the first thing you need to do, on behalf of my coalition—I have been given no right to do this but I am going to do it anyway—I say to the people of Australia: we will never take one dinar off organised crime, not one. One of you, whoever is making the next contribution, needs to stand up and repeat that. I know you cannot. I know you will not. The $100 million from the trade union movement, I have to be honest, I am only human: if they rolled out $100 million to my mob I probably would have been absent from the chamber today. I probably would not have come in. I probably would have had to think long and hard about it. But it is not my mob that is taking the money.

I agree with you all, particularly Senator Cameron when he says we need to have a long, hard look about the patronage that comes with the big donations. You and I could make a two-man committee, Senator Cameron, and we would come back to this place with recommendations. When we do there will not be one single trade union left in the legislation if they take into account my contribution to the report.

This is atrocious. It is embarrassing. You shouldn't just condemn them. Anyone can get up here and say, 'I've told them not to be bullies. I've told them not to threaten people. I've told them not to rip off their members. I've told them not to misappropriate the funds.' Anyone can do that. It takes courage, a courage your mob does not have, to stare down the barrel and tell them you are not going to take one more lick of those trade unions that are organised criminals. It is easy to do. You will fit it into a sentence with six or seven words in it. If you are having a struggle with the narrative pop around to my office and I will help you draft it.

**Senator RHIANNON** (New South Wales) (17:04): This urgency debate is about political donation reform. Listening to the previous two speakers, one would think there was a united front of similar concern that political donations do have a corrupting influence in a democracy. Therefore, it is very useful to look at the track record of these parties. With the Liberals and Nationals we can do that very quickly, because they do not have a track record. They have not addressed bringing in reforms about political donations. When you look at Labor's track record—I notice Senator Cameron is leaving the chamber, which is disappointing, because I think it would be useful for him to remember—

**Senator Jacinta Collins:** Don't be so cheap!

**The ACTING DEPUTY PRESIDENT (Senator Williams):** Order! Senator Collins!

**Senator RHIANNON:** the history of his own party, because this is where—

**Senator Jacinta Collins:** Done any ghost writing?
The ACTING DEPUTY PRESIDENT: Order! Senator Rhiannon, resume your seat. Senator Collins, I bring your attention to standing order 197. I have asked you to come to order. I ask you to respect that request, please.

Senator RHIANNON: This is the time to look at the track record of Labor. There is an urgent need to reform political donations in this country. The Labor-Greens agreement in 2010 covered this issue. I will go through it, because it is very informative. Overall, it called for immediate reform of political donations; lowering the donations disclosure to $1,000, at the time it was up to $12,400; banning anonymous donations above $50; and creating a truth-in-advertising offence under the Commonwealth Electoral Act.

I give those details because they are very informative about what Labor then did with those items I have listed, coming into the 2013 election. First off, let us remember that that was the Labor Greens agreement. They were very specific points. There was a period after the 2010 election, when the new senators came in in 2011, when Labor and the Greens had the numbers. We could have passed those most important reforms right then. We could have moved those most important reforms, but Labor would not move on them. What did they do? Coming into the 2013 election, who did Labor work with on political donation reform—so-called reform, you can barely use that word? They worked with the coalition, and all of a sudden we had a very major change in what appeared to be a decent policy. The threshold on donation disclosure was no longer set at $1,000. Labor, working with the Liberals and the Nationals, wanted to raise it to $5,000. That was a huge change. Yes, it was lower than $12,400, but it allowed for a higher number of donations that would not be available to be scrutinised and would not be disclosed.

To their credit, former Labor MP Daryl Melham and former Labor Senator John Faulkner spoke strongly against this. Let us remember former Senator Faulkner's words; they were actually very moving; I remember them at the time. He said he was 'no longer angry and disappointed, but ashamed'. He said he was ashamed at his party's position. He was not successful. What was proposed with this new deal, the Labor-Liberal-National deal, was to raise the threshold from $1,000, which had been a longstanding agreement between Labor and the Greens. Labor worked with the Liberals and the Nationals to raise the threshold in a way that would allow those donations to continue to be hidden.

Again, if you look into Labor's statement on wanting reform, it goes back even further. I imagined Senator Faulkner, with all the heavy lifting he did in this area, would have believed that he could have got reform much earlier. Let us remember that the former Labor government was elected in 2007. It was 2008 when Senator Faulkner actually said he believed the reforms would be in the first term of the Rudd government. That was not achieved. We still need these reforms. We have bills before this parliament. I say to Leader of the Opposition, Mr Shorten, and to Labor senators who are here to today that we are ready to work with you on political donation reform. We need to stop the corrupting influence of political donations. Do not try to be smarties who use this to try and score some points, because you are behind the whole trend in politics to move away from the backroom deals. (Time expired)

Senator LINES (Western Australia) (17:09): Following on from Senator O'Sullivan, let me make it very clear that there is only one political party official in trouble with the law, and
that is Damien Mantach, the former director of the Victorian and Tasmanian divisions of the Liberal Party.

Senator Bernardi: Mr Acting Deputy President, on a point of order: props are not appropriate in the Senate, and you would have observed that Senator Lines broke that rule within 30 seconds of commencing her address. I would ask you to draw her to order and, if necessary, remove the inappropriate material from her possession.

The ACTING DEPUTY PRESIDENT (Senator Williams): Sorry, I missed it because I was looking to see who the next speaker was and how much time was left. Props are inappropriate in the chamber. Senator Lines, I ask you not to use the props.

Senator Smith: Mr Acting Deputy President, on a point of order: Senator Lines was a repeat offender, with the same prop, on numerous occasions this week.

The ACTING DEPUTY PRESIDENT: I did not see the prop, as I was reading a piece of paper in front of me. I remind Senator Lines that props are inappropriate and are not accepted in the Senate. Please continue, Senator Lines, without the props.

Senator LINES: There is only one director of a political party in this country who is in trouble. He is in prison for a $1.5 million fraud, which he has pleaded guilty to, and he is awaiting sentence. The Greens and Senator Rhiannon are living in a world that does not actually match the reality. We know that the Greens in Tasmania got the largest single donation in our history, from Mr Cousins. To her credit, Senator Rhiannon has spoken out about political donations. But she did not have the courage of her convictions to follow that through. She wrote an article condemning political donations, and she did it as a ghost writer. Why wouldn't you just put your name to it? Once you are found out you look like a fraud, and that is very embarrassing.

Labor does stand for political donation reform. We are on the record, we put a bill into this place when we were in government. Unfortunately those opposite, when they were in opposition, voted it down. And there are very good reasons why they voted it down. We heard from Senator O'Sullivan today the list of donations that the Labor Party gets from unions. That is true. And do you know what? That is on the public record. But unfortunately the donations to the Liberal Party are not on the public record because they are channelled through all sorts of sneaky little clubs. I tried to do a bit of a search today and I came up with a few of them across the nation. In Western Australia we have the 500 Club, a very famous associated entity. You can put your money in there and you never get found out and it gets channelled through to the Liberal Party. We also have the Higgins 500 Club, which is the same thing: you put your money through there in secret and it gets channelled through to the Liberal Party. We have the Kooyong 200 Club, the Team 200 Club, the Warringah Club—and on and on it goes.

Recently, at ICAC in New South Wales, we heard about the Free Enterprise Foundation. We know that, since 2009, political donations to the New South Wales Liberal Party from property developers have been banned. But they found another way around that rule, and so they set up the Free Enterprise Foundation. The sole purpose was to channel donations from property developers through to the Liberal Party. Also revealed in ICAC were brown bags full of cash—money that I have never seen my life—handed over to candidates Cornwell and Owen. A brown paper bag was handed over to Mr Cornwell as he sat in the front seat of a
Bentley. There was $10,000 in that brown bag! Then the same Bentley was used again. Mr Owen sat in the front and received $10,000. Who in their right mind would think that receiving money in a brown bag was okay? Who would think that? Why wouldn't the alarm bells of morality and ethics start to ring when you got that sort of money?

We saw that ICAC even claimed the scalp of the premier, Mr O'Farrell, in New South Wales. But it goes further. We had Senator Sinodinos in here having to step down from Australian Water Holdings, and we are still waiting for ICAC—

Senator Jacinta Collins: He stepped down from the ministry.

Senator LINES: Yes, sorry—he stepped down from the ministry. Thank you, Senator Collins. We are still waiting on ICAC on that. In 2009 he authored a letter that went to all Liberal MPs. He was not a senator then. It said:

This bill is designed to cause maximum damage to our party and our efforts to fund an effective campaign against Labor at the next election.

So he was well and truly letting all the Liberal MPs know that this was not something that the New South Wales Liberal Party wanted to be up-front about. Those opposite do not want to be up-front about political donations; otherwise, they would have signed up to our legislation when we were in government. They do not want that.

We heard from Senator Rhiannon. She is in here all by herself. I do not know where the other Greens are. Obviously they do not support her stand. The Greens have just done the dirtiest deal in 30 years with the government. They had an opportunity to put political donations into their wish list. What happened? They did not do that. I am not quite sure whether they asked the government for anything. I suppose time will tell. But it seems they just rolled over on this dirty deal on electoral reform—the biggest change in 30 years. Now they come in here saying, 'Oh, but we want political donation reform.' Seriously? The time to ask for that was when the government was so desperate to try to advantage its position in an election that it wanted to do this dirty deal on electoral reform. What did the Greens do? They obviously just rolled over. Political donations, it would seem, were not even mentioned.

The party with the record of acting on political donations are Labor. We are the ones who put the legislation before the parliament. We do not use scammy 500 clubs. We do not use the Free Enterprise Foundation. We do not have senators who in their former lives wrote to MPs saying, 'Avoid this legislation at all costs.' That is because we stand for reform of political donations.

As I said at the outset, the only political party with an elected official—maybe they were appointed to the Liberal Party; who would know?—who has been found guilty of political donation fraud is the Liberal Party. Mr Damian Mantach has pleaded guilty to a $1.5 million fraud. I understand from my Tasmanian Labor colleagues that actually he has not even been charged—the Liberal Party are not even going after him—with alleged fraud in Tasmania. This is just what happened after he left Tasmania. So that is where it sits. We have seen that Senator Sinodinos in a previous life as one of the directors of Australian Water Holdings made donations to the Liberal Party. We have seen the Free Enterprise Foundation. We have seen brown bags with $10,000 in them. No wonder the LNP do not want to sign up to reform of political donations!
Maybe when the Greens did the dirty deal on electoral reform they got something else, but it is absolutely breathtaking that the Greens would come in here over the past couple of sitting weeks and start to talk about political donations when their chance for reform was when they had the government on the ropes. But we know they are not very good negotiators. They have let the government off before. They then had a go, as we heard, at Labor when it is the Greens who hold the record for the largest single political donation in this country. We had Senator Rhiannon saying she did not write her piece and then she had to fess up and say that she did. How embarrassing! At least have the courage of your convictions and stand up for what you believe in. But, no. We see this feigned attempt. Suddenly now they want political donation reform. You know what? The time for that has passed. They should have asked for that a couple of weeks ago.

But the LNP have the most to hide—well and truly. ICAC New South Wales claimed the scalps of many Liberal MPs. We heard about all sorts of dodgy deals on how cash and other funds are channelled through to the Liberal Party. It is disgraceful. Labor stand for political donation reform. All of our donations are out there for all to see. They are not hidden through 500 clubs, 200 clubs and the like. They are there on the public record. We stand for political donation reform.

Senator BERNARDI (South Australia) (17:21): Mr Acting Deputy President Williams, I thank you for the patience you have shown having to listen to Senator Lines through all that. There is on occasion in this place—and this may be one of them—a faint stench or an aroma, if you will, of hypocrisy that permeates the air. I am getting a distinct whiff of it today with this new-found passion on the other side for finance and campaign reform! What I find extraordinary is that Senator Lines neglected to mention how the ALP get the bulk of their cash. It comes from the union movement. You know what? The individual union members are not disclosed. In fact, we know a lot of them are phantoms. We know that the unions doctor up their membership lists and then the money comes flowing through. As Senator Lines quite rightly said, the Labor Party do act on political donations—because when they get their donations they do whatever the union movement tells them to do!

There is a blight on democracy on that side of the chamber, because they are captive to a tiny subset of the population, of which the militant arm is dominant. We have heard the atrocious stories about the behaviour of union officials. We have read about them in the paper. We know just how despicably union members, who work very hard for their money and loyally pay their dues, are treated. They are treated as cannon fodder by those opposite.

I heard Senator Rhiannon's speech before. There is much that I disagree with Senator Rhiannon on, but the fact is she has been assiduous and remarkably consistent in this. It is necessary to have campaign finance reform, and so she comes to this very genuinely. Before Senator Rhiannon gets carried away by my praise, I do have to mention that she has consistently represented this position even when she has had to use a nom de plume! I remember the apology that appeared in The Sydney Morning Herald when Senator Rhiannon, using the name Norman Thompson, attacked her own party on the lack of finance reform. Personally, I would have chosen a catchier name—Norm Tom or something a bit more vigorous! But I say to Senator Rhiannon: if you want to be Norman Thompson and attack the Greens party about campaign finance reform, I say: 'Good on you, Norman! Thank you, Norman. I'm absolutely delighted with that.' Notwithstanding that Senator Rhiannon has had
to hide some of her identity issues, she has been absolutely consistent in this. She is coming to this from a position of truth, unlike those on the other side.

