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SITTING DAYS—2015

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- **MELBOURNE** 1026AM
- **PERTH** 585AM
- **SYDNEY** 630AM

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—SIXTH 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'Neil, 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. Eric Abetz
Deputy Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon. Stephen Conroy
Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield
Manager of Opposition Business in the Senate—Senator Claire Moore

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Liberal Party in the Senate—Senator Hon. George Henry Brandis QC
Leader of The Nationals in the Senate—Senator Hon. Nigel Scullion
Deputy Leader of The Nationals in the Senate—Senator Hon. Fiona Nash
Leader of the Opposition in the Senate—Senator the Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon. Stephen Conroy
Leader of the Australian Greens—Senator Richard Di Natale
Co-deputy Leaders of the Australian Greens in the Senate—Senator Scott Ludlam and Senator Larissa Joy Waters
Chief Government Whip—Senator David Christopher Bushby
Deputy Government Whips—Senators David Julian Fawcett and Anne Sowerby Ruston
The Nationals Whip—Senator Barry James O'Sullivan
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
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<th>Senator</th>
<th>State or Territory</th>
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<td>Abetz, Hon. Eric</td>
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(1) Indicates non-electoral appointment
(2) Indicates dual appointment
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.

**Casual vacancy to be filled (vice B. Mason, resigned 15.4.15), pursuant to section 15 of the Constitution.**

**PARTY ABBREVIATIONS**

Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Acting Secretary, Department of Parliamentary Services—D Heriot
Parliamentary Budget Officer—P Bowen
<table>
<thead>
<tr>
<th>Title</th>
<th>Minister</th>
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<tbody>
<tr>
<td><strong>Prime Minister</strong></td>
<td>The Hon. Tony Abbott MP</td>
</tr>
<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon. Nigel Scullion</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for the Public Service</strong></td>
<td>Senator the Hon. Michaelia Cash</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for Women</strong></td>
<td>The Hon. Charles Porter MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>The Hon. Alan Tudge MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
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<tr>
<td><strong>Minister for Infrastructure and Regional Development</strong></td>
<td>The Hon. Warren Truss MP</td>
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<tr>
<td>(Deputy Prime Minister)</td>
<td>The Hon. Jamie Briggs MP</td>
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<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>The Hon. Julie Bishop MP</td>
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<tr>
<td><strong>Minister for Trade and Investment</strong></td>
<td>The Hon. Andrew Robb AO MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Foreign Affairs</strong></td>
<td>The Hon. Steven Ciobo MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Trade and Investment</strong></td>
<td>The Hon. Steven Ciobo MP</td>
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<tr>
<td><strong>Minister for Employment</strong></td>
<td>Senator the Hon. Eric Abetz</td>
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<tr>
<td><strong>Assistant Minister for Employment</strong></td>
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<tr>
<td>(Deputy Leader of the House)</td>
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<td><strong>Attorney-General</strong></td>
<td>The Hon. Michael Keenan MP</td>
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<tr>
<td><strong>Minister for the Arts</strong></td>
<td>The Hon. George Brandis QC</td>
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<tr>
<td>(Vice-President of the Executive Council)</td>
<td>The Hon. George Brandis QC</td>
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<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
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<tr>
<td><strong>Minister for Justice</strong></td>
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<td><strong>Treasurer</strong></td>
<td>The Hon. Joe Hockey MP</td>
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<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon. Bruce Billson MP</td>
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<td>The Hon. Joshua Frydenberg MP</td>
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<td><strong>Minister for Agriculture</strong></td>
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<td>Senator the Hon. Richard Colbeck</td>
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<td><strong>Minister for Education and Training</strong></td>
<td>The Hon. Christopher Pyne MP</td>
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<td><strong>Minister for Social Services</strong></td>
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<td><strong>Minister for Human Services</strong></td>
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<td>The Hon. Ian Macfarlane MP</td>
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<tr>
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<td>The Hon. Karen Andrews MP</td>
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<tr>
<td><strong>Minister for Defence</strong></td>
<td>The Hon. Kevin Andrews MP</td>
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<td><strong>Minister for Veterans' Affairs</strong></td>
<td>Senator the Hon. Michael Ronaldson</td>
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<tr>
<td><strong>Minister Assisting the Prime Minister for the Centenary of ANZAC</strong></td>
<td>Senator the Hon. Michael Ronaldson</td>
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<tr>
<td><strong>Assistant Minister for Defence</strong></td>
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<td>The Hon. Darren Chester MP</td>
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<tr>
<td><strong>Minister for Communications</strong></td>
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<tr>
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<td>The Hon. Paul Fletcher MP</td>
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<tr>
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<td>The Hon. Sussan Ley MP</td>
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<td><strong>Minister for Sport</strong></td>
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<tr>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans' Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
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<td>Hon. Bernie Ripoll MP</td>
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<tr>
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<td>Julie Owens MP</td>
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<tr>
<td>Shadow Cabinet Secretary</td>
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<td>Shadow Minister for Tourism</td>
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<tr>
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<td>Senator the Hon. Kim Carr</td>
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<tr>
<td>Shadow Minister for Vocational Education</td>
<td>Hon. Sharon Bird MP</td>
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Thursday, 14 May 2015

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

Select Committee on the Regional Processing Centre in Nauru

Meeting

The Clerk: A notification has been lodged by the Select Committee on the Recent Allegations relating to Conditions and Circumstances at the Regional Processing Centre in Nauru to hold private meetings today at 9.35 am and 3 pm.

The PRESIDENT (09:31): Does anyone wish to have that matter put before the Senate? There being no such request, we will proceed.

BILLS

Food Standards Amendment (Fish Labelling) Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator XENOPHON (South Australia) (09:31): I will keep my remarks on the Food Standards Amendment (Fish Labelling) Bill brief because I know that my co-sponsors of the bill—Senators Lazarus, Lambie, Whish-Wilson, Wang and Madigan—also want to put their views on the record. At the outset, I would like to thank both the government and opposition for the time they have spent discussing this bill with me and my colleagues. I think that many senators and members, spanning all political allegiances, support the intent of this bill. I hope we can find a way forward to make these vitally important changes. I also note that the government will later today set aside, in the context of housekeeping and procedural motions, a time on 12 August for this bill to be voted on. We must deal with this bill sooner rather than later.

While the government and opposition both want more time, I see in the chamber Senator Sterle and Senator Bullock, both of whom have been terrific advocates for seafood labelling. It has been an absolute pleasure to work with them on the Rural and Regional Affairs and Transport Committee inquiry into this issue. Further, it would be remiss of me not to acknowledge the work of Chris Calogeras, the chief executive of the Barramundi Fish Farmers Association, and the aptly named Rob Fish, chairman of the Northern Territory Seafood Council. Both Chris and Rob, as well as their associations, are long-time advocates of seafood labelling. Their support and advice has been invaluable.
In short, the bill aims to address an exemption in the current regulations regarding country-of-origin labelling. Standard 1.2.11 of the Australia New Zealand Food Standards Code currently says that country-of-origin labelling does not apply to food cooked and sold for immediate consumption. The point made by Senator John Williams was a very good one: we have all these laws about country-of-origin labelling which apply to where you buy your fish, but if the restaurant is 30 metres down the road, all that gets thrown out the door. You just do not know where the fish comes from. That is an anomaly that we as a parliament must fix up.

All this bill aims to do is remove the exemption for fish and seafood so that customers buying fish and chips at their local takeout, or a meal at a restaurant, can see where that fish or seafood comes from. It is a very simple change and one that both industry and consumers wholeheartedly support. In an ideal world we would of course work with FSANZ and the ministerial council to change the regulations. Those options are not, however, open to the crossbench, so we have chosen to take a legislative approach. The removal of this labelling exemption has been supported by two Senate inquiries—not one but two: one into seafood labelling and the other into this bill. I am very grateful for the work that has been done by the committee, by Senator Heffernan as chair of the legislation committee and by Senator Sterle as chair of the references committee. The inquiry reports were supported by all members of the Senate Rural and Regional Affairs and Transport Committee. Best of all, we can already see how this exemption would work—we need look no further than the Northern Territory.

At this point I think it is important to acknowledge the work carried out over many years by Senator Nigel Scullion, well before he got into this place. He led the charge in the Northern Territory and I believe would love to see this measure adopted across Australia. I am very grateful for his support in respect of this. What we see in the Northern Territory is a measure that has been good for consumers, good for producers and good for the food services sector.

The evidence received by the Senate committee indicated that there had not been a significant impost on businesses. In fact, many of them were now in favour of the labelling because they could charge a small premium for local produce and it has become a real selling point. If you go to restaurants in Darwin, it is a point of pride that they can say whether it is local or not—where the barramundi has come from, where the prawns have come from.

The committee also heard from the seafood industry about the demand the measure had created and the capacity for new jobs it would lead to if it were rolled out nationally. The economic benefits of improved labelling requirements are clear and significant. The committee report into seafood labelling outlined that, since the introduction of country-of-origin labelling in supermarkets, the trawl fishery industry has increased its turnover from $4 million to over $30 million, and sales of snapper have increased 400 per cent. Further, during the 29 September hearing last year, Helen Jenkins of the Australian Prawn Farmers Association estimated that over 4,000 jobs could be created in the farmed prawn sector alone if the country-of-origin requirements were extended. Chris Calogeras of the Australian Barramundi Farmers Association also stated that many hundreds of jobs could be created in the barramundi industry.

I also want to make the point that, despite some concerns that have been raised with me, it is my view that these measures are not against WTO rulings. Whatever happened to issues of sovereignty? The WTO should not be stopping the parliament of Australia determining
whether consumers have the right to know where their seafood has come from, whether it is local or imported. How can that be in breach of WTO rulings? If it is, there is something seriously wrong with the WTO rulings. In fact, the WTO has confirmed that country-of-origin labelling is a legitimate objective that is consistent with its rulings, but such labelling must not impose differential costs that outweigh any benefit.

I believe these concerns may be based on the example of cattle in the United States. My understanding of that issue was that the requirement that imported cattle and US cattle had to be kept in separate feedlots led to a higher cost burden on imported cattle. Those cattle were then not purchased because of the costs imposed, not because of consumer choice, which meant the measure failed the WTO obligations. This proposed measure is very different and does not impose the cost burden that the US example does. It is simply an extension of the requirements we already have for retailers.

In short, the measures in this bill are straightforward. There is no reasonable argument against them. They are not against WTO rulings. They will not create a burden on the industry and they will have an incredibly positive impact on Australian seafood sales within Australia and, with that, create many thousands of well-paying Australian jobs. I genuinely hope we can find a way forward with the government and the opposition on these measures. I again want to thank the majority of my crossbench colleagues—all those who have co-sponsored the bill, including Senator Madigan, who has been a great passionate advocate of this, and Senator Whish-Wilson, who understands not just the benefits for his home state of Tasmania but the national benefits of this.

They are relatively simple measures, but their impact would be immeasurable. In short, I cannot see the downside to these changes. I call respectfully on the government and the opposition to either support this bill or make their own legislative and policy changes as a matter of urgency. We will have an opportunity to vote on this on 12 August. Let us not let down the Australian seafood industry and every consumer in Australia who desperately wants these changes.

Senator BACK (Western Australia) (09:39): I am delighted to report to the Senate that I am in no way a risk to the sustainability of Australia's fish stocks, given the fact that despite many efforts to the contrary I have never, ever been able to catch an edible fish in my entire life. So I have a very, very keen interest in this subject, being a passionate consumer of fish. I rise, as I know others do—it is tremendous in this place to actually have a high degree of consensus—to speak on an issue that is of interest to all of us, and that is the accuracy of labelling and the giving of an opportunity for consumers to know where their product came from.

As Senator Xenophon and the range of others who are co-sponsors have said, this is an area of great interest. We have had the RRAT references committee chaired by Senator Sterle and the RRAT legislative committee chaired by Senator Heffernan, which have spoken in favour in this area. One of the points I do wish to clarify when people speak about the exemptions that restaurants, bars, cafes and hotels share at the moment with regard to food labelling is that exemption is not confined to fish. It is confined to any product or any produce, be it beef, be it lamb or be it any other product. Let us just be clear that we are not at the moment in a situation in which fish is the only accepted product.
What we do have at this time, as pointed out by the National Seafood Industry Alliance in a very well-structured campaign, is a circumstance in which if somebody goes into a shop to purchase fish, then they do know the origin of the fish under current legislation and regulation around Australia. There is a sign there saying, 'Is this a product of Australia, Thailand, Vietnam, New Zealand or wherever it is?' Then when they go into a restaurant, bar, hotel or fish and chip shop and they say to the person, 'Is this a product of Australia?' there is no way for that waiter or person who is providing that service to know. This is at the core of the position being put forward by Senator Xenophon and other colleagues to overcome and to change. The other point that is so relevant in this discussion is that we already have a circumstance in the Northern Territory where in the retail space—in the food consumption, at the point where the product is about to be presented to the customer—the customer in the Northern Territory does have that opportunity. That is because we know the origin of the product—be it Australian or be it whatever—is there for all to see.

There have been allegations saying that this is trying to be protectionist about the Australian product. No, it is not. It is one of the distressing pieces of information to me, particularly since we are in the largest island continent on the earth, that 70 per cent by volume or by weight of our fish is actually imported. That is not 70 per cent by value; 70 per cent by weight or by volume is actually imported. I do not believe this measure is directed at some form of Australian protectionism. I think it is more directed at giving the Australian consumer the opportunity of knowing where the product came from. If they choose to actually select the Australian product, there may be all sorts of very good reasons for that.

I do want to, if I may, divert the attention for one moment whilst relevant. That is to speak to the excellence of the management of Australian fisheries. You may ask the question, 'Why is it that 70 per cent of our fish is imported? Is it because of poor management of the Australian fisheries?' I for one want to make the point very, very strongly that it is not. As you know, there is in existence internationally the Marine Stewardship Council. I am a Western Australian. I know Senator Sterle and Senator Siewert finds themselves in the same position and, from his origins, no doubt Senator Whish-Wilson as well—we will drag you into the camp for a moment also! The first fishery in the world to so be awarded by the Marine Stewardship Council for its sustainability was the West Coast Rock Lobster Fishery. It continues to this day to enjoy that accolade by the Marine Stewardship Council for its certification as a sustainable fishery.

Whilst today is not the time to be speaking more about that, I think it is relevant to actually draw to the attention of people interested in this subject that this Australian fishery is a very, very well-managed fishery. I understand, and Senator Colbeck will no doubt correct me if I am wrong, that the certification by the Marine Stewardship Council has now been extended beyond the West Coast Rock Lobster Fishery to a pelagic fishery and even beyond. I think it is important that anyone interested in this subject is aware that this Australian fishery is in very, very good hands. It is very well managed. In fact, the actual take of fish for commercial and recreational purposes is a very small proportion of what is accurately estimated to be the actual stock size.

Like Senator Xenophon, I want to encourage others to use this opportunity to speak, so I will not use all of my time, except to remind people here in the chamber that the outcome that we are all trying to achieve here today will only happen as a result of a fully consultative
process. That consultative process requires the cooperation of the state and territory governments and New Zealand. As we move, hopefully, towards a resolution in August, where we are able to vote on this, I for one hope that we will be able to take on board all of those inclusions that should come into play for a successful resolution.

Following the hepatitis A outbreak earlier this year, the Prime Minister formed a working group of ministers because of the high level of concern and the relevance to human health. That working group of ministers includes the Minister for Industry and Science, Ian Macfarlane; the Minister for Agriculture, Barnaby Joyce, the Minister for Trade and Investment, Andrew Robb; the Minister for Small Business, Bruce Billson; and the person who has got carriage in this place of this area, the Assistant Minister for Health, Senator Nash. I trust there will be a high degree of cooperation by all of us so that we can take on board and include the outcomes of that working group and actually progress this.

But I want to make the point that the government is now taking action and it does hope to pass the legislation, to give producers time to adjust and to implement the new country-of-origin labelling laws. If there are objections by retailers in the states of Australia, we need only direct them towards the experiences in the Northern Territory, which tend to have been positive. But I again want to remind everybody in this chamber that it will only take place through a consultative process with the states, territories and New Zealand. Let us be clear on what Food Standards Australia New Zealand can and cannot do. FSANZ cannot approve standards. They can only provide advice and they can only report on existing standards. So, before we go to groups like this to set them tasks, let us be clear on what they are able to achieve and not able to achieve. At the end of the day, to give full effect to this, it is going to require a high degree of cooperation from the states. Federally, we can pass the legislation but then all we can really do is to say, ‘We think this is critically important and, constitutionally, you at state level should play your role in making sure this comes to pass.’

For the Western Australian fishing and aquaculture industries, seafood country-of-origin labelling as it applies to restaurants and other retail food outlets, such as fish-and-chip shops, hotels et cetera, is eagerly awaited and anticipated. I think Senator Sterle would agree, as others would from their home states, that we are very proud of our product. We are very proud of the Australian product. We are very proud of the way in which it is harvested and the sustainability of the fishery. This is something that we should be proud of and should reflect.

I will conclude my comments by moving away from the Australian consumer for a moment and talking about the inbound consumer, the tourist coming into Australia. When we as Australians go to countries like France, Italy and others, and to Asian countries to our north, we have a great expectation of actually sampling the local fare. My wife is an example when it comes to France, particularly. She has a passion to eat locally, to enjoy the local produce around us. That is probably one of her greatest expectations and probably one of the greatest inhibitions on my wallet!

Nevertheless, if we then translate that to the incoming or inbound visitor to Australia, one can only imagine, using barramundi as one illustration, that their expectation and hope to use and consume the Australian product would be as high as ours.

So, I say to Senator Xenophon and to his co-movers in this area that there is a great expectation. But let us work together, let us make sure that we do comply with all the requirements in terms of the consultation process. Let us reach agreement in this place so that
we can send a message loudly to the states and territories that this is where we stand federally and this is where we encourage them at their state jurisdictional levels to actually proceed.

Senator KIM CARR (Victoria) (09:50): I would like to say a few words on the Food Standards Amendment (Fish Labelling) Bill 2015. At present fish sold for immediate consumption in restaurants, fish-and-chip shops or other retailers is exempt from the country of origin labelling requirements. This bill would amend the Food Standards Australia New Zealand Act 1991 to remove that exemption. Labor supports the intent of this bill. However, we cannot support the bill in its current form without changes to address some technical concerns that are being brought to our attention by the government and which, in terms of our period in office, are well understood. I will outline those shortly.

Firstly, I want to acknowledge that there is widespread support in Australia for clearer labelling of the origins of food. That was evident earlier this year when cases of hepatitis A from suspected food contamination were reported. Since then, country of origin labelling has become associated in the minds of many people with a guaranteed safety in food. The origin label alone, of course, cannot provide such a guarantee. But buying Australian—and I want to emphasise this—is the best way to secure quality food. Anyone who knows me is aware that for many years I have worn a lapel pin with the Australian Made logo on it. I am very proud to be an advocate of buying Australian. I do not do so merely as a token of support for local industry or because I believe that politicians should spread the buy-Australian message. I wear it to remind people that buying Australian made is basic economic good sense.

That does not mean that we exclude foreign products. And it is certainly not about just propping up inefficient Australian firms. In the case of fish labelling, for example, the Senate committee inquiry into this bill heard that around 70 per cent of seafood consumed in Australia is imported and that the local industry would be unable to meet the demand if the foreign products were not available. So, it is not about featherbedding local industries. On the contrary, it is about recognising that the purchasing decisions we make matter, whether as individuals, as firms or as governments. It is about giving consumers the right information so they can make informed decisions. It is about building the capacity of Australian industry to ensure that the options are actually available. The desire of consumers to know where their food has come from is understandable—I would have thought unargued, and it should be unargued. It is entirely reasonable that Australians be provided with clear information about the country of origin of their food. They should have confidence that the food they are eating is safe and free from dangerous contamination. This was acknowledged by policy makers well before the spate of publicity that was prompted by the hepatitis A cases. In 2011, when Labor was in office, an inquiry was chaired by the former health minister, Dr Neal Blewett. It delivered the report Labelling logic, which set out a comprehensive policy on food labelling. That report recommended:

That Australia's existing mandatory country-of-origin labelling requirements for food be maintained and be extended to cover all primary food products for retail sale.

The report also noted that there were 'a few inexplicable primary product exceptions, and the panel believes the loophole should be closed'. The labelling logic—to use the report's phrase—is the policy underpinning the bill, now before the Senate.

This is not about excluding foreign seafood from the market, nor is the measure designed to protect local producers. Rather, it is about providing Australians with information to help
them make informed choices about the food they consume. That is what I understand this bill seeks to do. However, there are technical concerns. The bill was referred to the Rural and Regional Affairs and Transport Legislation Committee, which unanimously endorsed it. Labor also accepts that the regulator, Food Standards Australia New Zealand, will need to work closely with the states and territories—which are responsible for enforcing compliance with the act—and with the industry to develop an appropriate standard.