While I am on the Greens, it is pertinent for me to remind the Australian public that they received $1.6 million in donations from Mr Graeme Wood. At the time, it was the largest ever political donation. That was before the time of Mr Palmer, who, of course, has an enviable record in donating other people's money to his own political party! Until that particular time, it was the largest political donation. For those of us who have been here long enough, I remember when the esteemed former senator Bob Brown raised a legal campaign fund or something like that, and he received over $1 million in what were, in many cases, anonymous donations, which he refused to disclose because he said he did not know where they came from. So it is okay for a Greens leader to raise $1 million from anonymous donations to protect his legal bills, even though he is a multimillionaire superannuant. That is okay, and yet the party itself does not want to do anything about it.

Senator Rhiannon, aka Norman Thompson, is absolutely consistent in this, and I credit her with it. I also believe there needs to be campaign reform. I have spoken about this in the past. I think there are ways in which we can improve the disclosure threshold, and it is entirely appropriate for political parties to document and publish donations within a week or 10 days of them being received. I think that is entirely feasible. They have to be entered into a database anyway. Why can't they be sent off to the AEC and put online there as well? There are a number of ways in which you can do it. I also happen to believe that donations should be limited to individuals, and the individuals should put their names to it. To me, it does not matter if a family of five all want to make $5,000 donations, as long as they are there and disclosed and people can make judgements in the court of public opinion.

Notwithstanding this, I am struck by the aroma of hypocrisy that has arisen from this motion. When the Labor Party were in power—we remember those dark days—it was incumbent upon the likes of Senator Faulkner, whom Senator Rhiannon mentioned, to say how bad the Labor Party was in handling the issues that they had to deal with. We know that in other jurisdictions—in some state jurisdictions—there have been people involved in allegations of corruption. We have seen all sorts of nefarious circumstances. I keep coming back to the union movement because a lot of it seems to have taken place there. I acknowledge that, unfortunately, we have had some issues about people fraudulently doing things within other political organisations as well. It is never acceptable. We have to acknowledge that. The Labor Party are introducing this motion to lower the disclosure threshold, after they were a party to increasing that threshold, and to restrict anonymous donations, when they are the party that paid for union memberships, noting that unions give hundreds of thousands of dollars to the Labor Party by using phantom members. Dare I go back into history when the Labor Party would conduct raffles? It was an extraordinary thing. They would have a raffle, the raffle prize would be a bowl of oranges or something like that and tickets were $1,000 each! The same person bought all the raffle tickets—all 50 of them!

**Senator Lazarus:** Did he win?

**Senator BERNARDI:** In fact, he did win. His $50,000 worth of raffle tickets or whatever it was—I am paraphrasing there—won him a bowl of oranges from the Labor Party. That is how that side of the chamber conducted fundraising. It would be farcical if it were not borderline crooked. It was probably within the rules; I think it was. But it was farcical and
nonsensical. If people want to give money to political parties, I encourage them to do so. Let them do it, and disclose that it is there. Do not rort the system. My message to those on the other side is: do not rort the system. It is entirely unnecessary. Just be frank and up-front. Do not allow yourselves to be compromised by bringing on these sorts of motions when your own conduct and that of your party and affiliated entities is left wanting. The shameful thing is the quantum of the cash that flows into Labor's pockets.

Senator Carol Brown interjecting—

Senator BERNARDI: Senator Brown is upset, of course. She is absolutely upset. I do not want to have an investigation into the Tasmanian division and the royal family of the Labor Party that lives there. They decide preselections and who is going to get through. I am just grateful, I have to tell you, that Senator Brown has reached a detente with my colleague Senator Colbeck.

Senator Carol Brown: Mr Acting Deputy President, I raise a point of order. It might be a bit pre-emptive, but Senator Bernardi is reflecting on me—

Senator BERNARDI: I did not mention you—

Senator Carol Brown: Yes, you did.

Senator BERNARDI: I mentioned the Labor royal family.

Senator Carol Brown: You are pointing at me. Seriously, it is not just what he was saying; it was his actions as well.

The ACTING DEPUTY PRESIDENT (Senator Williams): Senator Brown, there is no point of order; it is a debating point. Continue, Senator Bernardi.

Senator BERNARDI: If it assists you, Mr Acting Deputy President, I will apologise to 'Her Majesty' over there and say we simply have to examine—

Senator Cameron: Mr Acting Deputy President, I raise a point of order.

The ACTING DEPUTY PRESIDENT: Senator Cameron, I will ask Senator Bernardi to withdraw what he called Senator Brown. Please use correct titles.

Senator BERNARDI: I withdraw, Mr Acting Deputy President. I was referring to the Tasmanian division and the power that is exerted there. Nonetheless, the quantum of donations that is coming through the union movement to the Labor Party from members who, in many instances, do not know they are donating is extraordinary. The SDA, for example, gave $274,000-plus to the New South Wales Labor Party. The SDA in South Australia gave $329,000 to the SA Labor branch. This week we have had a lot of conversations about the CFMEU and about the sort of behaviour and conduct that goes on there. The CFMEU gave $42,000 to the New South Wales Labor Party. The ETU gave money to the Greens party.

Senator Carol Brown: This is excruciating!

Senator BERNARDI: I note that Senator Brown just said, 'This is excruciating!' I am sure it is, because home truths often hurt much more than the nonsense that other people keep talking about. This is one of the great problems that we have.

Senator Carol Brown: No, tell us why you won't support reform—you can't.

Senator BERNARDI: Senator Brown is asking me to explain why I do not support things. Those opposite should ask Senator Brown why she does not support her colleagues.
Why is she busy conspiring against her colleagues to prop up her own base? That is my question.

Senator Carol Brown: Mr Acting Deputy President, I raise a point of order. That is a clear reflection on me again. I ask that he withdraw.

The ACTING DEPUTY PRESIDENT: There is nothing to withdraw there, Senator Brown, in my opinion. You can challenge that later if you wish to.

Senator Cameron: Mr Acting Deputy President, on the point of order, what Senator Bernardi has just done is said that Senator Brown is a powerbroker. That might be okay in normal argument, but what he has been doing is imputing that powerbroking and money coming in through proper donations are improper. That is clearly an imputation on Senator Brown; it is an imputation of an improper motive.

The ACTING DEPUTY PRESIDENT: I have been listening carefully, Senator Cameron. Senator Bernardi, I would ask you to show due respect to colleagues in the Senate. Continue, please.

Senator BERNARDI: Thank you, Mr Acting Deputy President. Let me make it very clear: I am not imputing any improper motives by Senator Brown, and Senator Cameron is trying to draw a long political bow there. What I am saying is that the union movement funds the Labor Party through anonymous— (Time expired)

Senator LAZARUS (Queensland—Leader of the Glenn Lazarus Team) (17:33): I rise today to speak to this motion as I think this topic is very important. Firstly, I agree the donation disclosure threshold should be lowered to $1,000 to ensure all sizable donations are disclosed and reported to the general public. It is about time the people of Australia got to see what types of donations are being made to the major parties and how these donations are affecting decisions being made by governments of the day. Lowering the disclosure threshold will enhance our system of democracy and allow the public more access to who is funding political campaigns.

I would like to see the changes go one step further, by ensuring not only that donations are disclosed but that donor information must also include key stakeholders, including associated senior management and directors if the donor is a business or other entity. This means we can start to map how donors are connected with people who are connected with projects and decision makers in government. This is where the true graft and corruption will start to become obvious and the underhand, dirty activities of politicians and others will be exposed.

Further, any anonymous donations received by political parties must be rejected and redirected into a community fund to pay for essential community services. This will ensure donations are made in a transparent way and, if they are not, they should be given to the community rather than being wasted on the deep pockets of major political parties.

I also agree we should definitely ban foreign donations. I guarantee that, if we did this, the sell-off of Australia would stop. The only reason that the government is allowing our farms to be sold off to overseas buyers is that they are getting major kickbacks from foreign buyers. Banning foreign donations will ensure Australian political parties are not subject to overseas influences, and the interest of Australia will be put first again—like it was so many years ago. (Time expired)

Senator CAROL BROWN (Tasmania) (17:35): I rise to speak on the matter of urgency:
The need to reform Australia's political donation system by lowering the disclosure threshold, banning foreign donations, restricting anonymous donations and preventing donation splitting to avoid disclosure.

While it is somewhat tempting to talk about Senator Bernardi's contribution, it is really not worth mentioning. So I will talk about the substance of this matter of urgency. The recent scandal relating to former Minister Robert's visit to China has yet again highlighted the urgent need for improved transparency of political donations. This type of behaviour leads to the belief that political influence can be bought by wealthy corporations or individuals. My colleague Mr Dreyfus, in the other place, summed up the perception the public would be given by Mr Robert's actions and Mr Turnbull's failure to take prompt and decisive action, saying:

If Mr Turnbull doesn't show some leadership and sack Mr Robert today, then all Australians will know that a government that Mr Turnbull is leading is the kind of government where $2 million from a wealthy donor to the Liberal Party will buy you the services of a minister in the Australian Government. Whether reality or just perception, the impact is the same—it seriously undermines the credibility of our democracy.

The public deserve transparency around who wields power in our political system. While the scandal surrounding Minister Robert's visit to China with his friend and Liberal donor, Paul Marks, directly reflects on his poor judgement, it also highlights the broader systemic problems with the interplay between politics and political donors. Disgraceful events like this seriously erode public confidence in politicians and our political system. The best way to restore confidence in our political system is to enhance transparency and improve disclosure arrangements.

Labor upholds the highest standards voluntarily disclosing all donations greater than $1,000. The current legislation only requires disclosure of amounts greater than $13,000. The Australian Labor Party has a long-standing commitment to improving standards of transparency and accountability in relation to political donations. I believe any senator, if they were fair dinkum in their contributions on this matter, would acknowledge the Labor Party's long-standing commitment to improving standards. At our national conference last year, we committed to reform the political donations transparency system, calling for a better and more transparent political funding and disclosure framework.

As some of my colleagues have already highlighted, when Labor was last in government, we introduced legislation into parliament which sought to significantly reform the rules surrounding political donations, but, as many of us in this place remember, the then Liberal opposition blocked Labor's reforms.

Senator Rhiannon interjecting—

Senator CAROL BROWN: Excuse me, Senator Rhiannon, but you are just as bad—

The ACTING DEPUTY PRESIDENT (Senator Williams): Order! Senator Rhiannon, the interjections are disorderly and, Senator Brown, direct your comments to the chair.

Senator CAROL BROWN: As I was saying, Labor's proposed reforms were designed to reverse retrograde changes implemented under the Howard government, when the Liberal Party last controlled this place. When the Howard government came to power, one of their first actions was to make it harder to track the flow of money into party coffers. Under the
previous Labor government, the threshold at which a political donation had to be made public was $1500. The Howard government increased it to $10,000, which with indexation currently stands at $13,000. Even with the lax rules the Liberals and their old coalition partners have still felt the need to circumvent disclosure.

We have heard through the New South Wales ICAC all about the Liberals\' practices of setting up associated entities to collect money and, by moving it between various party divisions, to exploit differences in rules between states. The Liberals\' new coalition partners, the Australian Greens, claim to have a long-standing policy in favour of reforming donations, when in fact they have accepted large amounts of donations— (Time expired)

Senator LINDGREN (Queensland) (17:40): Today\'s matter of urgency points right to those opposite. Let me quote from The Sydney Morning Herald:

Bill Shorten failed to disclose a $40,000 donation from labour hire company Unibilt to his 2007 election campaign.

I can only surmise that this motion has been cleverly crafted so those opposite can keep a tighter rein on the opposition leader. This motion clearly shows that the integrity of political donation reporting is not seen as important by the Hon. Bill Shorten. Today, those opposite are trying by way of this motion to make their leader more accountable, and I them for applaud that.

This is not a good look for the Australian Labor Party. Failure to disclose donations is the very reason those opposite need to encourage members of their party to better conform to the laws via way of this motion. I also would like the Senate to recall that this particular donation to the Hon. Bill Shorten was only made public when, in his words:

In preparation for the Royal Commission more generally, I wanted to make sure that everything that should be done and everything was checked, was, and this came to my attention.

In other words, this undeclared donation was only revealed at the last possible moment when it was about to be made public, not during the proper method of annual reporting.

This motion, it appears, brings to attention the correct way to declare donations. Everyone needs a little guidance from time to time, and I am happy to participate in this debate to help those opposite with the difficult task of ensuring that the opposition leader abides by the current requirements. Labor had six years to change the political donations system, yet decided not do to so. This was despite having the numbers in both chambers and having passed legislation in the House of Representatives.

The government believes that it is important that all political parties, associated entities and donors follow the appropriate disclosure laws. Financial disclosure returns must be lodged by 20 October each year and published on the Australian Electoral Commission website on the first working day in February of the following year. This being the case, one must seriously doubt why failures to disclose continue within the Labor Party.

Dyson Heydon, the trade union royal commissioner, was quoted in The Australian on January 9 this year as saying:

The Labor Party failed to disclose a $30,000 corporate donation to its 2013 federal election campaign that was brokered by the militant Maritime Union of Australia.

The Weekend Australian has confirmed that neither the ALP nor the donor, the marine contractor Van Oord Australia, disclosed the payment in election returns to the AEC. This
means both may face potential penalties under the act. In fact, The Weekend Australian
further confirmed that the donation had been kept hidden from public scrutiny, despite it
being one of the biggest corporate donations Labor received during its 2013 election
campaign. It was only just yesterday that Labor admitted to this non-disclosure and said it
would send an amendment to its 2012-13 return to the AEC.