If such an arrangement can be reached, Labor will be willing to work with the crossbench and the government to develop an appropriate legislative or regulatory solution. But let us be realistic about it: this is a complex regulatory area and there are a lot of stakeholders to consider. When you contemplate changes you cannot just put forward a proposition that is unworkable. You have to get all the right players in the room. We have to make sure that the new measures have the effect of providing consumers with information, so they can make informed decisions without unduly damaging Australian industry or Australian jobs. It is not about creating additional layers of complexity, which is already a very complex area of law.

Mr Acting Deputy President Sterle, as you know, the drafting of legislation that will be correctly implemented and the desired policy are not necessarily the same exercise. Sometimes it is relatively simple to reach a decision on policy but it is much more difficult to find the necessary regulatory environment to produce the correct policy outcome. That typically has been the experience in the food-labelling area. The complexities are acknowledged in the Senate committee report on this matter. It says:

... the committee notes that the Commonwealth has limited legislative power in the area of food regulation, which would constrain the effectiveness of the bill in isolation. Complex jurisdictional arrangements are in place, and although standards may be developed by FSANZ, enforcement would rely on legislative action by the states and territories. ...

It would be preferable to get state and territory support before progressing reforms to ensure the changes meet jurisdictional requirements.

The policy goal, which I believe would now find broad agreement on both sides of the chamber and on the crossbenchers, and in the wider community, is clear enough. It is the labelling logic prescribed by the Blewett inquiry. That goal was acknowledged, again, as recently as last month by the Minister for Agriculture. He said:

Australian consumers have made it clear they want unambiguous and more consistent country of origin food labelling, so they can make more informed choices about the food they buy,

I understand the minister and his colleagues are conducting consultations prior to announcing the government's own proposals for changes to the labelling laws later this year. It must be said that the government had to be prodded into action on this matter.

Senator Williams: What did you do on it?

Senator KIM CARR: We set up the inquiry, Senator. We established the policy framework to do it and we are in the process of implementing it. Now you have the opportunity to carry the baton and we will see if you say more than fine words for a press conference, we will actually see if you come to the party with a specific proposal. What was the Prime Minister's first reaction to the contaminated berries? His first reaction was to blame the manufacturers. He told ABC radio on 17 February:

The bottom line is that customers shouldn't be poisoning their customers.
I am pleased that the government has since dropped that line and instead has instituted a process aimed at reforming labelling laws. As I said before, Labor looks forward to finding a bipartisan solution on this issue, which is so vitally important to both Australian consumers and producers. Labor acknowledges that some sectors may have concerns about this bill but in view of the Blewett inquiry recommendations, the unanimous views of the Senate committee members and the strong public calls for clearer labelling, Labor supports the principles of reform.

Buying Australian is the best way to secure quality food. In government, Labor took the view that buying Australian is important. So we invested in a suite of measures through the Buy Australian at Home and Abroad initiative. Our Supplier Advocate Program supported industry leaders to act as champions for their sectors to build the capacity of small- and medium-sized enterprises. The Australian Industry Participation Plan for private sector projects worth over 500 million and for the government projects worth more than 20 million helped Australian firms win work on major projects. Buying Australian matters because it shapes the kinds of industries we have and therefore the kinds of jobs that are available to Australians.

I noted in Tuesday's budget papers that they acknowledged the success of Labor's buy Australian measures, measures which, I might remind the Senate, have since been cut by the Abbott government. You are all very good on the rhetoric but you actually cut the specific projects to do something about these matters. In the Department of Industry portfolio budget statements on page 48 it states:

The evaluation of Buy Australian at Home and Abroad was finalised in 30 June 2014. The evaluation was conducted in accordance with the Department of Finance expenditure review principles. It goes on to state: The evaluation found that the Buy Australia initiative developed well-targeted, effective activities to assist firms to build their capabilities and to identify new opportunities in major resource projects. Well fancy that—an evaluation conducted in accordance with the Department of Finance expenditure review principles found that the program was effective. The evaluation found that the buy Australian measures delivered well-targeted services that assisted firms to build their capabilities and to identify new business opportunities. We could have told the Liberals that at the point at which the programs were introduced. That was the aim; that is what they delivered. That is why Labor interested 34.4 million over four years from 2011 through to 2015 in the buy Australia suite of measures. And despite what I might describe as the glowing endorsements of the program, the Liberals cut five million from the buy Australian programs. They cannot a further 80 million from the Australian industry participation measures and the future of the program, you would have to say, is at best unclear. Mr Hockey talks about industries and waxes lyrically about jobs of the future. What he does not seem to grasp is that we need successful Australian industries if we are to create the jobs of the future.

Senator Brandis interjecting—

Senator KIM CARR: Let us just have a look at what happened on Tuesday night. There was no more money. You know your rhetoric.

A government senator interjecting—
Senator KIM CARR: Your rhetoric is: 'This is all business welfare.' Not another penny,' they said, as they saw the automotive industry march offshore. There is no more money for 'buy Australian' measures, not one more cent. There is nothing to reverse the $3 billion in savage cuts to science, research and innovation in last year's budget. Mr Hockey's second budget shows that this government has learnt nothing. If there were a prize for missing the big picture, first place would have to go to Joe Hockey.

Senator WILLIAMS (New South Wales) (10:05): Madam Acting Deputy President O'Neill, I inform you—and this might be advantageous to the whips—that I will not be speaking for 20 minutes; I will not require that much time. I am 100 per cent on board with Senator Xenophon's motive for this bill, the Food Standards Amendment (Fish Labelling) Bill 2015: to bring in a proper labelling system simply to let Australians know what they are buying, what they are eating and where it comes from.

As I said before in this place, I have been campaigning for 20 years for country-of-origin labelling, since I was a pig farmer and the then Hawke Labor government allowed the importing of pig meat from places such as Canada and Denmark. The pig meat was being brought here, processed into ham and labelled 'manufactured in Australia' and 'product of Australia'. It was misleading and very, very damaging to the pig industry, which I was part of at the time.

I was part of the inquiry into seafood labelling carried out by the Rural and Regional Affairs and Transport References Committee. We went to the Northern Territory, where these laws have been brought in and so the people in the Northern Territory know whether they are eating imported fish or locally produced fish. Since those laws were instigated in the Northern Territory—remembering that roughly 70 per cent of the seafood consumed in Australia is imported—consumption of Australian fish has risen 70 per cent. It is amazing. Australian people are prepared to pay more for Australian product, and I do not blame them.

We learnt as well about the misleading labelling and naming of companies. We informed the ACCC about Australis Barramundi, 'barramundi' being the great Aboriginal name for that very popular and good-tasting fish. With the name Australis Barramundi, you would think, 'Yes, that would be barramundi from Australia.' In fact, it is an American owned company, and the barramundi, as they call it, is farmed in Vietnam. The ACCC are actually looking at that now.

There is some more confusing labelling. We reported a company that was selling a product called Victoria Honey. Now, I would not blame anyone who is in this chamber for thinking, 'Victoria honey is of course honey produced in Victoria by the beekeepers there.' In fact, it was corn syrup imported from Turkey. They copped a fine of $10½ thousand dollars, which I think is a bit light, and had to remove the product from the shelves. That is misleading. It is false. It is wrong to put labels with such information on products to confuse or mislead the Australian public, hence the actions of the ACCC.

I have been a staunch campaigner for simply telling the truth to the Australian people, for transparency in labelling, letting them know what they are buying. As I said, I am 100 per cent onside when it comes to the sentiment of this bill, with what Senator Xenophon is trying to achieve here. We do not want to see extra costs put on businesses. In the Northern Territory, we took the hotels and the restaurant chains through what it was costing them to
change their menus. They said they had to change them every year or so anyway. It was not a big problem. It was simply ‘imported’ or ‘Australian’.

Where I do have a problem with the bill is that it cannot do what Senator Xenophon is trying to do. Let me explain. No jurisdiction can direct FSANZ to develop a standard; they can only ask for a review of an existing standard. So we cannot direct FSANZ to bring in a standard. We can only ask for it. All food standards must be approved with the consensus of the Australia and New Zealand Ministerial Forum on Food Regulation. That is a fact. FSANZ cannot approve standards; they can only provide advice to the forum.

This is the most important issue and that is why I cannot support the bill, although I sympathise with Senator Xenophon and I support the whole principle behind it. But food standards cannot be legislated. That is our law. This bill, if passed, will breach Australia’s obligations under the agreement on joint food standards between the government of Australia and the government of New Zealand. Implementation of a standard made pursuant to proposed section 16A would be inconsistent with part 3 of the FSANZ Act. It would have the effect of removing the participation of the ministerial council from the process of developing a standard, which is required by article 4(6) of the treaty. The proposed bill therefore appears inconsistent with article 5(3) of the treaty, which obliges Australia not to establish food standards other than in accordance with the treaty.

So there is a legislative problems with the bill. I completely agree with what Senator Xenophon is trying to achieve here. I want to see transparent, honest labelling. I want to see appropriate information about food delivered to the Australian consumer. That is why we in government are rapidly progressing work on country-of-origin labelling. I have been to forums in Armidale and Tweed Heads in the last couple of weeks. At those forums we have had businesspeople, people in the industry and people working in restaurants coming forward to give their ideas on how we should go about putting this whole plan together—of course we will have to work with the states as well—so that consumers can clearly see what they are buying. We need to improve on the hidden fine print on the back of the packet of biscuits that no-one can read unless they have the best eyes in the world. We need bigger print, we need clear labelling, maybe a map of Australia—whatever the outcome might be—so that people know what they are buying. They should know whether they are buying imported food, Australian grown and processed food or a blend. As Senator Xenophon has said, there is nothing in WTO regulations condemning that sort of activity. There is nothing wrong with telling people the truth about what they are about to eat. They are paying for the product, they are paying for the food, so they deserve to know where it was grown, where it was processed and where it comes from.

In winding up, I totally support the sentiment of Senator Xenophon—100 per cent. But, because of the way the laws are, sadly I cannot support the bill. There will have to be changes later on. I am sure this vital issue will be progressed. As a member of the Rural and Regional Affairs and Transport Committee, I can say that we are all as one in supporting such changes. Senator Sterle did a great job chairing the inquiry, especially when we were in Darwin. The information of the witnesses who came forward was a huge education for me—as with all Senate inquiries. You go into an inquiry knowing little or nothing about an issue, but the Australian people come forward and educate you.
In summary, I agree with Senator Xenophon 100 per cent on what he is trying to achieve here. Sadly, the way the bill is drafted—and the regulations and the laws and the agreements and treaties with New Zealand—means I cannot vote for it. That is most unfortunate. What we can do is work through on this issue and—

*Senator Xenophon interjecting—*

**Senator WILLIAMS:** We do have agreements, Senator Xenophon, and we must honour them. We have had many discussions with you. Colleagues of mine have discussed this with you in detail, explaining our situation—

*The ACTING DEPUTY PRESIDENT (Senator O’Neill):* Please address your remarks through the chair, Senator Williams.

*Senator Xenophon interjecting—*

**Senator WILLIAMS:** I am just responding to interjections, Madam Acting Deputy President. You might not be able to hear them, but they are coming very frequently into my right ear, I can assure you.

*The ACTING DEPUTY PRESIDENT:* Ignore the interjections, Senator Williams.

**Senator WILLIAMS:** I will do exactly that, Madam Acting Deputy President. I will ignore the interjections from Senator Xenophon.

*The ACTING DEPUTY PRESIDENT:* A very wise move.

**Senator WILLIAMS:** Thank you for the good advice, Madam Acting Deputy President. That is the situation. But I know progress will be made on this issue. I know that in time we will achieve our aims. We will achieve transparency and get people out there the information they want to have and need to have. I am sure we will get there in the end.

**Senator WHISH-WILSON** (Tasmania) (10:14): It is a bit disappointing that there is not much love in the room on this, the Food Standards Amendment (Fish Labelling) Bill 2015. I am having trouble with the committee around the country. I really did believe that we had tripartisan support—and when I say 'tri' I would include the crossbench in that, as well as the Greens. I really felt that we had support for some change. This is not the first tripartisan—

**Senator Brandis:** I rise on a point of order. I do not know whether this is actually in the standing orders, but it is understood that people in this chamber speak in the English language. There is no such word in the English language—

*The ACTING DEPUTY PRESIDENT (Senator O’Neill):* That is not a point of order, and as an English teacher I have a few views on it myself! We will go back to Senator Whish-Wilson.

**Senator WHISH-WILSON:** I will take it as a compliment that the Attorney-General has tried to throw me off my game on what is a very important debate. And it is very important from my perspective and from the Greens’ perspective, and not just because we want to support the fishing industry in this country. We do not do that solely because we want to support local jobs. We support the fishing industry in this country because, compared with overseas fishing, it is more sustainable. It is the best option we have. It is not perfect. Australian fisheries management is not perfect. Senator Siewert and I have had significant debates in this country about marine protected areas. We have had debates about supertrawlers. There are still many things we have to do. The Borthwick review, for example,
which was achieved by the community, talked about how we can better integrate ecosystem science into fisheries management. There are lots of things we can do that are better. But at the end of the day, when you are on the committee and you go to the Sydney seafood markets and you go down on to the floor, it is explained to you that a consignment of fish has been brought in from Indonesia that in the end they refused to sell because all the bones in the fish were broken and they were convinced that that fish had come from a reef that had been dynamited. Now, I have been diving on dynamited reefs, in Lombok and other places. I have seen the damage these kinds of fishing operations do to ecosystems, and it really is heartbreaking.

We are very fortunate in this country, especially in Tasmania, where we do have beautiful oceans. But I can tell you, the ocean is broken in lots of places around the world because of unsustainable fishing activities. It is also broken because of pollution. It is broken because of climate change. And these seafood labelling recommendations that have come from a very good committee process—and I really enjoyed being part of that committee process—are a step in the right direction in ensuring that Australian consumers are empowered to make decisions that will lead to a healthier ocean. It is a good place to start, to have a country of origin labelling scheme that allows Australian consumers to say, 'This is an Australian product as opposed to an overseas product, and at least I know a little bit more about the fishery, and there are certification processes around that and I am comfortable supporting the local industry and paying a small premium.' Back in September we heard compelling evidence from the aptly named Robert Fish—

**Senator Brandis:** Ha!

**Senator WHISH-WILSON:** of the Northern Territory Seafood Council. And, Senator Brandis, that is his real name—in English! He is an English gentleman, come to think of it. Mr Fish was arguing for more red tape to benefit his industry. Yes, you hear it right: more red tape. He argued that when mandatory seafood labelling was introduced into the Northern Territory, especially the labelling of country of origin, the industry boomed. It meant that consumers in fish shops, supermarkets and restaurants could clearly see which fish was Australian caught and which was imported, and it boosted not just the volume of locally caught fish that the Northern Territory residents bought but also the price consumers were willing to pay for a product that they considered better, safer and fresher.

The inquiry heard from restaurants, the fishing industry, environment groups, retailers and consumer groups on what was required. It was interesting that the Pubs and Clubs hoteliers association actually said that they opposed it. They had lobbied very hard to prevent it, and they were quite happy to tell the committee that they were wrong, with hindsight—that they actually now think the legislation was necessary and has been a boon for their industry. I think that is really important, because I think we know that the elephant in the room here is that when we look at the politics of bringing in a labelling scheme then potentially if we do not get the industry associations behind it we may see a backlash from potentially thousands of small businesses across the country that are being told they are having unnecessary regulation.

Yes, the fishing industry counts, in terms of the political sphere here, but the Greens would like to see that the Australian public understand that they are doing a good thing by the environment here as well—and that it is essential. It is not just about supporting local jobs it is
about supporting marine conservation. It is about getting better results and letting consumers dictate the outcomes that we need to see in our ocean.

It was not a big leap of faith, on the back of such compelling evidence, for the inquiry to recommend rolling out this Northern Territory scheme around the country. Yet, since the release of these recommendations, the parliamentary secretary responsible for fisheries, Senator Colbeck, has come out and said that mandatory country-of-origin labelling would be costly and impractical for the restaurant sector. He said: 'There is nothing to stop food outlet services voluntarily promoting the source of their seafood on menus and menu boards.' Some do but, sadly, very few do. We have to accept, and choosing Mr Robert Fish's own words, there has been a market failure. An efficient market relies on the provision of information. You cannot have an efficient market without information.

We are doing a good first step, in providing information to consumers, with a country-of-origin labelling source. Mr Fish said:
The reality now is that we have demonstrated that there is absolute market failure here and there is a need for intervention. If anyone believes this is suddenly going to be voluntary labelling, they are kidding themselves. Yes, I am asking for more red tape and I think it is necessary.

He gave examples of people rushing into the supermarket, reaching into the freezer section and pulling out crumbed flathead fillets for dinner—I actually saw these when we went to the supermarket in the Northern Territory. The chances are that those crumbed pieces of fish are South American flathead, a species of fish that is not even closely related to the flathead you can catch in, for example, Tasmania's estuaries and bays. We had some really good evidence from a Tasmanian business, Mures seafood, that this kind of flathead is making its way into fish–and-chip shops and is being sold at similar prices to Australian flathead—at a really big margin—for restaurants.

This is a good start. It is a win for consumers, industry and the environment. But we the Greens do believe that we need to build on this platform and ensure the long-term health of the ocean. If we do not, ultimately, no-one will be a winner. We would like to see momentum here, and I sincerely hope there is momentum. My first indications from this morning's debate is we already have some points of difference. We have been down this road so many times before—for decades we have tried to get labelling schemes in place, and we always seem to fail at the last hurdle.

Eventually, I would like to see us have a scheme like the European Union has in place, that is essentially the world's benchmark. We will have the benefit of seeing how that unfolds, seeing the complications and potential issues with that scheme. We can learn from that. This is where we start. We start at country of origin and we look at what the EU is doing.

The Greens and I will be putting up an amendment to this bill to include fish-name standards. We believe it is only a small step towards what we would like to see—in the European scheme—but adding species names to this legislation is very important for the environmental outcome. This is not just a Greens initiative. I want to make it really clear that recently we saw a joint position statement from 17 environmental NGOs who cover the marine environment and the seafood industry calling for mandatory use of an Australian fish-name standard for identification of seafood.

I can give you some of those names in seafood, because we are very familiar with them and we have met with them. The Northern Territory Seafood Council has called for the inclusion
of fish-name standards. The Australian Prawn Farmers Association has called for the inclusion. The Barramundi Farmers Association of Australia has called for the inclusion of fish-name standards. There is also the Commonwealth Fisheries Association, who cover the commercial-fishing industry. Lastly, we have seen the FRDC, our government department, that has put this together. So we have a broad range of stakeholders around the country who want to add to the country of origin—at least, 'Label my fish; tell me where it is from.' It is not too much information and it is very important.

You do see it already in place for some restaurants. I went to one in Manly, in Sydney, recently and spoke to the proprietor. They labelled the species and where the fish was caught. The guy said, 'I can even give you the mobile phone number of the fisherman who caught it.' That is obviously great marketing for them. They are in a prime position. They can charge good prices for the seafood, to tourists and others. If we had that kind of information we would have a much healthier ocean.

I would like to finish with some quotes from Woolworths and Coles, on this issue of an Australian fish-name standard. It is not often I stand up in this chamber—or anywhere—and congratulate the big supermarkets. In this case, I absolutely will. The big supermarkets are the benchmark. They are leading this debate. You could say they are big corporations and make lots of money and, therefore, they can afford to do this. But they are leading by example. I will read what they said in support of the Greens amendment for fish-name standards—or the substance behind the amendment. They made these statements in a Senate inquiry submission. Woolworths said:

A step to addressing this situation could be to formally mandate the Australian Fish Names Standard and require all parties in the supply chain, including both retailers and food service providers, to comply with the names that the Standard has established. Adopting the Standard would provide a consistent naming system and make a substantial contribution to allaying a potential source of confusion. Woolworths' labelling is already in accord with the Australian Fish Names Standard.

Coles said:

However, we respectfully suggest the Australian Fish Names Standard AS SSA 5300 could be incorporated into existing labelling legislation (such as the Australia and New Zealand Food Standards Code)—

which we debated a little bit here today—

to ensure greater consistency in naming each species of seafood produced or traded in Australia. This is important from both a business and consumer perspective because we have found significant variances in naming of seafood not only by region, State/Territory within Australia, but also globally. For example, snapper in Victoria is a different species of fish to snapper in Western Australia.

Adequate resources will be required to improve fish-name standards to the point where there is a standardised common name to uniquely match each individual species. But my understanding is that we are very close to that, and the Australian Fish Names Standard will be funded by the Fisheries Research and Development Corporation.

We have a situation here where all the key leading NGOs—Greenpeace, WWF, WSA and a whole number of different groups coming together—with industry are calling for at least the inclusion of fish-name standards in legislation. I have the statement here in front of me. I will not read it, because I am running out of time. Let us all come together on this. Everyone on the committee could see just how much sense this made. Pardon the pun. This is good for
local business, it is good for the seafood industry and it is good for the environment. It is a
good first step.