This matter of urgency we are debating today certainly needs to be questioned, as those
oppose clearly need to adhere to the electoral donation laws. So often we hear words such as
'transparency' and 'conviction', but it undoubtedly must be frustrating when time after time
members of the ALP do not adhere to those very words. Indeed even the ALP web page
states, under 'Transparency in election funding':

Labor believes that all organisations in Australia should have the right to participate in our
democracy, including through the provision of financial support to candidates running for elected
office. This right to participate should, however, be transparent and accountable.

This principle holds true, whether government, company, not for profit or union elections. With
greater transparency comes greater accountability and the earlier identification of wrongdoing.

Yes, organisations are allowed freedom of political activity and yes, quite often it can be more
effective during election campaigns, but when you join the dots you come up with the lines—
not dotted lines, not ordinary lines but bold, highlighted lines that go directly to those who sit
opposite. It should also be noted that the matter of political donations is currently the subject
of an inquiry by the Joint Standing Committee on Electoral Matters. I believe we should wait
to see all facets of the issue before we undertake further debate. (Time expired)

Senator MADIGAN (Victoria) (17:46): Our persistent failure to reform laws relating to
political donations is directly contributing to those we represent becoming increasingly
cynical about what we do in this place. It is time we stopped the rot. While I am in favour of a
cap on private donations from any source, whether it be unions, corporations or wealthy
individuals, a more moderate set of reforms would go a long way towards restoring
confidence in our political system.

These fall into two broad categories. Firstly, there is the issue of foreign donations. It is so
blindingly obvious that it is contrary to the national interest for our politicians to accept
donations from foreign entities that I need not say more. The second area of reform alluded to
is the issue of transparency. If donations from private sources are to be uncapped, Australians
need to know who is taking what, and from whom. They need this information in real time, so
when they go to the ballot box they can weigh it up however they see fit.

Our current laws are woefully inadequate to provide even this minimum safeguard of
democratic principles. The disclosure threshold of approximately $13,000 is ridiculously
high. In addition, it is common knowledge that, for those who have the will, the current
system permits donations of around $100,000 to be made to the major parties without the
need for any disclosure at all. This is done by splitting payments between various party
offices. This loophole makes a farce of our democracy and must be closed.

As for timing, current technology would easily permit all donations above a reduced
threshold being published on an AEC website within a couple of weeks. Together with a
prohibition on donations within a specified timeframe prior to an election, this would ensure
Australians are aware of who is financing politicians when they go to vote.
Senator LAMBIE (Tasmania) (17:48): The political donation system has been corrupted. It is designed to hide donations so the public are not aware of who is influencing government policy. This is why I am concerned about overseas political donations—they are in direct conflict with national sovereignty. The system is not in the national interest, and it is not in the public's interest. It is, however, in the interest of some politicians' retirement policy.

China's donations to the major political parties are well documented and are a grave threat to the power and authority of the nation. I am not alone in my concern regarding our dealings with a country that does not respect our democratic values, that has widespread corruption and that lacks transparency. China's political donations have already influenced our decisions on the China free trade agreement—an agreement that undermines our national and job security.

What has been proposed here is an improvement, but the gold standard is real time disclosure. My network reports donations on my website as we receive them—that is true transparency.

Question agreed to.

DOCUMENTS
Consideration

The ACTING DEPUTY PRESIDENT (Senator Williams) (17:49): I shall now proceed to the consideration of documents. The documents for consideration are listed on page 5 of today's Order of Business.

AUDITOR-GENERAL’S REPORTS
Report No. 24 of 2016

Senator McLUCAS (Queensland) (17:49): I move:

That the Senate take note of the document.

This audit report on early intervention services for children with disability was conducted for two larger programs and some smaller programs, under the Early Intervention Services for Children with Disability program, that are conducted by the now Department of Social Services, the former FaHCSIA, but were implemented under the Labor government. The first one is the Helping Children with Autism program, providing early intervention services for children who are diagnosed with autism. The second program, which began in 2011, called Better Start for Children with Disability, provides services for children who are diagnosed with a range of disabilities, mainly cerebral palsy, Down syndrome, hearing impairment and sight impairment and children who are deaf and blind, along with a large number of diagnoses of children with various syndromes. The package of supports provides a total of $12,000 over two years with a maximum of $6,000 in a year, with an extra amount of money for people living in outer regional, remote and very remote areas.

The report concludes, as the Audit Office often does, that it is effective in some areas but can improve. Of course it can improve, but it has been very good. They say there are difficulties in rural and remote areas, and I agree. When I was the Parliamentary Secretary for Disabilities and Carers we introduced a program to support service delivery in those areas and we also introduced the Remote Hearing and Vision Services for Children, which was programmed to access the NBN to provide early intervention for children in remote areas.
The audit Office recommends that more work be done around transition but also that we should measure better the impact of early intervention services for children. I could not agree more. It is a hard thing to do but it is worth trying.

I am going to provide the Audit Office and the department with their first piece of evidence about what the impact of this program has been for a family. They wrote to me on 4 March 2014, and it is from someone I will call K, who is the mother of a little boy called W:

I am writing to give you an update on my son W and the remarkable progress he has made since we have been able to access the Better Start for Children with a Disability funding.

W has Angelman Syndrome and severe epilepsy and has been eligible to access the Better Start funding for the past 12 months.

We are pleased to announce in the past year W has begun rolling, crawling, kneeling, actively investigating known and unknown environments, improved his comprehension, has begun using an alternative method of communication and excitingly, has developed pre walking skills and can stand independently for short periods of time!

Prior to the Better Start Initiative, our family was only able to access physiotherapy once every 6 weeks or so. 12 months ago W could not sit up without support.

With the Better Start assistance, we now access speech pathology, physiotherapy on a fortnightly basis and also hydrotherapy. I think you will agree that all of these services combined have helped W make giant strides forward.

I hope the department is listening to this. K continues:

I am writing to thank you and all those people involved in the implementation of this Initiative from the previous government for believing in our children and the importance of early intervention.

W's new skills has brought a level of independence and confidence to his life.

He has about now gone onto kindy as well. This is an important sentence, Mr Acting Deputy President:

My husband and I also have the confidence and time to participate in more activities as a result of W gaining more skills and independence. My husband is playing AFL this year and I am able to return to casual work. Unheard of when W was so sick and demanded so much of our time.

K is very excited about the future. That is the success of this program. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

**DOCUMENTS**

**Department of Immigration and Border Protection**

Senator LINES (Western Australia) (17:55): I move:

That the Senate take note of the document.

I want to start by talking about the real issue that staff are having in the Department of Immigration and Border Protection with their enterprise bargaining agreement. These are staff who are in the front line of Australia's so-called security systems. They have been amalgamated. Their whole job role has changed and they have now been attempting to bargain with the government for something like two years.

I met some of those delegates today in this place and they are very good people, as I am sure most people in this chamber would accept. They are honourable people. They take their
job very seriously, yet the government and the management of that department is treating them with contempt by attempting to take away their conditions and rights and to put them into policy. These people are members of the CPSU, who over Christmas took industrial action. This is a department that takes its role very seriously. As I said, they are at the front line of Australia's secure borders policy, yet they had to take the absolutely unbelievable step of withdrawing their labour. This is not what we want. We want these people treated with respect.

If their management and, indeed, the government wanted a very clear signal that these employees do not like what is on the table, something like 91 per cent voted against the first agreement. That is a staggering number of people sending their employer and the Turnbull government a very clear message that they are not happy. I understand their agreement is out for the second time. I do not think there have been changes. What they want is to make sure that their rights are enshrined in an agreement that they can enforce if necessary. That is not to suggest that all managers are bad managers. That is simply not true, and I am sure that some of the managers in that department are very good managers. These are workers, and it is not an even playing field no matter how we like to dress that up, and sometimes managers overstep the mark.

If it cannot be worked out through the consultative process, then these workers need a redress, and that redress is through the independent umpire, which is something we hear the Turnbull government and particularly Minister Cash talk a lot about. Yet, here we have an example of Minister Cash and the department wanting to take those rights away and put them in policy where they can be changed at the whim of a new direction from government or from the executives of that department. Of course 91 per cent of the workforce said very clearly the first time, 'We are not going to cop that.' That agreement is out again, and those same conditions are there trying to strip working rights and enforceable rights away from people. The delegates that I met with here today are not radical people; they are ordinary people. They said to me very clearly that, not only are they going to vote it down, but they want it to be higher than 91 per cent. I think it is long overdue for the government to sit down with the CPSU and put those conditions back into enterprise agreements.

You only need to look at the history. People resort to using the independent umpire, the Fair Work Ombudsman, only when they are pushed—when management is being absolutely unreasonable. You start by having a conference; you sit down and you discuss the issues. Why would any fair government seek to take that away? It is not as if Border Protection and Immigration have a long history of militancy, taking things off and arguing. They do not even have a history of industrial action. Since the Abbott-Turnbull government was elected, this is all new to them.

So now we have a department which has completely turned against the government, has taken unprecedented industrial action and will do so again, and is now voting on its second agreement. They are simply staying to the government, 'Leave our safety nets in place. If we cannot and we are pushed, we want to have an opportunity to redress the balance to make sure that that playing field remains absolutely independent.' I do not think any fair-minded person would think that was unreasonable.

I seek leave to continue my remarks.

Leave granted; debate adjourned.
Australian Law Reform Commission

Senator LUDWIG (Queensland) (18:00): I move:

That the Senate take note of the documents.

I rise to talk about the Australian Law Reform Commission final and summary reports, *Traditional rights and freedoms—encroachments by Commonwealth laws*. I commend the reports as exceptional documents that very much go through all of the traditional rights and freedoms that are encroached on by Commonwealth laws in a fashion that is both comprehensive and well researched. However—and this is not a criticism of any of the contributions or submissions and all of the people who worked very hard to produce the reports—this is what I would call the Bolt report. Ultimately, this was about Senator Brandis, the Attorney-General, trying to justify why Mr Andrew Bolt got it so wrong. The Law Reform Commission do go to that particular issue in the reports, and I will come to that shortly.

Before I do, it is worth remembering that in Australia there are limitations on freedom of expression. The Australian Constitution does not expressly protect freedom of expression, although we are a signatory to the International Covenant on Civil and Political Rights. There is many a case where there are clear limitations, and those limitations are across a broad spectrum of legislation—defamation, discrimination and antivilification; classification and censorship; at the criminal end, treason or urging violence, the old sediton type penalties; and disclosure of public information, whistleblowing—for which there are now protections—and public interest disclosure. All of those have legislation in place which provides protections and do not permit unfettered, free speech in that area.

Coming to the whole report, which the government commissioned, there is a section dealing with the Racial Discrimination Act; and, in fairness to the ALRC, who produced this report, they do a comprehensive analysis of the area. They do get to a very telling phrase when they look at section 18C of that act:

Australian racial vilification laws have long been the subject of academic and other criticism.

It goes on:

The ALRC has not established whether s 18C of the RDA has, in practice, caused unjustifiable interferences with freedom of speech. However, it appears that pt IIA of the RDA, of which s 18C forms a part, would benefit from more thorough review in relation to freedom of speech.

This was a report commissioned by the government to uphold their view that section 18C should be changed, notwithstanding that Mr Abbott backflipped on it when he was a Prime Minister and wiped Senator Brandis on it as well. Even this report commissioned by the government does not concur with Senator Brandis's view. He will get some comfort out of it. They have tried very, very hard to throw him a lifeline. But all have thrown him is a cotton thread to grasp onto. It will not support him; I have no doubt about that.

The final report of the ALRC into this matter highlights, I think, that Senator Brandis was on a hobbyhorse and that, wrongly, he was supporting Bolt. When you look at the case that was lost by Bolt, the real kicker is that the section 18C issue is not about Bolt. When you look at how that has worked for almost 20 years, Bolt is a distraction. Bolt was not liable merely because he offended; he was liable because he failed to establish the case.

I seek leave to continue my remarks.
Leave granted.

Senator McKIM (Tasmania) (18:06): Like Senator Ludwig, I rise to speak on the Australian Law Reform Commission report *Traditional rights and freedoms—encroachments by Commonwealth laws*—its final report on this matter. I start by congratulating the commission president, Professor Rosalind Croucher; the other commissioners; and the staff at the commission on the extensive body of work they have undertaken and the rigorous way that they have approached what I have no doubt was a report that required significant time, effort and commitment.

The commission finds, in this report, that 30 laws in Australia require either further consideration or review by bodies such as the Independent National Security Legislation Monitor, the Law Reform Commission, the parliament or the government. It will come as no surprise to many Australians that the vast majority of these laws are concerned with national security, counter-terrorism and the Migration Act.

The report notes that parliamentary scrutiny is not as effective as it could be, pointing out that, since the inception of this parliament's human rights committee, over 50 bills have been passed by this parliament before the committee has completed its review of the specific legislation. In addition, and importantly, it notes that Independent National Security Legislation Monitor recommendations do not receive a government response—which frankly is not good enough. It also notes that the Independent National Security Legislation Monitor Act needs to be strengthened. The Greens could not agree more with that observation.

Since 2002, Australians have faced a massive volume of legislative change made in the name of counter-terrorism and national security. These have often been reflexive and populist changes driven by a desire of governments of both stripes to be seen to be doing something and to bidding ever higher in the never-ending 'law and order auction' in this country, rather than being driven, as they should be, by a genuine desire to make Australia and Australians safer. Since 2002, we have created 12 new crimes, we have extended legal powers seven times, we have extended police powers or granted police new powers 16 times and we have increased powers to our intelligence agencies 12 times.