If you think this is going to be too much for pubs and clubs, and fish and chip shops around
the country, it was not in the Northern Territory. A state like my state, Tasmania, would
greatly benefit from a similar scheme to promote our local seafood industry. We can always
find reasons not to do things. Let us be honest—we can always look at any piece of legislation
and say, ‘We can find some talking points as to why this should not occur.’ This is a long-term
strategic decision that we are making here today—that is, to move our industry onto an
economically sustainable footing and to move the environment onto a sustainable footing.
And we can do it.

Let us take the time we need to for education, but let us not find nitpicking points in the
legislation to knock this back. The Australian people would support this—I know the
Tasmanian people would support it. The Australian people will just scratch their heads and
say, ‘Why not? Why can't I have that information when I buy seafood?’ It is a no-brainer. Let
us do it. I look forward to moving my amendment at some stage and having everybody look at
it and at least having that debated, followed by a long-term process being put in place where
we can use the seafood industry to lead on country-of-origin labelling in this country.

Senator STERLE (Western Australia) (10:30): After a few false starts, I am glad to get
up and have an opportunity to make my contribution. Those false starts were no problem,
because the quality of the speeches today has been exceptional. I do not normally say that, but
it has, as you would know, Senator Brandis. The problem is: anyone listening would think,
‘Why can't these buggers get their act together if they're all agreeing on it?’ But I will go into
that. I want to offer congratulations, firstly, for the Food Standards Amendment (Fish
Labelling) Bill 2015, which is co-sponsored by Senators Xenophon, Lazarus, Lambie, Whish-
Wilson, Wang and Madigan. But I just want to mention the hard work that was put in by my
colleagues Senator Xenophon and Senator Whish-Wilson on the inquiry. When they speak,
they speak with authority. They speak with expertise because they, alongside me, Senator
Bullock, Senator Lines and Senator Williams, actually did the hard work. We did the inquiry.

The problem with appearing further down the speaking order is that a lot of the points have
been made, but I still want to make them. The hard work was done in the Rural and Regional
Affairs and Transport References Committee, which I have proudly chaired, on and off, in
government and in opposition in one way, shape or form for about eight years now. We
actually got off our backsides and we called for submissions—this was last year—and we
received around 25 submissions. More importantly, we travelled the country. We went to
Sydney, and in Sydney we heard from an array of witnesses who were all experts in their own
field, whether it be in providing seafood, catching seafood or concern about the environment.
I just want to touch on some of the people that fronted the committee to give us their view on
country-of-origin labelling: the Australian Barramundi Farmers Association, the Southern
Shark Industry Alliance, our good friend now Mr Robert Fish—as Senator Whish-Wilson was
saying, that is not his tax-avoiding name; that is Mr Robert Fish himself—from the Northern
Territory Seafood Council, the Master Fish Merchants’ Association, the Sydney Fish Market,
Greenpeace, the National Seafood Industry Alliance and others. But they all made the same
point. No-one was in opposition to giving the Australian consumer the opportunity to make an
informed decision about where the seafood that they purchase comes from.
This was not part of the plan to start with, but what kept coming up was that the Northern Territorians had done it—and hats off to the Northern Territorians. At the time, it was a Labor government, but it does not matter what persuasion the government was. It was important, because it has delivered the results that people said it would not deliver. So we got on the plane and we headed to Darwin, and we had a hearing in Darwin. But, before we had the hearing, we had a wonderful opportunity as a committee to visit the Humpty Doo Barramundi farm. Senator Peris knows the Humpty Doo Barramundi farm better than any of us. It was an absolutely wonderful opportunity to see what can be done when the initiative is there, when you have got people of passion who not only provide a fantastic product for Australian consumers but they provide Australian jobs. There is nothing better than when you get there and you see the smiling faces of Australian workers on their doorstep, actually getting into it and providing something that we as consumers want.

With all the kerfuffle and the carry-on, I have to say very clearly on behalf of my fellow committee members that we never, ever set out to denigrate or cease the importation of seafood from other countries. That was not our intention. Our intention was very clear. If consumers knew where their seafood was coming from—and, from my position, I was only interested in whether it was Australian or imported—what would be evil about that?

What came out of every hearing was the same—whether it be the Top End restaurant in Darwin or the fish and chip shops or takeaway food venues or the pubs or the clubs—every place provided the opportunity to their patrons in saying, 'If you want Australian seafood, here is the price. If you want imported seafood, here is the other price.' What could possibly be wrong with that?

In Darwin Senator Bullock was very excited because he had not been in the retail store for about eight months and he was back on his home turf of Woolworths. He was leading the charge—he had a skip in his step, I have to tell you; he was off. The reason we went to Woolworths in Palmerston was to see for ourselves how seafood is displayed, marketed and labelled. I must say it is hats off to Woolworths and Coles throughout the nation, because they label their seafood with country-of-origin labelling very clearly. We saw about a dozen trays of seafood, fillets, calamari mix or prawns—Senator Bullock or Senator Whish-Wilson may pull me up—but the most important thing was that there were only two trays of imported seafood fillets and all the rest was Australian. You do not have to be Einstein to work out that the shopper at Woolworths that day and any other day comes hunting the Australian product.

It is all about the informed choice. We heard that no-one at all had a problem with what the Northern Territory has done. Previous speakers have said: 'There was fierce opposition from certain sectors of the business community.' There was fierce opposition from the Australian Hotels Association; the CEO of the Australian Hotels Association in the Northern Territory made it very clear that they were opposed but that he was speaking from a Northern Territory point of view, rather than for the rest of Australia. We know that restauranteurs were hugely opposed; part of their argument was the added cost or the red tape or having to rewrite menus. We did hear from one gentleman who was an AHA member and who owned six or eight establishments, ranging from hotels to fish and chip shops. He said that he had spent most of his working life writing menus and it was ridiculous to hide behind that excuse that you would incur greater cost. All you have to do with a menu is put a sticker on it saying 'Australian' or 'imported'. It is not that hard. Mr Bill Passy, who is the largest owner of fishing
boats in the Northern Territory, gave an impassioned plea to us to promote and to enforce the
issue around the country, because he said that fishermen do everything they can to be
sustainable. They also provide opportunities for Australian workers and other businesses like
net, tackle and bait suppliers, boatbuilders, fuel companies—there is a whole service industry
that hangs off fishing. They do everything they can to make the industry sustainable and to
provide Australian consumers with the best product that they possibly can. But he also said
that they feel let down once the truck doors shut, because, once that wonderful Australian
sustainable product leaves the freezer yard and travels to all points south, there is no
recognition in other states that it is an Australian product, unless you go to Woolworths or
Coles or unless you have the responsible food services person to say, 'This is Australian
barramundi.'

I have had the misfortune in various parts of our country of ordering what I thought was
barramundi and found as soon as it turned up on the plate that it was not Australian
barramundi. Of course, they did not say that it was Australian barramundi; it could have been
catfish from the Mekong Delta for all I know. But what I do want, and what I want the rest of
Australia to know, is that, if you are putting your hard-earned cash on the table to purchase a
product that you think is Australian because it has an Australian name, then you would hope
that it is Australian. But it is not the case. While I am about it, I was talking to Senator Peris,
who informed me that 'barramundi' is an Aboriginal word—which I knew. It is from the
Rockhampton area and it actually means 'large-scale river fish'. But when you sit in some
food outlet and you purchase what you think is barramundi—and this thing is like a thong
without the toe bit on it turns up, my goodness me—it does make you feel that you have been
used.

We have actually had some wonderful argument today. Unfortunately, the opposition
cannot support the bill without amendment at this stage—and I do hope and pray that we can
do something. Senator Bullock brought to my attention one part of the FSANZ submission.
They have an issues list for standards. This is standard 1.211, which refers to country-of-
origin labelling and in brackets it has 'Australia only', but it says that we do not have to get the
approval from New Zealand. One of the previous speakers said that they could support the bill
because we cannot do the labelling without the consent of the states and without the consent
of New Zealand.

I also have the treaty we have with New Zealand, here. Article 4 talks about the Australia
New Zealand Food Standard, and I want to take the time to get this on record, because I am a
firm believer that if there is political will we can do anything in this country. Unfortunately,
governments of all persuasions find excuses for not doing anything. Being an ex-small
businessman from Western Australia, I do not cop 'We can't do'; I do not want to hear the
reasons why such-and-such cannot be done. If I had that take on everything in my trucking
business, we would have been eating our spare parts and tyres, because I would never have
had the opportunity to make a quid and put my kids through school and build the beautiful
home that we still live in. I want to hear how we can do it.

I want to touch on the treaty New Zealand treaty. I will go to the heading in Article 4—
Consultation between the member states regarding relevant legislation. I am going to quote
from the treaty:
(4) Australia shall not introduce any amendments to the Australian legislation establishing the Authority, or move government amendments to that legislation, without effective consultation with New Zealand during their development.

The magic words are 'without effective consultation'. It goes on to say:

Australia shall use its best endeavours—

And as an ex-union official, have I been flooded by best endeavours!—

including reflection of New Zealand's position in any relevant papers for the Australian Commonwealth government to reach agreement with New Zealand on these and any other amendments to the Australian legislation.

The five wonderful words are 'without effective consultation' and 'best endeavours'. I have read enough enterprise agreements over the years and I have been to court over industrial action to know that this is the wink way out by trying to blame it on the idea that we cannot do it without New Zealand. It is pathetic. I want to highlight for the chamber and everyone listening that, if we have the political will, we can do it. We can have our consultation; if New Zealand does not agree with us, we have tried and we have given it our best endeavour.

Before I start a war across the Tasman, it is a shame that New Zealand does not consult with us when they steal our Australian manufacturing jobs. Do not start me on that one about canning. I know Senator Carr would be my greatest supporter on this and he would let me wander off the reservation on that. But, Senator Carr, you could not possibly comment, but leave it to me and I will.

I will get back to the bill itself. I strongly, strongly hope that both sides of the chamber and the hardworking, diligent crossbenchers who have introduced this bill can come to a sensible position. At each and every turn—and I will stand by this: I will say this in this chamber and I will take 30 steps to my right and repeat it outside—we must not be held hostage by the Food and Grocery Council. We must not be knocked down, beaten back and browbeaten by the hotels, the clubs and the pubs. If the Northern Territory could do it because they had the political will, the only way it cannot be done is by the gutlessness of the states.

I have highlighted that we should not hide behind New Zealand and say we need their approval. We do not. I am urging this place that, whatever we do, we have to work with the crossbenchers. Let's fall into a space where consumers in Australia can have faith that we have made our best endeavours to give them the opportunity to make informed decisions.