Let's face it, in this country we have been trading away the fundamental civil and human rights that tens of thousands of Australians have fought for and, in some cases, died for to protect and enhance. Throughout that period, no evidence has been offered that we are making Australia or our people any safer by trading away those rights. Unfortunately, given the political rhetoric we have seen in the last couple months, it seems that more changes are looming. With an election this year, it is almost inevitable that the coalition and Labor, who for a long time have been in zombie lockstep on this issue, will both put out policy positions that keep the bids coming in the law and order auction.

What we need to do is think about this more strategically, more carefully and more holistically. In the same way that we have a white paper process for defence issues, it is time to revisit a white paper on counter-terrorism as we did in 2010 when the last one was published. It needs to be updated, reviewed, reconsidered and republished. During that process, evidence needs to be offered, if there is any, that trading away these civil and human rights that are so fundamental to the Australian value of a fair go for all our citizens is making us safer. If there is any evidence that it is making us safer, that would be the time to present that evidence.
What we see in this sector from both the coalition and Labor is knee-jerk 'law-mongering'. We need to better assess the difficult but critical balance between safety for our people and our country and freedom in our country and for our people. We have seen some terrible laws passed that limit rights. Unfortunately, Labor has rolled over time after time—on metadata, on new powers to security agencies, on locking up women and children on Manus and Nauru. It is time that we had a serious consideration of these matters. (Time expired) I seek leave to continue my remarks.

Leave granted; debate adjourned.

Airservices Australia

Senator CAMERON (New South Wales) (18:11): I move:

That the Senate take note of the document.

I seek to speak to document No. 5, the Airservices Australia Report on the movement cap for Sydney Airport. Can The document before us clearly indicates an airport in Sydney that is regulated—an airport that has a regulation in relation to hourly movements and a regulation in relation to a curfew. The airport that is being proposed for Badgerys Creek in Western Sydney will have no regulation in terms of movements and no regulation in terms of a curfew. On the basis of the EIS that is before the public at the moment, I will not support this Badgerys Creek airport because it is not in the interest of the residents of Western Sydney and it is not in the interest of the environment of Western Sydney. It really is a dog of a document; it is not a proper environmental impact assessment; there are no protections for Western Sydney citizens.

I will declare an interest in this: I live in Blaxland. My community of Blaxland is appalled at what is proposed in the environmental impact statement. Little did we know that what was proposed in the environmental impact statement was not the full story. The environmental impact statement was indicating that there would be a small number of flights at night and a certain number of flights during the day. But when I was at the Senate estimates hearing with Airservices Australia they and the secretary of the department considered that there would be no caps on flights coming in and there would be no curfew for people in Western Sydney. We were told, 'We can look at doing something to give you respite.' 'Respite' is the word that is being used. I live in a beautiful area of Sydney. My community does not need respite. The only thing that wakes you in the middle of the night in the Blue Mountains is the crickets. We are now being told that we are going to have Boeings flying over the top of us all night with absolutely no restrictions on them. We have found out through the estimates process that the decision to bring flights in will be a purely commercial decision. The market will determine how many flights come in over the top of the Blue Mountains.

And how stupid is this EIS! They have actually picked out the area of highest population in the lower Blue Mountains and they are then going to have the flights being pushed over that area. That area will have all the noise and all the overflights. It is as if they have picked the area of highest population and put the flights over the top of that. It is an absolute nonsense. This EIS is an absolute disgrace. The local community are opposing it. The local council is opposing it. These are issues where I am standing side by side and shoulder to shoulder with my local community.
I notice that the local member, Mrs Louise Markus MP, is now being challenged for her seat by a Hawkesbury resident, I think because Susan Templeman, the Labor candidate, is doing such an effective job in opposing this airport and protecting the community that the deficiencies of Mrs Markus are being clearly outlined. So there is now a challenge on Mrs Markus. I will quote the Blue Mountains Gazette:

The surprise challenge will put the spotlight on Mrs Markus’ performance as an MP, particularly in the Blue Mountains where she has come under recent pressure over the proposed Badgerys Creek airport. The Gazette understands some party members are concerned at a perception she has chosen party loyalty over the interests of her constituents in the debate.

It is not a perception—it is the reality. She has not stood up for the residents of the Blue Mountains since she has been the MP up there. She has only looked after the party’s position and toed the party line. That is unacceptable. I oppose this airport on the basis of this EIS. I think we have to look after the environment and the residents of the Blue Mountains. This EIS is no good. We cannot support this. Opposition to this is acting in the community interest.

Senator McALLISTER (New South Wales) (18:17): I rise to take note of the same document as Senator Cameron—the Report on Movement Cap for Sydney Airport – 4th Quarter 2015 – 1 October 2015 to 31 December 2015. Senator Gallacher has helpfully drawn my attention to the fact that this report advises that for the quarter from 1 October to 31 December 2015 there were no occasions when the movements at Sydney Airport exceeded the regulated hourly maximum movement. Senator Gallacher advises me that this represents 16 consecutive quarters since there was last a breach of that cap. More generally, since about 2001 the airport has largely been in compliance. As Senator Cameron noted, it is most important that this airport is in compliance, because it is an enormously significant piece of economic infrastructure. It moves a 36 million passengers every year. It moves 395,000 tonnes of international freight. The precincts within the airport contain more than 800 businesses, and those businesses contribute something in the order of $9.3 billion in value add to the Australian economy. That translates into more than 49,000 full-time equivalent jobs. The tourism and freight that is facilitated by this airport represents an additional $18.3 billion in value add to the economy.

Of course, as it is located in my own home state of New South Wales, I cannot but notice what an enormously significant piece of infrastructure this airport is. As Senator Cameron noted, it is constrained from a regulatory perspective, because the airport must be a good neighbour. It is also physically constrained. Anyone who has flown there recently would understand that the ground transport and the access to the airport is under enormous pressure at the moment.

Nonetheless, it is important that this airport continues to play its economic role. In this chamber we often hear the question, ‘Can the minister advise of any threats to the ongoing success of this or that policy?’ I can advise of one threat to the ongoing success of Sydney Airport, and that is the New South Wales Greens. As I understand it, the policy of the New South Wales Greens political party is, in fact, to close the airport. Senator Cameron can rest easy here, because the Greens’ policy is not to have another airport within the Sydney basin, but that there be no airport within the Sydney basin whatsoever and that the appropriate place for an airport is outside the Sydney basin. That is plainly unviable policy, and I draw it to the attention of the chamber. I seek leave to continue my remarks.
Leave granted; debate adjourned.

COMMITTEES
Legislation Committees
Report
Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (18:20):
Pursuant to order and at the request of the chairs of the respective committees, I present reports on the examination of annual reports tabled by 31 October 2015.
Ordered that the reports be printed.

Regulations and Ordinances Committee
Report
Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (18:21):
At the request of the Chair of the Standing Committee on Regulations and Ordinances I present Delegated Legislation Monitor No. 3 of 2016.
Ordered that the report be printed.

BILLS
Social Security Legislation Amendment (Community Development Program) Bill 2015
Report of Legislation Committee
Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (18:21):
At the request of the Chair of the Finance and Public Administration Legislation Committee, Senator Bernardi, I present the report of the committee on the Social Security Legislation Amendment (Community Development Program) Bill 2015 together with the Hansard record of proceedings and documents presented to the committee.
Ordered that the report be printed.

COMMITTEES
Scrutiny of Bills Committee
Report
Senator POLLEY (Tasmania) (18:22): I present the third report of the Senate Standing Committee for the Scrutiny of Bills. I also lay on the table Scrutiny of Bills Alert Digest No. 3 of 2016.
Ordered that the report be printed.

Senator POLLEY: I move:
That the Senate take note of the report.
I think it is timely in tabling this report that I remind the Senate of the work of the Scrutiny of Bills Committee. And in light of what we have experienced over the past 24 hours or so in relation to the lack of respect for other committees in this place—the process of rushing things through the Senate chamber—I thought it would be very timely to speak about the Scrutiny of Bills Committee, which has a longstanding practice to undertake scrutiny in a non-partisan, apolitical and consensual way. The processes underpinning the committee's
work are substantially based on cooperation. The assistance of ministers and departments is critical to encouraging the committee's ability to perform its scrutiny functions efficiently, and it really is irrelevant which major party is sitting on the government benches.

But there is a matter that needs to be raised in this place yet again, which I did last year, and that is the timeliness with which government ministers respond to Scrutiny of Bills requests for further information. Too often there is a delay in ministers’ responding to our requests for further information. I do not think that ensures that the Senate and the senators in this place can give due consideration to such important legislation. We have seen this too often. It was raised a few meetings ago that we should be ensuring that ministers become more diligent, and therefore I thought it would be appropriate to put some comments on the record yet again. These sorts of delays in receiving responses from ministers can mean that legislation is introduced and passed before the committee can complete its scrutiny process, and the committee cannot carry out its scrutiny functions effectively, which I think is detrimental to the process of the committee system itself.

So, I want to draw senators' attention to the importance of this report and the digest that we table here every week that we are sitting. For instance, we have had quite a lot of legislation relating to counterterrorism. I know there is not one Australian who would not be concerned about the issues surrounding this type of legislation. It is very important that when the Scrutiny of Bills Committee requests further information it is provided. After all, our committee gets legal expert advice to ensure that the legislation that we are passing in this place has the proper scrutiny that it needs. And we know, because we have to deal with amendments when any legislation that comes before the Senate, that those pieces of legislation that are rushed through—even legislation drafted by the government, and in fact even this government, as recently as their proposed electoral reforms—have been found to be flawed, and the government had to have amendments to its own legislation put up. Yet the government has managed to push such legislation through the committee process in, I would have to say, almost Olympic record time.

So, as I said, it is very important, but I am really not sure that all senators are familiar with the process of our committee and know that the report itself is such a valuable document for senators to use when debating legislation in this place. I would like to draw the chamber's attention to one of the pieces of legislation we have been examining, and it just so happens to be a piece of legislation for which I will have some responsibility. As those in the chamber would know—particularly Senator Brown, my colleague from our home state of Tasmania—I have a great deal of interest in anything to do with Tasmania. But when it comes to aged care, I would say that it is definitely, without a doubt, a passion of mine. The piece of legislation we have been scrutinising relates to the Aged Care Legislation Amendment (Increasing Consumer Choice) Bill 2016. And I know, Madam Acting Deputy President O'Neil, that you as well as others in this place have a great empathy for older Australians. So, we should do everything we can to ensure that people, as they get older, have the support they need to reside in their own home for as long as possible.

Just to give you an example of the processes we go through, I will just refer you to the report's introduction. The committee dealt with this bill in Alert Digest No. 2 of 2016. The ministers responded to the committee's comments in a letter dated 29 February 2016, and a copy of the letter is in this report. That is a very important process that we undertake with the
Scrutiny of Bills work that we do. But the background to this bill is that it will amend the Aged Care (Transitional Provisions) Act 1997 to enable funding for home-care packages to follow the care recipient, to provide a consistent national process for prioritising access to subsidised home care and to simplify the approval process for approved providers. So, as you can appreciate, it is a very important piece of legislation. So the work that we have done in scrutinising this is to ensure that when we are debating this legislation, as we do with all legislation that comes before the scrutiny of bills committee, I think we provide some valuable information and assistance to help senators to be able to make an informed contribution to the debate.

As I said at the outset, we have expert legal advice, particularly when we talk about what I find to be a lot of complication in the drafting of legislation, to ensure that we have scrutinised as much as possible to ensure that all these bills are drafted with the best outcome of the minister's intention when they brought the piece of legislation into the other place.

Just as a reminder, when it comes to ministers—I know it is an issue that relates not just to this government, although since I have been chair of this committee for the last 2½ years of the Abbott-Turnbull, and I am not sure if is going to be Abbott again, government; that remains to be seen—we have had some difficulty in getting timely responses from ministers. I do not need to name those ministers, but there are those who are more familiar on our list of ministers who disappoint us. The reason we write to them and seek clarification is to ensure the best outcome in terms of legislation that the memorandum of understanding of these pieces of legislation is of as high a standard as possible.

I want also to place on record the committee's appreciation for the legal advice that is given to this committee to ensure that we are able to the job we are meant to do and to acknowledge the work of the secretariat of this committee. This committee meets every week when we are sitting. The amount of work—the detail and the amount of research—that goes into these reports should be acknowledged, as should all of the secretariats that serve our Senate committees. I think the legislation in this case is of a much higher standard because of it.

Question agreed to.

**BILLS**

**Commonwealth Electoral Amendment Bill 2016**

Report of Legislation Committee

_Senator FAWCETT_ (South Australia—Deputy Government Whip in the Senate) (18:33):

I present the report of the Joint Standing Committee on Electoral Matters on the Commonwealth Electoral Amendment Bill 2016 and I move:

That the Senate take note of the report.

I do take note of this report and the important reform that it will provide the Australian electoral system. There has been a great deal of dialogue over this report and this measure, but I do note here in the chamber that what it will provide for the Australian people is the opportunity for them to exercise their vote and their will in terms of where their preferences actually flow. One of the concerns that have been consistently raised with me—and I took part in the Joint Standing Committee on Electoral Matters inquiry after the 2013 election—is the fact that Senate voting tickets mean that the backroom deals that are done between political parties mean that voters do not have the choice to provide for where they wish their
vote to go unless they fill out every box below the line. Because of the requirements that exist at the moment, in terms of what makes a valid vote, there are many people who do not take the time to do that because of the fear that they will make a mistake and their vote will be invalid.

What this report does is affirm the measures brought in by the government for optional preferential voting above the line, but importantly it also recommends an amendment that there should be optional voting below the line, so people would be encouraged to number between one and 12, or up to 12 places, with the saving provision that six are required for the vote to be formal. What this means is that people, whether it be in a double dissolution or a normal half-Senate election, can make their own choice in a reasonable manner—that is, they do not have to fill out all the boxes—of who they wish to vote for so that there will is actually very accurately represented in the electoral outcome.