As I said when I started, when you listen to the debate going on here you might think, 'Why can't they get their act together, vote on it and all agree?' Senator Xenophon knows where I am standing here and where I am coming from. We do have some issues with the legislation. I think Senator Xenophon said there are a couple of weeks, so we have some grace. We are going to have some negotiations, I hope. But, by crikey, to get country-of-origin labelling in our seafood industry and our seafood consumption I will do whatever I have to do.

I cannot express enough about the hard work that was done. The hard work has been done—it is right here in the report—and it was done with my fellow committee members. We are affectionately known as the 'RRATs', because it is the Rural and Regional Affairs and Transport Committee. We actually came to a consensus report. For those listening out there in radio land, it is not very often that we come to a consensus with passion so that we on all sides of the chamber support the recommendations of the committee report. There are a number of reports we do where, yes, we agree, but are we going to stand on a box and scream
from every corner? This is one of these reports. This is one of those bills—not in the current shape that it is in, Senator Xenophon, Senator Lazarus, Senator Whish-Wilson and Senator Madigan. But I do urge everyone: let's do the right thing by the Australian consumer. Let's do the right thing by the Australian seafood industry. Let's do the right thing by all those that are employed in this wonderful industry.

We should never, ever take a backwards step because we have a full charge head-on from the Australian Food and Grocery Council. In fact, we should headbutt them. We should knock them back. We should take them on, because why the heck can they determine what the hell we eat and where it comes from? They do not want to tell us. I will tell you why: because there is the opportunity for a middleman to scam a few bucks off it. Well, I am not interested in that. I am interested in the Australian seafood industry, the aquaculture industry and the Australian consumer.

I sincerely hope that someone wants to take me on and have the argument outside these walls, because I will take them on. You see, we got off our backside. We did the work. We listened, we consulted, we visited and we formed this opinion without any arm-twisting. We have formed our opinion that the states have a lot to answer for. The states must not be let off the hook. The states must extract the digit. I do not want to hear why they cannot do it but why they will do it.

When I said the Northern Territorians have done it, someone—and I just wish I knew who it was—said, 'Yes, but that's the Northern Territory.' What the hell does that mean? Are we supposed to say that the Northern Territory is not as intelligent as the other states? So I want to congratulate the Northern Territorians on the way that they have done it. I want to congratulate those who came to the hearing, those businesses in the Northern Territory that passionately put forward their case. Those who were against it were probably the loudest. While I am at it, I will say it one more time: Coles and Woolies, good on you. In fact, we should support Coles and Woolies for that, because they did not have to do that around the country. They had to do it in the Northern Territory but they rolled it out around the country.

There is also another little thing. I did not hear Hungry Jack's or Kentucky Fried Chicken complain. Does Kentucky Fried do fish? Anyway, you know what I mean. All them mobs out there—they all do it. Every single piece of seafood in the Northern Territory is labelled either Australian or imported. So let's hope we can get our act together. Let's hope we can fall in a space that does the right thing by the Australian consumer and the aquaculture and seafood industry of Australia. On that, I cannot support the bill with its current contents.

Senator LAMBIE (Tasmania) (10:50): I rise to support 100 per cent Senator Xenophon's private member's bill, the Food Standards Amendment (Fish Labelling) Bill 2015. I congratulate him for putting forward this important legislation. Unlike the cowardly Nationals in this chamber, I will not only 100 per cent support the intent of the legislation; I will 100 per cent reflect that by support on the floor of this Senate and gladly stand on the side of the chamber which supports this bill and the Australian fishing industry. I will vote to put my state and fishing industry first. Unlike the Nationals, whose vote on this legislation will show that they have gone from being the bush's blue heelers in this place to becoming—as of this morning, after listening to Senator Williams's gutless speech, which tried to have two bob each way—the Liberals' poodles. And they are poodles missing a vital part of their male anatomy.
I now turn to the provisions of the bill. The bill is based on recommendations from the Senate Rural and Regional Affairs and Transport References Committee inquiry. The current Australia New Zealand Food Standards Code covers fish but not seafood that is offered for immediate consumption in places such as restaurants. The committee recommended seafood for immediate consumption also fall under country-of-origin labelling regulations, as it does in the Northern Territory. A change like this is supported by consumers and the food services sector.

The bill gives 12 months for a standard to be developed and implemented to include seafood offered for immediate consumption. The bill's definition of food services includes places that give consumers a choice, not places such as hospitals, where consumers do not have a choice. The committee reported that, when country-of-origin labelling regulations came in for uncooked fish, the trawl fishery industry's turnover increased from $4 million to $30 million and snapper prices increased 400 per cent. The committee believes that, if country-of-origin labelling regulations were extended, it would create 4,000 jobs.

In closing, I would like to remind all Australians that Tasmania has the best seafood in the world. I understand that, in some fancy American and European restaurants, one of the normal kitchen appliances and cooking tools is a machine which checks the radiation levels in fish, because some fish, because of the distances they can swim, can be radioactive after swimming in polluted water. If you eat Australian and Tasmanian fish, you will not have to worry about that threat to your health. Our waters are pristine and our seafood is pristine and the best in the world.

Senator SESELJA (Australian Capital Territory) (10:53): It is a pleasure to rise today to speak on Senator Xenophon's Food Standards Amendment (Fish Labelling) Bill 2015. I want to first acknowledge the clear passion and commitment on this issue. Senator Xenophon's views, of course, broadly are in line with many in the Australian community who want to know the origin of their food. We do have some of the finest produce and food products in the world. Australian farmers, fishers and all those in the food industry can be very proud of what we are able to do across the nation in supplying high-quality food both for other Australians and for many around the world. We certainly punch above our weight when it comes to this issue. We are lucky to have rich waters in which we are able to harvest some of the finest seafood products in the world. From the prawns in the north to the toothfish in the south, we are able to produce seafood that is the envy of the world, and it is important that, when Australians go to buy these products, they know that they are getting the real deal. That is why the government agrees that country-of-origin food labelling laws are important and appreciates Senator Xenophon's efforts in this area—but we do not support this particular bill.

Australia is a world leader in the regulation of food standards. Food Standards Australia New Zealand and the Australian government's Health and Agriculture portfolios, along with state and territory governments, work in strong collaboration to ensure a comprehensive food standards regime is in place. While acknowledging again that there is some work to be done in the area of labelling, and the government is doing that work, there are still robust measures in place under the code of labelling and other information standards that ensure Australian consumers are given vital information on their food. These standards include the labelling of ingredients, date-marking of packaged foods, directions for use and storage, nutritional information and other health related information. The standards also require the most obvious
label: what a food actually is. With regard to fish labelling, while the code does not provide a prescribed name for seafood or seafood products, it does require fish products to be labelled with safe cooking instructions. We also have in Australia legislation that ensures accuracy in labelling and prohibits misleading or deceptive conduct or representations about items of food, particularly in relation to the origin of those foods.

It is important to note amongst all this that, as mentioned, the peak body is Food Standards Australia New Zealand, so we are not working on this in isolation. We have a number of agreements with New Zealand to ensure consistent standards of food. Understanding that relationship is crucial when looking at making any changes to the system. This is just a brief overview of the food standards we have in Australia, but it is clear that they are strong and robust. Given that, if this place is looking at changing some of the legislation around food labelling, we need to be sure that the changes are of the highest quality and do not adversely affect what is on the whole a good system.

The government, though, does acknowledge that there are changes that can be made to the food standards system, particularly in relation to country of origin. On this point, we agree with Senator Xenophon. We want to ensure consumers have access to clear, consistent and easy-to-understand food labelling, through changes that will allow for more informed choices. I think most Australians would agree this is a positive move. The country-of-origin labelling system at the moment includes requirements for packaged food to be labelled with a statement that identifies the country where the food was manufactured or packaged and to the effect that the food is constituted from ingredients imported into that country or from local and imported ingredients. There are some exceptions to these labelling laws that are largely to do with goods being sold at the point of origin or through a direct transaction with a purchaser. These exceptions are the key subject of the Rural and Regional Affairs and Transport Committee report and the source of Senator Xenophon's bill.

For unpackaged fish, various meats, vegetables, nuts and other natural foods, there are requirements that the country of origin is identified or, if it is a product from a number of origins, that is made clear. Once again, there are mechanisms in place to prevent misleading or deceptive claims about the origin of a food product. With all this in mind, the government announced earlier this year that we are currently reviewing the country-of-origin labelling laws. While, as discussed, it is clear we have a world-class food standard system and our country-of-origin labelling regime is strong, it is not always easy for consumers to understand the system and recognise locally grown and processed food. To that end, the government is determined to look closely at this issue and to develop a system that makes it easy for consumers to identify the origin of their food.

The Prime Minister has formed a working group of ministers to progress this issue. The working group includes the Minister for Industry and Science, Ian Macfarlane; the Minister for Agriculture, Barnaby Joyce; the Minister for Trade and Investment, Andrew Robb; the Minister for Small Business, Bruce Billson; and the Assistant Minister for Health, Fiona Nash. The aim of the working group is to ensure that changes to food labelling give consumers information they need without imposing excessive costs on Australian industry and consistent with our international trade obligations.

The government will work with industry groups to ensure the changes are practical, but the intention is to implement both a symbol and words that can be clearly read and understood.
We are also looking to utilise electronic platforms to provide more comprehensive product information to consumers, as only a limited amount of information can fit on food labels. This symbol and words will identify two key things: first, that the product was made or manufactured in Australia; and, second, what percentage—not specific percentages but increments—of the ingredients in the food or product was Australian grown. The government is currently working closely with the food sector and the agriculture industry to get the balance right and maximise information for consumers while also considering costs to Australian industry and businesses. Following the business consultations, the consumer research phase will begin, giving members of the community an opportunity to have their say. We also look forward to positive consultation with state and territory governments, whose cooperation will be required in order to implement a meaningful new labelling system.

Of course, there will be a reasonable phase-in period to give Australian producers time to adjust to the new food labelling requirements. The government is taking action now and hopes to pass legislation to give producers time to adjust and implement new country-of-origin labelling laws. It is important to note that the government is undertaking a thorough, methodical process in working towards a new country-of-origin labelling system. It involves full consultation with all levels of government, industry bodies and of course the public. The government will conduct market research, engage with stakeholders and look at ways the modern digital context can make a new country-of-origin system easier. That is how good policy and good legislation are developed. It takes time to get everyone on board and to get it right. Once we have the legislation right we need to make sure there is a transition phase, to allow businesses to get their labelling right without unnecessary costs. It is a process and it is one the government is committed to and is undertaking as we speak. Indeed, anyone who is interested in this issue can go to the government’s industry website to get involved as the process goes on.

Once again, we recognise Senator Xenophon’s work in this area, particularly on the Senate Rural and Regional Affairs and Transport References Committee, which looked into this issue last year. I have no doubt of the good intentions behind this bill. On the substance of the issue and the importance of country-of-origin labelling we certainly agree. However, as outlined, food standards and regulations are very complex, and the government takes them very seriously. We do not want to make changes without full and proper examination of the issues, and without consultation with stakeholders and the public. For that reason, we are not supporting Senator Xenophon’s bill. Ultimately, we cannot support this bill, because it does not adhere to good regulatory practice, nor does it acknowledge the complex jurisdictional arrangements at work in our food standards system. The bill does not take into account that whatever changes we make to food standards must be made through a consultative process with the states, territories and New Zealand. As I have discussed already, our world-class food standards regime relies on the cooperation of the states and territories and their relevant legislation, as well as agreements between Australia and New Zealand.

The bill as it stands directs FSANZ to develop new standards that require fish sold for immediate consumption to be labelled according to existing country-of-origin requirements. However, no jurisdiction can direct FSANZ to develop a standard; they can ask for a review of existing standards. Organisations, any group or individual can put forward an application for FSANZ to develop a new standard. Food standards cannot be legislated; they are
regulations and need to go through proper process. This bill, if passed, will breach Australia's obligations to New Zealand under the Agreement between the Government of Australia and the Government of New Zealand concerning a Joint Food System. The bill intends to implement a standard made pursuant to the proposed section 16A, which would not be subject to part 3 of the FSANZ Act. This would have the effect of removing the participation of the ministerial council from the process of developing a standard, which is required by article 4(6) of the treaty. Therefore, the proposed bill appears to be inconsistent with the obligation contained in article 5(3) of the treaty, which obliges Australia not to establish food standards other than in accordance with the treaty. The treaty quite clearly states:

Australia shall not introduce any amendments to the Australian legislation establishing the Authority, or move government amendments to that legislation, without effective consultation with New Zealand during their development. Australia shall use its best endeavours, including reflection of New Zealand's position in any relevant papers for the Australian Commonwealth government, to reach agreement with New Zealand on these, and any other, amendments to the Australian legislation.

So while we recognise the intent of Senator Xenophon's bill, the government cannot support it, as it contradicts our agreement with New Zealand and does not adequately deal with the cross-jurisdictional nature of our food standards system.

While we oppose this bill, I reiterate that the government is determined to act on the issue of country-of-origin labelling. Australia is a lucky country: we have spectacular natural resources that we are lucky enough to be able to use to provide food and nourishment to the Australian people and to the world. We have a comprehensive system in place to ensure that our food remains of the highest standard, and it is important that Australians know that, when they buy something from the supermarket to feed their family, if it says it is Australian, it is.

The government, like Senator Xenophon, acknowledges that the system is not perfect and that there is a need for a new country-of-origin labelling system that is clear and easy to understand. We are undertaking a thorough, methodical process to ensure that this new system is good for consumers and does not add any unnecessary red tape. We are consulting with the states and territories, the industry and the public while ensuring we adhere to our food standards agreements with New Zealand. That is how we get good policy and that is what we are doing. While we do not support this bill, I acknowledge the good work being done in this area and look forward to seeing the end result of the government's process, so that we can introduce soon a new and robust food labelling system for the benefit of all Australians.

Senator PERIS (Northern Territory) (11:05): I too rise to speak on the Food Standards Amendment (Fish Labelling) Bill 2015. Like my colleagues who have spoken earlier, I support the intent of this bill. I will tell you why: there is nothing better than eating Northern Territory seafood. I encourage everyone to travel to the Northern Territory to try our local Territorian barramundi and mud crab and all the other delights from our seas, rivers and pristine waters and our world-leading, clean aquaculture farms.

When people eat seafood anywhere in the Northern Territory, they know that the seafood they purchase is local or at least caught or produced in Australia. However, with the omission of country-of-origin labelling on menus, consumers can be misled, believing the seafood they purchase to have been locally produced. To counter this—it has been heard many times in the chamber today—the Northern Territory introduced legislation so that consumers in the
Northern Territory know where the produce originates. However, such legislation does not exist in the rest of Australia.

The national adoption of this type of legislation is important for local jobs and because eating local produce is a key aspect of the whole seafood experience. It is also vital to our tourism industry. People in the industry know that tourists do not come to Northern Australia to eat barramundi farmed somewhere else in the world, such as an Asian port. I agree with the Northern Territory Seafood Council and local producers who are advocating on this issue and with whom I have recently met.

The Northern Territory Seafood Council actively seeks mandatory labelling of seafood to ensure the consumer is able to make a fully informed choice about the seafood that they purchase. They say that the omission of comprehensive labelling, including details of the country of origin of seafood, is misleading to the consumer. I totally agree with this. I believe Australian consumers are willing to pay more for quality Australian seafood. The general perception in the Australian community is that the seafood they buy is local, and the Northern Territory Seafood Council believes cheap imports are damaging the high-quality reputation of Australian seafood. I commend their work across sectors and there is no doubt that Australian seafood is an important asset—as I said previously and I will continue to repeat it—to our tourism industry.

We should be supporting our industry and the Australian Seafood industry cannot price compete against cheap imports from fisheries without assistance. Senator Whish-Wilson spoke about it earlier on: what we are asking for is red tape within this industry. Assistance can come in the form of closing those loopholes in country-of-origin labelling for cooked or pre-cooked seafood sold by the food services sector. Consumers deserve to be informed about the origin of their seafood, especially when choosing from the menu at a restaurant and in the supermarket freezers and fridges.

It is a legal requirement that seafood sold to the Australian public must be clearly labelled with its country of origin. These regulations were introduced by the federal government to ensure the Australian consumer can be accurately informed about the origin of their seafood. However, as we have heard many times today, there has been an exemption for seafood sold as cooked or pre-cooked seafood in the food services sector. The parliamentary inquiry into the current requirements of seafood labelling came up with one simple recommendation: implement country-of-origin labelling throughout the supply chain by removing an exemption that exists there already for seafood sold in restaurants. The recommendation from the inquiry—and I am sure you know this very well, Acting Deputy President Sterle—says:

The committee recommends that the exemption regarding country of origin labelling under Standard 1.2.11 of the Australia New Zealand Food Standards Code for cooked or pre-prepared seafood sold by the food services sector be removed, subject to a transition period of no more than 12 months.

The 12-month transition is to allow restaurants to change their menus.

I understand that some coalition members have been working against country-of-origin labelling, and I hope that their position will change through the course of this debate. Labor is ready to constructively consider the detail of the government's proposal and its implementation when it is released. However, at this stage, we are not holding our breath. We know that the agricultural white paper is still to be delivered and the seafood industry is therefore rightly concerned that this recommendation to remove the exemption for restaurant
menus, like many other things under the Abbott government, may now be lost. I personally thank Senator Xenophon and the crossbench for their work in bringing this bill to the Senate. Labor thanks them for their work. I can assure you that I will continue to work to see the intent of this bill implemented, with amendment.

However, due to some serious technical concerns with the bill, we cannot support this bill in its current form. We have heard that several times throughout the debate today. Senator Williams did touch on that in his speech today. The bill cannot achieve its desired outcome because the parliament cannot direct Food Standards Australia New Zealand to amend the Food Standards Code. Only the Australia and New Zealand Food Regulation Ministerial Council has the authority to amend the Food Standards Code. However, this bill attempts to create the pathway for an amendment to the Food Standards Code to occur and that has been established by the intergovernmental agreement. It is almost certain that the states, whose support will be needed to approve the standard, will have an adverse response to this.

There is a lot of work to be done with the states and here in the ACT, but not with the Northern Territory. As I have outlined, we do not need to work on this because already have legislation to support our industry with clear food labelling that indicates the country of origin of the seafood. It promotes and endorses local produce. Labor supports the intent of this bill in principle, as I have already mentioned. We support the policy intent and we encourage any and all parties interested in seeing this amendment to the Food Standards Code to make an application through the process to Food Standards Australia New Zealand.

Labor has a strong record in this area. Senator Carr touched on it earlier. We have a vested interest in promoting the country-of-origin labelling. Industry would remember that in 2011 Neal Blewett delivered the Labelling logic report which provided comprehensive advice to government on food labelling. The report noted that:

… there are a few inexplicable primary product exceptions, and the Panel believes the loophole should be closed and that CoOL should be extended to cover all primary products for retail sale.

The report also recommended that Australia's existing mandatory country-of-origin labelling requirements for food be maintained and extended to cover all primary food products for retail sale.

The Labelling logic report has been Labor's blueprint for the reform of food labelling. Labor has already delivered on some of the key recommendations of this report, such as front-of-pack nutritional labelling. Labor has had a clear vision to improve food labelling for Australians. Therefore, we eagerly anticipate some strong actions to match the words of the Minister for Agriculture, who said:

Australian consumers have made it clear they want unambiguous and more consistent country of origin food labelling, so they can make more informed choices about the food they buy.

That was said by Minister Barnaby Joyce on 1 April 2015, but we are still waiting.

The Master Fish Merchants’ Association of Australia have said:

The current exemption from country of origin labelling obligations for seafood which is sold for immediate consumption denies consumers access to adequate information on the origins of their food.

They also said it was inconsistent with the labelling obligations placed on fresh seafood retailers. Coles has said:
We believe all domestic and imported seafood sold in Australia should have CoOL to assist consumers make an informed choice about the origin of the seafood they purchase.

So, let me again touch on our leadership in this area in the Northern Territory. The food service industry in the Northern Territory has implemented a labelling scheme that requires the food service industry to appropriately label country of origin information. The Northern Territory system uses a license requirement to display 'imported' on imported fish. Our experience in the Northern Territory has demonstrated that the food service industry was initially resistant to the idea of displaying country of origin information on seafood sold for immediate consumption. But resistance soon dropped after implementation, as consumers were pleased with having the information they needed to make informed choices. That can only be a good thing.

Labor supports the intent of this bill, and we have heard the community demand for reform. Labor acknowledges that broad support for these measures has been demonstrated by consumer groups, the seafood industry and conservationists. We also acknowledge that some sections of the food service industry may have concerns about this measure. However, the parliament must balance the needs of the public for improved consumer information and the need for Australians to have confidence in the food safety and labelling system.