We have heard some comments that people's votes will be wasted if minor parties do not get elected. That is no different to a candidate in the lower house or perhaps somebody who is in the fourth or fifth place on their Senate ticket, who stands legitimately—validly. But if they do not get enough support they do not get elected. That vote for a minor party is no more wasted than it is for a candidate in a lower house seat. I have been in the unfortunate position where, as a member, I stood for election and I lost the election. Does that mean that the votes of all those people who voted for me were wasted? No. It meant that in that case the member of the Labor Party who stood, or in fact more particularly his leader, received the support of the majority of people, so he won the election. That is the way democracies work. Votes are not wasted if you do not get elected. This system means that people will be able to put down accurately where they want their vote to go.

If somebody representing a political party an interest group, whether it be motoring or sports or any other group, achieves a large enough percentage of support within the community they will get elected. There is absolutely nothing to bar or stop them getting elected. What this will stop is the practice of multiple parties—we saw after the 2013 election confessions by one of the political parties, in fact one of the senators in this chamber, that he was the public officer of multiple political parties who basically did preference deals with themselves and others in order to maximise the vote they got. This is clearly gaming the system, and that is not democracy as we know it here in Australia. These reforms, which this report supports—with the thrust of the government also making this additional recommendation for voting below the line—provide for the electors of Australia to have their will very explicitly and, importantly, simply translated into the voting system.

One of the unintended consequences of the way the system has operated to date is that, because of this gaming by the minor parties, we see many parties and group voting tickets. This makes voting below the line, which was the only option available to people if they wished to accurately have their will reflected, almost unworkable. This is why you have such a small percentage of people who vote. I am very grateful to those people who at the last election, when I stood, contacted me and let me know that they had taken the time to vote below the line so that they could specifically vote for me. I commend and thank them for that, but I also recognise they are the very small majority because of the task that that huge piece of white paper presented.
What this option and this report will provide from now on is a system where people can, in a manageable manner and time frame—and with very little scope to make errors or to make their vote invalid or informal—reflect where they would like their preferences to go and who they would like to vote for. And so I think this system is actually very democratic and fair. Commentators from universities such as Flinders University and the University South Australia have been saying in the last few days that these reforms are well designed and overdue. I believe they will have the broad support of the people of Australia.

Senator KIM CARR (Victoria) (18:39): I am very concerned about this report. I am in my 24th year in this chamber, so I have seen a few rough committees over my time—but none as rough as this one. If anyone wants to be reminded of the difference in standards between the Senate and the House of Representatives, one should get involved with a joint committee. In particular, they should be engaged with a committee such as this. The chair of the committee, the member for Banks, who is a relatively new member of the parliament, was given the task by this government of ramming through what are some of the most controversial measures this parliament has seen in regard to electoral laws in 30 years. That is what we are discussing here. It is a change to the way in which the Senate is elected and, as a consequence of the role we play in this parliament, a change to the way the Australian parliament is elected. It is the biggest change we have seen in 30 years.

You would have thought something as significant as that would require a bit of close examination. You know, we could actually acknowledge, as Labor Party senators and members of the joint committee have done, that there are legitimate concerns about laws governing the election of senators and the outcome of the 2013 half-Senate election. We could also acknowledge that no system is perfect—and the current system for electing senators is, of course, no exception. Having said that, you would also have thought there would be time for proper scrutiny of any proposed changes so we could look at the implications of these measures.

I note, for instance, that at the proceedings—and I attended as a participating member for most of the hearings—the Electoral Commission told us that they first found out about this particular piece of legislation when they got a copy of the bill on 11 February. This was not legislation that the Electoral Commission had actually drafted, oh no! It was legislation that was actually drafted by the finance department, who this committee refused to allow to appear. So there can be no discussion with the officers of the finance department about the intentions behind the bill, the consequences of the bill and the problems with the bill.

So we discovered that the government sent the bill to the Electoral Commission on 11 February. It was then given to members of the House, for them to cast their judgement, on 22 February. So, 11 days later, the government dropped the bill into the House and rammed it through the House that day; and then it established a committee to look at the consequences, with a reporting date of 2 March.

Of course, the legislation has already been passed in the House of Representatives, so the committee's report is effectively designed for attention in the Senate. You do not really need to consider these matters in detail, even though the legislation did require amendment—which is, of course, what happened in the House. And if we take this report at face value the government has acknowledged that it requires further amendment. This highlights that, when
you rush this type of stuff through, you create unintended consequences which leave you open to profound mistakes.

These are the circumstances that we are faced with here. The government is seeking to rush through legislation. What for? What is the intent? The intent here is not to improve the level of transparency and accountability in our governments. The intent here is to provide the circumstances for a double dissolution election. Under these electoral laws when they are accepted—because of the arrangement the government has entered into with the Greens—the government has its best chance of securing 38 seats in a double dissolution election. In fact a double dissolution election is the only circumstance where they could probably get 39 seats, and do so by the middle of the year. That is their intention. In July, they want to be able to fundamentally transform politics in this country to allow the government to pursue its political agenda by securing a majority in the Senate. It has nothing to do with improving transparency. It has everything to do with providing the hard right of the Liberal Party with the necessary resources in this parliament to secure their agenda. No matter what they enter into now, those are the consequences of what the Greens are doing.

I will not say they are naive. I do not think they are naive at all. What happened at the committee hearing when we asked Mr Nutt, the director of the Liberal Party: 'Have there been discussions between the Greens and the Liberal Party about exchanging preferences in inner-city seats in Melbourne and Sydney?' The answer was yes. The question has to be: what is the price for that sleazy little arrangement? The price may well be that the Liberal Party is doing a deal with the Greens to give them a favourable position in Wills, in Batman and in central seats in Sydney.

So it is a question of whether the Greens are prepared to cave in on issues like $100,000 university degrees and the $12 billion cuts to the university system that this government are trying to impose. Those are the consequences of their policy position at the moment that, to this date, they have failed to secure the support of the Senate on. If this arrangement comes into play, I can see circumstances where the government would be able to impose $12 billion worth of cuts to universities over a 10-year period.

Senator Waters interjecting—

Senator KIM CARR: You question my judgement on that? Let's go to the expert witness Professor Antony Green. He said that, under this proposed system, in the 2013 federal election the Labor Party would have won a second seat in South Australia and Western Australia, the Liberals would have won an extra seat in Victoria and Tasmania, Senator Xenophon would have won an additional seat in South Australia and Senator Sarah Hanson-Young would have lost her seat.

That is the other part of this little equation. The purge is not just on the crossbenches; it is a purge of those dissidents in the Greens party. The present leader of the Greens party is so desperate to prove how incredibly moderate and reasonable and accommodating he is to the Liberal Party, he has to get rid of one of his problems as a result. This is a very clever bit of political manoeuvring, isn't it? These are the people who claim to be the great party of protest at the same time being complicit with the quislings of the Liberal Party in securing an agenda. I am sure the people of the inner cities of this country will be pleased to hear that the party of protest calling itself the Greens has now capitulated to the hard right of the Liberal Party!
This—and I think the Labor Party has spelt this out very, very clearly—cannot go unchallenged. Last night I went home to my flat and at 9.40 at night an email came in with the chair's draft report. Under the shabby arrangements entered into, Labor senators were forced to produce a dissenting report by 8 am the next morning. This is what we are dealing with here. It is not just that this is such a shoddy process for the gathering of evidence and the hearing and treatment of witnesses. For instance, if you look at the Hansard record, Senator Collins asked, 'Why is the Department of Finance not here?' The chair of the committee said to Senator Collins: 'You are not here to make statements. That is not your job. Your job is to ask questions in the limited time that we have allocated for you in such a way as not to embarrass anybody by gathering information that might be pertinent to the way in which this bill will actually operate.'

Producing a chair's report at 9.40 at night and expecting a return by eight o'clock the next morning is way outside anything that I have seen in this chamber or in any joint committee that I have ever been associated with, and I am moving into my 24th year here. The entire process, as the minority report highlights, has been contemptuous of the parliament— (Time expired)

Senator MUIR (Victoria) (18:49): I rise to briefly contribute some thoughts in relation to the Joint Standing Committee on Electoral Matters report. In relation to the committee process, I will simply state, as I did yesterday, that this was the most biased and unbalanced committee inquiry I have ever participated in. My dissenting report highlights the key risks and issues in relation to the bill. Rather than follow the normal process, I was forced to begin this dissenting report late last week knowing that this process was going to be so rushed. I was well aware that the committee had a predetermined view and expected that most submissions would not be considered, especially considering there were up to 100 submissions which had been handed in by Monday evening. The committee hearing on the Tuesday morning went for four measly hours. There was they chair's report by Tuesday evening and on Wednesday it was tabled in the parliament. If this this is not a pre-written report, I will eat my hat.

This has all been done in the name of urgency due to an impending election. I would go so far as to say that the below-the-line recommendation was left out of the bill intentionally. It was such an obvious omission. I am sure that this omission was engineered to trigger public outrage from both critics and supporters of the bill. That way the committee report could then make a recommendation with follow-up amendments so that it would appear that a meaningful consultation process had taken place. I can see right through that. I suspect the Australian public can and I hope that supporters of the Australian Greens can as well. If the government can go to such lengths to manipulate the process, in collusion with the Greens, I have grave concerns about how the above-the-line savings provision where there is far less oversight might be able to be manipulated.

This morning I have been made aware of some recommendations from the joint committee in relation to below-the-line voting. These are the token amendments that I referred to just a moment ago. Whilst not identical, these recommendations are very similar to a recommendation I made in my dissenting report. However, the joint committee also recommended that a below-the-line savings provision be introduced to ensure that any ballot with at least six boxes numbered in sequential order be considered formal. This suggests that
the government thinks that Australian voters are not able to number a series of boxes from one to 12. Frankly, I find this insulting.

The government is arguing that the current system is being gamed. However, the government, the Greens and Senator Nick Xenophon are colluding to introduce a provision to below-the-line voting that can be manipulated and exploited at the ballot box. I do note, in Senator Xenophon's defence, that he appears to share some of my concerns in relation to how these provisions can be exploited. I hope that I can work with Senator Xenophon on this matter. I also hope to work with others in relation to the recommendations and amendments that I will be moving during the debate.

Yesterday, the Australian Electoral Commission said they have presented an optimistic time estimate in relation to implementing the necessary changes in time for an election this year. I have grave concerns that, should something unexpected happen and they are forced to go live before systems are ready and tested, we may well end up with an IT disaster and an inquiry into what went wrong with a Senate election.

I believe that we can make some simple changes before the next election. My dissenting report outlines these and notes that they should be considered transitional arrangements for the next election. They would greatly reduce the implementation task for the AEC between now and the next election. They would also allow for a more mature and comprehensive debate, where all opinions can be considered by the Senate in detail, not just those within the secret club that is the Joint Standing Committee on Electoral Matters.

My dissenting report presents my concerns with not only the bill but also the Commonwealth Electoral Act 1918. My recommendations are based on the principle that the system should encourage candidate based, not party based, below-the-line voting. The bill does not go far enough to encourage this. I also propose some inquiries to explore how the Senate can remain free of partisan politics. It is my belief that the system should be changed so the disparity between independent candidates and political parties can be narrowed. I encourage all those listening to read my dissenting report, share it with your friends and have your say to your local senator or member.

The proposal, as it stands, does not give voters full control of where their preferences go. It is very open to manipulation. The savings provisions can be manipulated by a how-to-vote card, and people will be led up the garden path by the parties who support this. There are amendments which can prevent this from happening, and I will certainly be moving them because this is supposed to be about democracy and the people having control of where their votes go.

**Senator RHIANNON** (New South Wales) (18:55): I rise to take note of the advisory report on the Commonwealth Electoral Amendment Bill 2016. I would very much like to thank the secretariat for the work that they have put into this. This report and the bill that it examines take us closer to a more open and transparent voting system. Working to achieve this is something on which we should have unity in this chamber. Labor Senator Kim Carr made the point at the start of his contribution that he had made close examination of this report. But then, true to form with what we have seen from so many Labor contributions in recent days, we heard a number of allegations, many of them ludicrous and many of them making attacks, particularly on the Greens and on the proposal that we have before us that is encompassed in this bill. It is worth looking at some of those.
Let's remember what we heard from Senator Carr, which is similar to what we heard from Senator Conroy and Senator Dastyari. They painted a bogeyman scenario in which there would be 38 coalition senators sitting on the government's red benches and in control for ever and ever. When Labor say that, let's remember that they are effectively saying, 'We've already lost the election.' How ridiculous! What a ridiculous way to run a political party, let alone an election campaign. There is a very simple message here: get out, have the courage of your convictions, show us what you stand for and do your job better, as my colleague Senator McKim says. That is what we should be seeing here. But, in speech after speech, they are just claiming that they have already lost the election and that the Senate will be dominated. The Greens will continue to fight against the ABCC bill and what this government is attempting to do to the union movement. That will be solid. It will be solid in the community, and it will be solid in this place. Attempting to misrepresent this does no credit to Labor, and people will see through it. There is a very clear problem in how Labor have been handling this whole debate.

Another piece of ongoing misinformation is that this inquiry has been a disaster. It was a very solid inquiry with excellent evidence. I have spoken about that before. But I have now been informed that at least eight other inquiries undertaken by committees of this parliament had the same number of working days as JSCEM had for this one, or even fewer. From referral to the reporting date, we had seven working days. So eight other inquiries had seven or fewer working days. There has been a misrepresentation that this inquiry did not hold up and was quite useless.

Let's remember some of the important aspects of the work that this inquiry has undertaken, because they reflect on some of the unfounded criticisms that have come forward during this debate. I want to start with the inquiry itself because it was revealing in this very fundamental aspect of what we are dealing with here. Should we get rid of group voting tickets, or should they remain? We have a bill before us that has really delivered excellent transparency and an opening up of the voting process to the voters so they can decide their own preferences. But we have heard from Labor senators and some others that we must retain the current system. At the inquiry, Senator Conroy set out how the current system works. You could not have had a better advocate for how wrong and how damaging this system is, how it minimises democracy in such an extreme way. Here are Senator Conroy's words:

I have probably only met 10 people—most of them have been in this room this morning—who truly understand how it works and who actually have a genuinely full understanding of how that system would work.

He is referring to group voting tickets, saying that he has only met 10 people who understand them. He went on to use much more colourful language in the flourishes he is well known for. It did not reflect well on him or the whole system of group voting tickets that representatives of all our parties have to be involved in if we are going to be able to lodge our group voting ticket to get the box above the line. I was quite surprised how blunt he was, and I do not think he realised what he was walking himself into.

The report also set out the issue of the count itself. We were very pleased that the bill has been amended to ensure that the current counting system will continue. It had been proposed not to count the Senate first preference votes by party on the night. That amendment is in the bill. Current counting procedures have been reinstated, and we feel that was very necessary.
Another area that understandably gets attention, particularly by those who are trying to
derail this bill, is the suggestion that there could be a High Court challenge. I absolutely take
that seriously because, in dealing with these matters, one needs to look into it, and we
received evidence on that issue. Some argued, in essence, that the High Court may find this
reform unconstitutional. A number of expert witnesses said that that would not be the case.
Very clear evidence was given on that front.

I will share with senators some comments from Professor Antony Green. He noted that
there have been no cases with a constitutional judgement on the use of Senate party lists. He
highlighted two key facts—that voters can still vote directly for candidates and that he could
not see how the proposed above-the-line system could be declared unconstitutional without
the existing above-the-line voting system also being ruled unconstitutional. We know that has
not happened. I would argue that that advice is very conclusive.

Also relevant in relation to the allegation that the High Court may find this bill
unconstitutional is the experience in New South Wales. We gained reforms to get rid of group
voting tickets and bring in optional preferential voting in 1999. Since then there have been
four elections. Not only has there not been any High Court challenge—or any legal challenge
at all—there have been no complaints about the system. The system is working well, it brings
greater democracy, there are much fairer elections, and minor parties are being elected to New
South Wales on the basis of preference flows. It is a very good example of how this electoral
reform can work in a beneficial way to improve our democratic process.

Senator Carr attempted to entertain many allegations and flourishes when he spoke. One
particularly outrageous one was that, in negotiating this bill, the Greens had made some deal
about preferences in lower house seats. That is ludicrous. It is ridiculous. It reflects on how so
many Labor MPs approach these issues. They think others work like they do. They are out
there doing deals, selling out their principles, seeing what advantage they can get when they
go forward in these negotiations. All we negotiated on—

Senator Moore: You don't do deals?

Senator Ludwig: Do you want a mirror?

Senator RHIANNON: I am again happy to acknowledge the interjections. What we
negotiated on was purely this legislation before us. That is all we negotiated on, to get better
outcomes, and we have been successful in improving this bill—something Labor would have
been wise to do.

Opposition senators interjecting—

Senator RHIANNON: I am happy to acknowledge the interjections for Hansard. There
are many outbursts from the Labor side of this parliament. What we have here is an example
of how the Greens work. We went in there to improve the legislation. We have been working
hard for years to get this legislation. In the first place, it was not perfect, then we worked to
improve it. Surely that is what you should be doing in this place if, overall, legislation brings
an advance for the people of Australia—and in this case that is what we have achieved. This
bill brings greater transparency and gives voters the right to determine their preferences. That
is what is needed. It is time Labor got on board and got out of the backroom deals.
Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (19:05): I have made a number of contributions on this subject over recent days. I almost feel like I have been burdened with the role of being the conscience of the Senate. Senator Hanson-Young interjecting—

Senator O'SULLIVAN: No, seriously. We're mates at the moment—don't you start interjecting. I have paid attention to listening to what everyone—

Opposition senators interjecting—

Senator O'SULLIVAN: No, it is the Australian Labor Party that I am helping out here. There have been massive gaps in the contributions made by your speakers. Over the last few days, we have noted that Labor are working their way through the alphabet. I mentioned in a contribution last night that they have chopped heads off—I will not go into that ghastly description again, but they have decapitated all the key players. Faulkner is no longer the honourable father of both the Senate and the Labor Party. He is no longer the conscience of what is right and fair and transparent in the processes of the Senate and indeed Senate elections. He has been gone for a couple of weeks and, somehow, everything that was thought of him has gone.

Faulkner is out and Mr Gray from the other place, who is probably across this matter in much more detail than his colleagues in the Labor Party, has gone too. Guillotine there is rolling around on the floor and Mr Griffin from the other place, who was a fair and reasonable individual, has also gone. They have been replaced. They have got to the Cs in the Labor Party—we have Carr, Cameron, Conroy and Collins. Sterlo, you are never going to get a brief here; this is going to be over before we get to the Ss. They have now trotted out a brand-new team. Why are they brand-new and not entitled to make a contribution to this? Where have they been since May 2013? This is not new subject matter—there is nothing new about what might need to happen with electoral reform, especially Senate voting. This is nearly older than I—this has been around since May—no, I am known to embellish on occasions.

Senator Ludwig: Only a little bit!

Senator O'SULLIVAN: Senator Ludwig is dead right there—he has known me for a long time. To be serious for a moment—and I find that difficult to do too—the point is that these questions have been under consideration now for almost three years. It is coming up for its birthday in May. I know this because I have participated in the process; I have represented the interests of the National Party on the committee as it considered these very difficult questions, some of which arose as a result of occurrences in the last federal election. I listened to Senator Muir for whom I have very high regard—I was one of the first people in this place to go out and speak positively about Senator Muir. I thought in the weeks and months leading up to his arrival here that he was treated very unfairly. I am qualified to speak to Senator Muir, because he has been criticised for working in a sawmill and now is in the Senate. I too have worked in a sawmill and a dozen other jobs of that nature, and that does not disqualify anybody. One's background does not disqualify anyone from being in this place.

As I have listened to the contributions, particularly from the Australian Labor Party, I have not heard the word 'voter' used once. Not once have they mentioned it; not once have they talked about the issue of transparency or fairness in the electoral process—it has not come into their conversation. I should not mislead the Senate and so I withdraw that and will
qualify what I have said. I have heard those terms used by Senator Faulkner before he left this place, by Mr Gray and Mr Griffin and I heard them used while sitting through dozens and dozens of hours of inquiries that we conducted all over this great nation on this very vexed question. They talk about urgency. In almost three years and after dozens and dozens of hours of sitting and listening to contributions by anybody who wanted to make a contribution—if that is urgency, then we are in a lot of trouble.

The fact is that the committee took the time to invite and then to consider 216 submissions. I like quite a number of the crossbenchers and opposition senators, but I have to admit that I do not like some of them at all. None of them attended any of the meetings I was at, and I suspect that I was at them all. They never attended a meeting—not once did they joined us on the journey as we looked at this vexed question of introducing fairness and transparency into the electoral process. I am full of admissions tonight—but, being a retired detective, there was a whole phase of my life to be very careful about making any sort of admission—and I must admit to this: rather than listen to those whose contribution might have suited my year, I focused on those whose contributions might not suit my ear. I found myself drawn into the argument being made by the Australian Labor Party, because it made sense.

Some of the ALP’s submission made sense to me. I read it—I will not revisit my contribution from last night—but I will bet you London to a brick that many of those on the other side have not read their own party’s submission. That submission is proving to be completely inconvenient to them today—in fact it is embarrassing to them. Sometimes I hang my head because I feel the deep embarrassment which visits upon you with this particular subject matter. You made a submission through your party, and I imagine that was approved, then you put some of your luminaries onto the committee to make their contribution—Mr Gray, Mr Griffin and Senator Faulkner, all wise men. As I listen to them, my ear became attuned to what they had to say; I was drawn to their arguments that it was clear that this process needed to be revamped. Clear—C-L-E-A-R. There was no ambiguity or confusion or qualification about what they had to say. They said it was clear. I must admit I do not spend a lot of time poring over contributions from the Labor Party, but I did on this occasion. I was drawn to their argument. I thought it met the tests of fairness and equity with changes that needed to happen in the electoral system, particularly in Senate voting.

Here we are now, three birthdays on, 1,000 days down, and what does the Labor Party do at the eleventh hour? They knock the noggin off all the reasonable contributors and replace them with the four Cs from the Labor Party. When you see the four Cs come in the room, you know there is a fix on. (Time expired)

Senator CAROL BROWN (Tasmania) (19:15): I rise to speak on the report of the Joint Standing Committee on Electoral Matters inquiry into the Commonwealth Electoral Amendment Bill 2016. One issue that Senator O’Sullivan refused to go near when he was making his contribution was the process—the process that has got us to this point. It is a process where we saw the AEC say to JSCEM that they had only seen the bill on 11 February—it is not the same bill they would have seen because of course it has been amended, because it has been rushed; there has been an obscene effort to rush this legislation through this parliament because they do not want proper scrutiny. What is wrong with a bit of proper scrutiny? The Greens are always the first ones to scream about having transparency
and scrutiny, but not when Senator Rhiannon is in charge—they are not interested in any scrutiny or transparency then.

Senator Rhiannon's contribution indicated that somehow the Greens are above politics. I can tell you, they get down and dirty—they are in the back rooms, they are doing the deals. At every federal election they do deals for preferences, so they cannot come in here and try to pretend that they are not doing deals on preferences. Of course they are.

Senator McKim: You have to, it's the law.

Senator CAROL BROWN: Senator Rhiannon said that is not what they do—they do not go out and do the dirty deals, they do not go out in the back rooms. I am glad that Senator McKim has owned up. I am glad that Senator McKim has said that yes they do go into the back rooms and they do do these preference deals.

Senator McKim: Mr Acting Deputy President, I rise on a point of order. Senator Brown is misrepresenting what I just said. I have not indicated that we go into back rooms at all, I simply indicated that it is the law to lodge a group voting ticket.

The ACTING DEPUTY PRESIDENT (Senator Gallacher): That is a debating point. There is no point of order.

Senator CAROL BROWN: There is a bit of sensitivity there. We should go back and look at what Senator Rhiannon actually said. She talked about the Greens not doing deals on preferences. Nobody requires you to go and do a deal on preferences—you could put a group voting ticket in without doing deals. But everybody knows that the Greens go in, they go in hard, they get down and dirty and they are in the back rooms and they have been in the back rooms with the Liberal Party on this piece of legislation. The AEC first sighted this piece of legislation on 11 February. They say that they can get it ready in three months, but we have already had amendments that will be put through.

This inquiry process has been an absolute disgrace and a sham. We have seen the legislation introduced in the House on the 22nd and rammed through in one day. There was complete disrespect shown to senators on the joint standing committee regarding the amount of time we were able to cross-examine witnesses and the witnesses that were called. They were hiding the Department of Finance—they were not allowed to be cross-examined. We cannot be sure that the resources that the AEC need to put this proposal into place will be there, because we were not able to ask anyone. It was a complete sham, and the Greens stand condemned. I seek leave to continue my remarks.

Leave granted; debate adjourned.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Gallacher) (19:20): Order! I propose the question:

That the Senate do now adjourn.

Howard Government

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (19:20): In this building this evening a great many people are gathering to mark a historic occasion in the life of our nation. It was on this day 20 years ago, almost to the minute in fact, that it became clear that John Howard had won a very sizeable election victory for the coalition,
ending 13 years in the political wilderness. At the time, very few commentators saw the event as representing a seismic shift in the nation’s political and policy culture. The election result was generally thought to be the result of an 'It's Time' factor—nothing more than a backlash against a longserving, tired Labor government. Certainly few would have speculated at the time that John Howard would go on to become Australia's second longest-serving Prime Minister, and in the process enact some of the most significant economic reforms of Australia's modern era.

For all the talk of the huge budget deficit and record debt levels that existed when the Howard government won office, few thought the problems could be tackled in any meaningful way. Certainly few believed that either the deficit or the mountain of debt could be eliminated. Yet, that is exactly what was achieved. The Howard government delivered a record number of surplus budgets—indeed, with the exception of the first two budgets, which had to clean up Labor's mess, and one other, all the Howard government's budgets were surplus budgets. That was achieved in the face of a sceptical commentariat, which said it could not be done, and in spite of trenchant opposition from the Labor Party, which just like the Labor Party of today failed to support the government in the task of fiscal repair. A responsible approach to fiscal policy also allowed the Howard government to eliminate the $96 billion in debt that it had inherited from the Keating Labor government. This meant that by the time John Howard left office in 2007, Australia was saving around $8.8 billion a year in interest payments alone—money that could be invested to protect the nation's future.

There are many reasons for the political longevity of the Howard government, and I will not have a chance to touch on all of them this evening. But one of the major factors in the government's success was that it looked after working Australians. That is a fact which is enormously disruptive to the preferred political narrative of the Labor Party. We saw another example of that in this chamber this afternoon with Senator Wong's motion that accused the Howard government of all manner of misdeeds. It was a tired list of the same old hysterical, false charges that Labor made against John Howard over more than a decade in opposition. I was especially amused by Senator Wong's charge that the Howard government had presided over an absence of economic reform.

The Labor Party cannot have it both ways. It cannot have spent 1996 to 2007 accusing the Howard government of declaring war on working Australians or presiding over a day of fundamental injustice by reforming the tax system of debasing decent standards in public affairs and now turn around and complain that the Howard government did not do anything. Of course, there is a reason that Labor's charges do not ring true. They are not supported by the examination of the facts. In fact, between 1996 and 2007, the real wages of Australian households increased by 21.5 per cent. That stands in stark contrast to the 13 years of Labor government that immediately preceded the Howard government's tenure when workers actually experienced a decline in real incomes. That was backed up by the largest income tax in Australian history undertaken as part of the significant tax reform package the Howard government introduced in 1998. This was built upon with further reductions in income tax in 2003, 2004, 2005, 2006 and finally in 2007. For all the sniping we still hear from those opposite, that is not a record they have ever gone close to matching.

There was a more creative and modern approach taken to meeting the needs of the long-term unemployed, helping them obtain the skills they needed to get into the workforce. That
started with the abolition of the tired old structures of the Commonwealth Employment Service, and instead building the job network, allowing private and not-for-profit organisations to work directly with unemployed Australians on building skills and identifying job opportunities. Of course, that was helped by the introduction of Work for the Dole, something that brought new levels of accountability to our income support system. All these things were done over the vociferous objections of the Australian Labor Party, the so-called party of the Australian worker.

The shrill attacks from Labor are there on the Hansard from the time. It was a war on workers and a Sheriff of Nottingham approach we were told. But what did we see? Over the life of the Howard government, with the creation by small and large businesses of over two million jobs at higher wages, the nation's unemployment rate hit record lows. It was hovering just over four per cent when the Howard government left office. I have barely scratched the surface. Time tonight will not permit me to discuss a plethora of the Howard government's other economic achievements, especially improvements to productivity on the waterfront, which I know is a favourite topic for Labor senators.

In the few moments remaining, I want to touch on a couple of the enduring lessons from the Howard government's experiences and the leadership of Mr Howard in particular, which I think are of value for parliamentarians today and parliamentarians of all sides. The first of these relates to our general political approach in Australia. Mr Howard's experience shows that the electorate will respect and ultimately reward governments that are prepared to take tough decisions and clearly set out the need for reform. That does not mean the reforms themselves will be popular. Spending reductions were not inherently more popular in 1996 than they are today. What I fear has changed is our willingness—this applies on all sides—to explain the need for those reforms to our fellow Australians and to make the case for difficult changes in the national interest.

This present government has consistently argued there is a need for spending reductions. Honest people within the Labor Party also see the need for those reductions, as recent comments from Paul Keating have demonstrated. John Howard has always been consistent on this point, as his support for the Hawke government's economic reforms when he was in opposition in the 1980s demonstrated. If we are going to solve the nation's fiscal problems, that spirit of cooperation must return.

This brings me to my final point. I believe Mr Howard's long-term political success can be attributed, in no small measure, to his consistent ability to get the tone right and to speak to Australians in a measured, respectful way, even those with whom he had fundamental disagreements. It was not always perfect. Mr Howard himself has acknowledged some missteps early in his prime ministership. He learned those lessons early and learned them well.

Like most political careers, Mr Howard's did not end happily. His government was defeated and he lost his own seat. Despite that, he is still the most respected, conservative political figure in Australia today, and his views on contemporary issues continue to be routinely sort. That would not be the case if Mr Howard was simply the reactionary rabble-rouser that some of his opponents tried unfairly to portray him as. However, Mr Howard is a conservative, not a reactionary. The two things are very different. They are distinct. Perhaps that is best demonstrated by Mr Howard's approach to the issue of burning the flag, which like
the republic, tends to crop up every few years and has again this week. When asked about it as Prime Minister, Mr Howard, like most conservatives, said he personally found the gesture offensive. But that was not a reason to ban it, he said. He also said:

I don't think we achieve anything by making it a criminal offence. We only turn yahoo behaviour into martyrdom.

He has also said flag-burning, however offensive, is, 'Part of the sort of free speech code that we have in this country.' That is the difference between a conservative response and a reactionary response. Conservatism is nothing if it is not the consistent application of our principles. Our defence of free speech means nothing if we are unwilling to extend that same defence to those with whom we disagree.

**Road Safety: Trucking Industry**

**Senator STERLE** (Western Australia) (19:29): I only have 10 minutes, but I could go on all night about this incident. I saw on Twitter, probably three or four weeks ago, a picture of a truck jackknifed on a major highway in Sydney. The exact date was 5 February 2016. It was a semitrailer—so, Mr Acting Deputy President Gallacher, you know exactly what I am talking about—

**Senator Nash:** So do I.

**Senator STERLE:** And you, Senator Nash—fantastic. How many tonnes was it? Got ya! It was a 42½-tonne semitrailer—a bogie drive tri-axle trailer. I have great respect for Senator Nash because she understands the issue of road safety and the importance of our drivers being fully trained in handling these monsters running up and down our highways. I say 'monsters' with affection, because they are what I played with for many, many years of my life.

So here was this semitrailer jackknifed on the M5, I think it was. I went to the source of the story. Chris Reason at Channel 7 had done it. A couple of drivers were heading down the M5—I think it was the M5. I am led to believe it goes under Sydney Airport. There is a bit of a bridge. They saw it. They thought, 'Whoops—a-daisy, we don't know if we're going to fit,' so they pulled up. This pair of clowns—and those are the nicest words I can use for them—got out of the truck and then thought, 'We'd better back up,' on three lanes of highway. They could not even back up the semi; it jackknifed. I take it back: one was hiding in the cab like a coward while the other one was trying to back it up. One bolted. The driver bolted. The news people got out there.

These two, who were employed to operate a 42½-tonne rig on our highways, carting freight, were employed by a mob to which you would be no stranger, Mr Acting Deputy President Gallacher—a mob from Mt Gambier called Scott's Transport. I am going to take 20 steps out to my right, and I am going for Scott's. I am not hiding behind parliamentary privilege.

Scott's Transport used to be a very, very decent employer, I am led to believe. But the management of the company has been passed down a generation or two, I think—I stand to be corrected. Scott's Transport from Mt Gambier had employed these two drivers, who were Indian. Before you all start jumping up and down, foreign workers are always welcome in this country, but they are not welcome, in my view, when they are doing Australians out of jobs by working for lower wages and lesser conditions. I have not proved that yet. But what I have proved is that these two Indian drivers, who denied any responsibility, were not able to back
up a semitrailer. On the news, they were asked by the reporter: 'Not only should you be able to back this semitrailer—I am worried about a 42½-tonner on our highways mixing with school buses and other road users—do you think you should know how to uncouple the semitrailer?' The clown sits there and says, 'No, why would I have to know how to uncouple the semitrailer?'

It is an absolute pox on our system that two foreign drivers have come into our nation and are driving 42½-tonne loaded rigs up and down our highways. For all I know, they could have been doing B-doubles or road trains the day or the week before; I do not know. There was a bit of misinformation. The TV reported that they were here on 457 visas. I wrote straightaway to the minister for immigration, and I commend the minister for immigration because he got back to me straightaway. He took this seriously. He said to me, 'They weren't; they weren't on 457 visas.'

What I want to find out—and I am going to find out as the chair of the Rural and Regional Affairs and Transport References Committee, because we are looking into this—is who these clowns were working for. I want to find out who employed this pair and put them behind the wheel of a 42½-tonne rig running up and down our highways with other road users when they cannot even unhook it or back it. I want to know: were they directly employed by Scott's Transport in Mt Gambier, or were they working for a subcontractor or another company that was contracted to cart for Scott's Transport?

I am inviting Scott's Transport to come and face us. And, Scott's Transport, don't hide, because we know who you are, and I am on the warpath with this because, you see, you have responsibility. I do not care about any excuses. I want to know from Scott's Transport: who the hell was the client? What was in the back of this truck? How many trips has this pair of clowns done? Who are they working for? Are they here on some other visa? There is absolutely no way on earth that any Australian politician can accept that we have people on our highways who are not trained. Where the hell did their licences come from? We used to joke about it in the seventies: 'Did you get your licence out of a Wheaties packet?' I am absolutely flabbergasted. I can tell you this, Mr Acting Deputy President Gallacher; they were licensed in Queensland. So the Queensland government has something to explain here.

I had heaps of things going through my head. I was thinking to myself: is there something sinister here? These two peanuts do not have the skills to back this rig or unhook this rig, and yet they are licensed to drive this rig. Is there something shonky going on? Is there somewhere overseas you can go? Is there corruption somewhere? I am not suggesting anyone in Queensland is corrupt. Something has gone wrong.

I spent 12 years of my life pulling road trains through this great nation. No-one can deny me the passion that I have for keeping our roads safe and for making sure our truck drivers are safe. No-one can deny the anger I have inside me as part of a family with three generations of truckies. I know the skills that we obtained on our journeys. I learnt at my father's knee, in his truck. Unfortunately, my son did not have the same opportunity to learn at my knee, because I had hung up the riding boots before he started driving trucks. But I know the training that he has done and that all our fellow Australian truck drivers have done, and the rigorous training that they go through. In fact, there are that many bloody laws in this country, I do not know why you would even want to be a truck driver anymore.
Yet these clowns are in our country, driving for someone and carting someone's freight, and Scott's Transport have to answer why the hell that is. Scott's Transport might think they are going to get out of this, but they are notorious. Scott's Transport, you will have the opportunity to front me and the committee and you will have the opportunity to prove me wrong. In fact, I want you to prove me wrong, because your record disgusts me. You absolutely disgust me. How are you on our highways? You should be locked up, and I stand by that.

Let us look at Scott's Transport's infringements over the last few years. In May 2014, Scott's of Mt Gambier was fined a total of $1.2 million after pleading guilty to 165 speeding offences just in New South Wales. I am told it was reduced, on appeal, to $85,000. The buggers should be locked up. They should not be allowed to walk our streets when they have been fined $1.2 million, for crying out loud. In New South Wales, drivers of overheight vehicles who blatantly ignore the tunnel warning signs face a $2,200 fine and six demerit points off their licence, plus the truck can be grounded by suspending its registration for three months. My goodness me, there are some answers needed.

I will tell you what happened at the end of the day. There are these drivers in Sydney from a government organisation—or whatever it is—called RMS. I apologise; I do not know what 'RMS' stands for. If someone can help me out there, please set me straight. An RMS driver had to come out and move the rig. And this pair of peanuts then got into the truck and happily drove off. Where were the coppers? Why weren't the coppers saying, Whoa, just stop right there? You could not back the damn thing up, you could not uncouple it; they had to bring a government employee in to back the bucket of nuts and bolts up. And the coppers sat back—the coppers can prove me wrong; if I am wrong, come and tell me—and let them drive off. What the hell is going on here?

We have a terrible record as a nation. Three hundred and thirty people are killed in heavy vehicle related accidents on our highways every year. And we think it is acceptable for two Indian drivers—one at the steering wheel and one in the bunk hiding like a coward—to end up behind the wheel of a 42½ tonne rig and strand it across a three-lane highway? They cannot even get the bloody thing back! I am as mad as hell. I apologise for my language. I tell you what, it is going to really fire up when I front Scott's.

Scott's and the Queensland government, I will leave you with this: there are questions that need to be answered. You cannot hide. I am not going to let you hide. I have been stewing over this since I first heard of it on 5 February, or whenever it was. Goodness me! It makes me want to put my hands around someone's throat and actually choke the living daylights out of them. What happens if these clowns go out there and kill someone? What does the Queensland government say? What are they going to say—'Oh, we didn't know'? You knew. Queensland, they were licensed in your state. I do not care what persuasion of government is in control in Queensland, I am going to go down the supply chain. I am going to expose—and I do not care if it takes every ounce of my fibre to find out—who the hell's freight they were carting and how many times they had carted this freight.

Clients of Scott's Transport or any other transport company who are using these people: I am coming for you. And I am not saying it lightly. I am wound up like a clock. I am not going to sit back when there is a responsibility, as a legislator in this country, to have that side of parliament doing everything it can to tear down our Road Safety Remuneration Tribunal. The
beautiful thing about this is that the coalition senators that I spoke to on my committee are 100 per cent behind me.

God help us! You can find a truck driver in this country with one phone call. (Time expired)

**Recreational Vehicles**

**Senator MUIR** (Victoria) (19:39): I rise to make a short statement in relation to the use of vehicles for recreational and sporting purposes. The restrictions around recreational vehicle use is an issue constantly brought to my attention by not only my Victorian constituency but also the Motoring Enthusiast constituency across Australia. In accordance with the Victorian Road Safety Act 1986, a 'vehicle' means:

… a conveyance that is designed to be propelled or drawn by any means, whether or not capable of being so propelled or drawn, and includes bicycle or other pedal-powered vehicle, trailer, tram-car and air-cushion vehicle but does not include railway locomotive or railway rolling stock …

From this very broad definition, a vehicle can then be interpreted to include motor vehicles, bicycles, skateboards, scooters, motorcycles, go-karts, billycarts, quad bikes, tractors and even ride-on lawn mowers.

The popularity of recreational vehicles for outdoor enjoyment continues to soar, with many law-abiding individuals taking their pursuits to public areas that are gazetted for this very purpose. The benefits of this not only contribute to happy and healthy citizens but aid to boost the local economy, particularly in regional areas. As the push for regional growth intensifies, there have been suggestions that Victoria's main regional cities could actually surpass the growth rates of their metropolitan counterparts. Between 2010 and 2011, over 135,000 people left a capital city in Australia to move interstate or into a regional area. Of these, 30,576 moved from Melbourne to regional Victoria.

So how does this shift relate to recreational vehicles and outdoor activities? It is simple. Some people are choosing to move from metropolitan to regional cities where such factors as lifestyle, affordability and quality of life become top priority. 'Tree changers', as they are most commonly being referred to, are the many families and individuals who have escaped the rat race and embarked on lifestyle changes to wider open spaces where they can secure a relaxed and less complicated lifestyle. For many, this has meant acquiring a dream home on a large rural acreage where outdoor recreational activities can be enjoyed right on their doorstep on their privately owned land.

Recently, I was particularly concerned to learn that local laws may be amended to restrict the use of recreational vehicles and vehicle tracks on private property. A proposed local law amendment relating to my electorate states that:

94.1 A person must not without a permit use a vehicle for recreation or sporting purposes on any private land within the municipal district.

94.2 A person must not without a permit construct, maintain or use a recreational vehicle track, circuit or course on any private land within the municipal district.

A resultant 'failure to comply' with the proposed local law carries a penalty of 10 penalty units, which is currently about $1,500. The consequences of such proposed amendments would restrict a person's ability to pursue the enjoyment of their recreational vehicles on their own land. With the restrictions imposed on taking such pursuits to public land and spaces, the
measures greatly impact on a person's ability to use their vehicle for recreational purposes at all. This is of grave concern to me as a representative of the Australian Motoring Enthusiast Party. If an individual council can create a local law which supersedes a law of a state jurisdiction, it could potentially establish the very dangerous precedent of other councils following suit. This needs to be addressed for not only individuals who enjoy their lifestyle but, just as importantly, those who also wish to enjoy their lifestyle with their children, who will be left with no legal option in this pursuit.

Taking dirt-bike riding as an example, a person operating a recreational motorcycle must be at least 18 years of age and hold an appropriate motorcycle learner permit or licence. For riders unable to meet the eligibility criteria for registration and licensing, the only legal alternative for riding in Victoria is riding on private land. This is completely inconsistent with any other restriction we impose on junior involvement in recreational activities within my electorate of Victoria. In an extremely positive contrast to that, we allow juniors to obtain a firearm licence in Victoria when they are aged between 12 and 17, with appropriate restrictions applicable. There are restrictions to the type of firearm that can be used by a junior. There are limits to the situation in which they can carry said firearm. They must be under the strict supervision of an adult who has a current full licence. A junior licence holder cannot own or store firearms but their parents can apply for a firearm licence to own and store firearms on their child’s behalf, providing the parent is also a licenced firearm holder.

In a similar scope, if you are aged between 12 and 16 you can apply for a restricted marine licence and a restricted personal watercraft endorsement. Yet again, there are simply restrictions applied to the holder of a restricted marine licence. The holder of a restricted marine licence cannot be the master of a registered recreational vessel or a regulated hire-and-drive vessel while the vessel is operating between sunset and sunrise, operating at a speed of 10 knots or more or towing a person, another vessel or an object. Once you reach the age of 16, the mentioned restrictions will be automatically removed.

I understand that licensing and enforcement are currently under state jurisdiction, which is an issue unto itself. When traveling interstate we are suddenly expected to be aware of inconsistent road rules, road signs and restrictions established in that state, which are enforceable by law whether we are aware of them or not. There needs to be consistency in regulations and consequences nationwide.

In the final report tabled by the Senate inquiry into the future of Australia's automotive industry on 1 December 2015, which I was a participating member of, recommendation 20 said:

The committee recommends that the government, through COAG, pursue reform options to harmonise vehicle modification regulations and adopt a consistent national approach to compliance and enforcement with vehicle regulations. A critical part of this work will be the harmonisation of emerging federal, state and territory legislation and regulations designed to deal with the arrival of autonomous vehicles and driving systems.

Should the government choose to adopt this recommendation at any stage in the future, it gives the opportunity to consider adaptation across a broader spectrum of inconsistencies. Excluding competition events, there are currently no legal riding opportunities available to unregistered bikes and quads apart from a select few in Western Australia. Western Australia is the only state in Australia that allows unlicensed riders and non-road-registered bikes to
ride in specifically designated legal off-road-vehicle areas, of which there are currently five in the state. Keep in mind that any minor under the age of 18 cannot be a legally licensed rider, nor can their motorbike be registered. So in saying that, Western Australia is the only state in Australia which offers a public off-road-vehicle area for children to ride their motorbike with a supervising adult.

The recreational use of a vehicle is far from the public perception of antisocial behaviour. To some it is about the challenge of handling the bike over varying terrain. To others it is about experiencing the outdoors and seeing the country in a unique way. For many it is about the adrenalin and mateship, and for some families it is about spending time together engaged in an activity that the whole family can enjoy. There is always a strong focus on enforcement against antisocial behaviour.

The problem with enforcement is that the law has to be broken for it to be enforced in the first place. By not providing a legal venue and access for people to enjoy their chosen lifestyle or hobby, especially minors, who as I mentioned cannot be licensed or have a registration under the current law, you unintentionally make criminals of otherwise law-abiding individuals just wanting to enjoy themselves in the right environment.

I have been in contact with a Victorian constituent who has a trail bike tour business. It would be beneficial for his tours as well as for the local economy in East Gippsland if there was legal access to some of the single trail tracks which already exist in this area. With increased legal use of these tracks, local accommodation and hospitality would benefit as recreational tourism increases. Furthermore, these tracks are already being used, regardless of it being illegal. By changing the focus from prosecution and aiming to legalise these existing tracks, we can create economic stimulus in areas where it is desperately needed. If made legal, the tracks can become regulated and maintained by those who wish to see them stay open.

We need to move away from the nanny state at all levels of government and respect existence. As a Victorian resident, my children, who are aged 17, 11, 10, six and three, are not able to have motorcycle licences, nor are they able to register their motorbikes. If we did not have access to private property they would not even be able to enjoy riding their motorbikes as a family.

In their leisure time my children are not destroying property. They are taught appreciation of the environment they are riding in, consideration of others and respect for the vehicle they are in control of. It is a physical outdoor activity which is exhilarating and challenging—

(Time expired)

Jones, Mr Steve, AM
Senator Bullock

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (19:49): I rise tonight to speak on two completely separate issues. The first is that I want to pay tribute and homage to the late Steve Jones AM, who was the Mayor of the Lockyer Valley Regional Council. The Lockyer Valley is an area in my home state of Queensland that is located at the bottom of the Great Dividing Range between Toowoomba and Ipswich—or Brisbane, for those who might not be familiar with the geography of my state. As a regional area and economy it is truly a wonderful place. It is a very eclectic agricultural area. Indeed, it is an irrigated food bowl and it hosts an awful lot of primary production servicing not just my home
state of Queensland and Brisbane, but indeed the whole nation. In fact many of the producers in this area are solely contracted with the Woolworths, Coles and Aldi and the like, so we consume many agricultural soft commodities every day that are grown and developed in this great area of the Lockyer Regional Council. Steve Jones is a person whom I regarded as a close personal friend. Apart from that, over many years—decades, in fact—I had dealings with him in his capacity as mayor and in my capacity as the group managing director of companies that were involved quite heavily in business investments within the shire, including but not limited to developments within the domestic housing sector within their capital, if you like, of Gatton.

Steve Jones was a true man of the people. He was motivated to enter politics on the back of truly servicing the men and women and families within his electorate. I suspect that when the good Lord had Steve's clay in his hands in the beginning he moulded an individual whom the good Lord knew would eventually serve this particular constituency.

He was a man who grew up with limited education. He was involved in agriculture and allied pursuits for most of his adult life. He really, truly understood deeply what was required of that particular regional shire to support the economy of his shire. I will bet you that if tested he could have named not only the mum and dad and the principals of every farming enterprise within the geographical area, but indeed their children, and on most occasions their grandchildren, or their grandparents before them.

So, Steve Jones was a lifelong man of the Lockyer Valley. He was a very decent man who held the principles of integrity and honesty as the touchstones for him as he went about conducting the business of the shire. It was rare for you to drive down the main street of Gatton, or indeed some of the other communities within his shire, where did you not see Steve with his leg cocked up on the front of a shop or on the bullbar of a car talking with people who were resident in the area. He was a very firm man with respect to his administration of the affairs of his local government. He was much loved, having served in the position largely unchallenged for a very long period of time.

About five years ago I had a personal experience with him that stands out for me. Through a business interaction we inherited a site that had been a sawmill in the township of Gatton for about 30 years before it came into our ownership. Over that time there had been a massive accumulation of timber, timber that no longer had a commercial value, and there were quite literally thousands and thousands of tonnes of this timber on the site, and the site itself was unsightly. I decided that the only way we were going to resolve the issue was to collect all of this timber and burn it. There was no other reasonable commercial alternative to resolving the mess that the site was, as it was our intention to go on and perhaps apply it to some other commercial purpose. So, along with quite a number of staff, we started to clean up. I was on a dozer, feeding a number of quite significant fires on the site for us to get it to a position where we could then remediate the whole site. On day 4 I saw Steve Jones come and sit on a billet of timber over near the main office area. I did not do anything about that for about 20 or 30 minutes and then I noticed that he was still there, so I climbed down off the dozer to talk to him. Steve said to me, 'I can't be certain, big feller, but I think that you are at the same time simultaneously breaching anywhere between 30 or 50 by-laws of the council here.' I said to him, 'Well, Steve, I have been here for nearly a week. You should have come and seen me sooner.' He said, 'No, there is a more compelling motive involved. We have wanted this site
cleaned up for nearly 20 years now.’ That is the sort of fellow he was—a very pragmatic, practical and decent man.

I say ‘vale’ Steve Jones and I reach out to his wife, Ann, to his sons, James, Dale and Brandon, and their partners, Ally, Stacey and Ayla, and, of course, to his granddaughter, Avery. I say to them that our thoughts and our prayers are with you in this very difficult time. Having experienced a very similar episode with my own wife, Annie, some nine years ago, I know just what Ann is thinking and feeling at the moment. I say to her that in time the clouds will part.

The second contribution I want to make is to reflect upon the retirement notification yesterday of Senator Joe Bullock. I have become friends with Senator Joe Bullock, and it is not unusual in this place for people of different political backgrounds to become close. I want to pay tribute not just to his overall contribution to this place, but in particular to the contribution he made, along with the contribution of Senator Sterle, his good friend and his companion in the Australian Labor Party, during two serious reference committee inquiries that were held: one into the sugar marketing industry and the other into the beef levy.

All of the sugar grown in this country is in my home state of Queensland. Sixty-six per cent of the beef herd is in my home state of Queensland. From my point of view these were significantly important issues that we examined. I can say that Joe Bullock, whilst he would not hold himself out necessarily to be an expert in either of the commodities, showed a wisdom, an affinity and a belief in the small businesses and small family farms. I think that that is probably perfectly consistent with his 30-plus years in the union movement. I thank him for that, and on behalf of the people of Queensland I thank him. Joe, you are very decent man and this place is poorer for your retirement.

Senate adjourned at 20:00

DOCUMENTS

Tabling

The following documents were tabled by the Clerk pursuant to statute:

Migration Act 1958—

Statements under section 33—1 July to 31 December 2015 [1].
Statements under section 46A—1 July to 31 December 2015 [48].
Statements under section 48B—1 July to 31 December 2015 [3].
Statements under section 91L—1 July to 31 December 2015 [1].
Statements under section 91Q—1 July to 31 December 2015 [2].
Statements under section 195A—1 July to 31 December 2015 [90].
Statements under section 197AB—1 July to 31 December 2015 [31].
Statements under section 198AE—1 July to 31 December 2015 [4].
Statements under section 351—1 July to 31 December 2015 [102].
Statements under section 417—1 July to 31 December 2015 [16].

Tabling

The following documents were tabled pursuant to standing order 61(1)(b):

Australian Law Reform Commission (ALRC)—Report No. 129—Traditional rights and freedoms—Encroachments by Commonwealth laws—
Final report, December 2015.
Summary report, December 2015.

Migration Act 1958—Section 486O—Assessment of detention arrangements—Personal identifiers 1002173, 1002181, 1002208, 1002209, 1002221, 1002236, 1002249, 1002273, 1002283, 1002292, 1002301, 1002328, 1002334, 1002353, 1002356, 1002364, 1002397, 1002398, 1002410, 1002417, 1002452, 1002466, 1002516, 1002519, 1002561, 1002602, 1002605, 1002672, 1002673, 1002730, 1002760, 1002775, 1002856, 1002915, 1002969, 1002974, 1003046, 1003102, 1003156, 1003171, 1003172, 1003187, 1003189, 1003197, 1003211, 1003213, 1003304, 1003313, 1003416 and 1003453—Commonwealth Ombudsman’s reports, dated 2 March 2016.

Government response to Ombudsman’s reports, dated 1 March 2016.

Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 October to 31 December 2015.

Treaty—Bilateral—Treaty on Extradition Between Australia and the People’s Republic of China (Sydney, 6 September 2007)—Text, together with national interest analysis.

Tabling

The following documents were tabled by the Clerk pursuant to order:

Entity contracts for 2015—Letter of advice pursuant to the order of the Senate of 20 June 2001, as amended—Department of Veterans’ Affairs.

Indexed lists of departmental and agency files for the period 1 July to 31 December 2015—Statements of compliance pursuant to the order of the Senate of 30 May 1996, as amended—Communications portfolio.

Department of Veterans’ Affairs.