I am determined to ensure that our Northern Territory produce is able to be labelled when sold throughout Australia's restaurants. We need to find a bipartisan or multipartisan solution on this issue that is vitally important to Australian consumers and producers. If the government is serious about improving Australia's country of origin labelling, a good first step would be to address the recommendations of the bipartisan or multipartisan report of the Senate inquiry—which I think you, Mr Acting Deputy President Sterle, spearheaded—into this issue. The report has been with the government, as I understand it, since October of last year. I think we all need to listen to the industry, listen to the consumers and listen to Australians—my constituents. They are screaming out for people to come and visit the Northern Territory to see where this produce goes, from farming right through to the plates of the top-class restaurants.

This year I have met with many stakeholders in the Northern Territory, including, as I mentioned, the CEO of the Northern Territory Seafood Council, Ms Katherine Winchester, and a local barra farmer, Mr Dan Richards, who is a proud fifth-generation Territorian. I visited Dan's farm, the Humpty Doo barramundi farm, earlier this year. It started 22 years ago from the humblest of beginnings. He had no infrastructure and little knowledge. However, he had a grand vision of what may be possible. The Humpty Doo barra farm has been an Australian iconic story, an example of why we should be supporting the local industry. In the early days of Humpty Doo Barramundi it was just pure tenacity, resilience and the dream that allowed the operation to survive the endless disappointments that a steep learning curve can bring. There was certainly no money and there were lots of expensive lessons to be learned. The owner and operator, Bob Richards, worked with a small group of volunteer family and friends, and he would go back to the drawing board after each failure and learn how to pull the business through the next step in its development. In 2002 Bob was awarded a Churchill Fellowship to travel around the world and learn from the top aquaculture operations about the sort of knowledge and systems that could be used to produce quality seafood. Bob brought
these ideas back to Australia, shared them with the Australian industry and applied them to his own business. Thus the Humpty Doo barramundi farm was transformed.

Humpty Doo Barramundi has grown by an average of 30 per cent per year since 2000. It now employs over 20 people and sells fish into the fine dining and retail trade around the country. It has become the largest single producer of barramundi in Australia, this year producing well over a million kilograms of fresh barramundi for the Australian consumer. And it has the capacity to grow to be many times this size and employ many more Australians. As a regional business it employs a number of Aboriginal people and is actively striving to increase this as a partner through the Indigenous Future Stars program. The Humpty Doo barramundi farm is just one example of what it is possible for Australian business to achieve when there is a strong market for our quality produce. Across Australia, aquaculture operations like Humpty Doo Barramundi have the potential to grow in scale, creating many jobs across the country.

I would just like to tell a story. I took my son, all of 11 years old, there, with his mate—they had just won the footy finals. I said, 'Come on, son; we're going out to the Humpty Doo barra farm.' He said: 'Why are we going there, Mum? We can go to the shop and buy barramundi.' So, I wanted to show him where the produce began. It takes 24 months to nurture from larvae, which they farm—24 months to get it to your plate. You have the Adelaide River, which pumps the water in to the hatchlings, and from there it goes from pond to pond. And the technology behind it is just absolutely incredible. If there is a small failure, whatever it may be, within 30 seconds alarms go off to alert the farm owners that something has gone wrong, which happens very few times. It is such an incredible way of farming local produce from the very beginning, and we can actually see how it gets to the restaurant plates. My son was so impressed. He is not a big fan of raw fish, but he caught his barramundi at the farm and took it to Dan and everything was set up and we had sashimi—fresh barramundi. There is nothing better than knowing the whole chain of the story, from the humblest beginnings to the restaurant plate—the fresh sashimi we had out at the barra farm. This is the way we can tell customers. What they are doing is competing against world prices, which is not good for local produce. We can put an end to that, and I think you said in your speech, Mr Acting Deputy President Sterle, that we need to have the political will to change this, and all governments should come together to make a difference, to support the local industry, to enable them to achieve to their fullest potential.

So I believe, with the appropriate legislative support allowing consumers to differentiate between Australian and imported products—which I just touched on—our high-quality domestic production has the potential to replace and displace a high percentage of our imports, but we can only do that if it starts here, in this place. This will create many Australian jobs.

For several years in the NT, all fresh fish sold in delicatessens or supermarkets, as I said before, have required labels to let consumers know where the product is from. This law has increased sales of Australian seafood. In fact, we are seeing more Australian seafood in NT supermarkets today than we did prior to 2006, when there were no country-of-origin labelling laws. The Northern Territory industry view is that country-of-origin labelling throughout Australia will result in increased sales of Aussie seafood in our supermarkets, like it has back home in the Northern Territory, and it will also increase sales of local and Australian fish in
our restaurants. I believe Australian consumers are prepared to pay that little bit more to get quality local seafood and to support the local industry, and I genuinely believe that that can happen in this country. I have heard many times, 'There's no substitute for quality.'

After months of inaction by the government, Labor wait with interest the details of their plan, following their announcement of proposed changes to country-of-origin labelling. Unfortunately, we cannot support the Xenophon bill at this time, but we do support the principle. We need to find a bipartisan if not multipartisan solution on this issue—an issue that is vitally important to Australian consumers and producers. As always, Labor stand ready to constructively consider any positive policy proposals from the government. Hopefully, they can show the same leadership that we have shown in the Northern Territory.

**Senator LAZARUS (Queensland) (11:24):** I am a strong supporter of the Food Standards Amendment (Fish Labelling) Bill 2015. This bill speaks to the very heart of what it means to be Australian—that is, that we should be supporting our producers, businesses, industries and of course jobs. Mandating that food outlets across the country provide the origin of the seafood served means that Australians will have the ability to make an informed choice about the foods they consume while dining outside of the home at restaurants and other food outlets.

Australia has some of the highest food standards in the world. We know that our produce is safe and is of the highest quality. If Australians have a choice when dining out between eating Australian seafood and eating imported seafood, the majority, I believe, will choose the Australian option. This in turn will more directly support Australian industries, which will support the growth of jobs.

In my home state of Queensland, we rely heavily on tourism. Hospitality and tourism are important sectors for all Queenslanders. Tourists dining in Australia want to consume our produce. The only way they can be assured of doing so is if seafood is labelled in restaurants and food outlets. The obligation on restaurants and food outlets to label food will be minimal. For example, restaurants will only need to display the origin of the seafood served on the menu or on a menu board. Therefore, the costs associated with implementing these labelling requirements are minimal; however, the benefits to Australia are significant. It is time we genuinely started to support our own industries, and jobs for Australians.

As of June 2014, there were some 72,000 businesses in the food and beverage services sector in Australia, including cafes, restaurants and takeaways as well as pubs, taverns, bars and clubs. Of those, 13,000 were in Queensland, with 90 per cent being small businesses. This means that the majority of businesses in this sector are Australian-owned enterprises that employ staff. By labelling the seafood served in these establishments, you are supporting these businesses and jobs, and all of those who work in the fishing and aquaculture sector. As a result, 13,000 businesses in my home state of Queensland will be actively supporting the promotion and sale of Australian seafood through menu labelling. According to many industry experts, seafood origin labelling will significant increase consumption of Australian produce across the country. This can only fuel the economy and of course grow jobs.

In June 2014, there were 6,348 businesses in the Australian fishing and aquaculture sector. Of those, some 1,500 were in Queensland, and 99 per cent of these were small businesses. This means that around 25 per cent of Australia's fishing and aquaculture is based in Queensland. Clearly, my home state of Queensland has much to benefit from this legislation. In fact, I recently visited several businesses in Queensland in this sector, including Gold Coast...
Tiger Prawns. I was impressed by the scale and calibre and quality of this business. They are producing prawns which are sold here in Australia. It is their view that there is increased scope to expand the business; we just need to encourage the people of Australia to buy Australian.

Unfortunately, based on statistics from the Department of Agriculture's 2013 annual report, Australia's consumption of imported seafood is roughly double that of domestic seafood. Clearly that needs to change. If the food and beverage sector is serving seafood labelled as Australian, then consumption of Australian produce increases. As a result, businesses in the fishing and aquaculture sector will flourish, which in turn will create more jobs and more revenue for Queensland and increase the economic prosperity of the country as a whole. It is for this reason that I support the bill and I strongly encourage everyone in the chamber to do so to support Australian businesses, to support the Australian fishing and aquaculture sector and to support Australian jobs.

We have heard a lot of talk from both sides of the chamber about the benefits of this bill. But unfortunately, and as expected, the two major parties decided that they would focus on the negatives and the reasons why we cannot have this legislation passed. You would think that if the two major parties were serious about this there would be amendments to this bill and we could vote on it and get it up because Australians need this legislation to get up. This bill is a result of a committee recommendation, and there is absolutely no reason why this bill should not get up. In due respect to New Zealand, it is Australia that needs this bill passed. As I have explained in my speech, as a result of this bill getting up the economic growth of this country would obviously increase, it would create jobs, stimulate the economy and put Australian produce, particularly seafood, at the forefront of everyone's mind.

They support the bill in principle, yes. It is a great bill. But, as I have said before, there has been no effort in coming up with amendments from either side of the House so this bill could be passed. That is certainly a very concerning issue for me because everyone agrees that this would be beneficial to everybody in this country. I call on all senators to support the needs of Australians and I call on all senators to vote for this bill.

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (11:31): I think this bill that we are debating, the Food Standards Amendment (Fish Labelling) Bill 2015, is a very, very important piece of legislation. I would like to commend my colleague Senator Xenophon for bringing it to this place. There should be no surprise about my view on this. Of course I support the thrust of this legislation. I would like to commend my colleague Senator Xenophon for bringing it to this place. There should be no surprise about my view on this. Of course I support the thrust of this legislation. But I would like to just take on board a couple of comments that have been made, certainly by Senator Peris, when I walked into this place.

Senator Peris indicated that, yes, there is multipartisan support for the thrust of this legislation in this place. But I would advise that when she is speaking to her speech writer she gets her speech writer not to verbal everybody before she has come into this place. For you to come into this place and say ‘all of the coalition in this place’—as you read off the speech that was written—before you heard what people had to say, there are plenty of those people in the coalition who are not supporting this legislation, and then she goes on to say you are not supporting it either. When you are talking about Bob Richards, he would be pretty nauseated to hear that his own senator is politicising a bill that so far is not politicised. Everyone is on
the same side here, Senator Peris, and I think it is completely unnecessary to take snapshots in
a piece of legislation where it is very important to ensure that everyone is on the same side.

Opposition senators interjecting—

Senator Bilyk: Bit touchy today!

Senator SCULLION: It is completely disingenuous. I have a bit of history, and the
reason I am perhaps a bit tetchy about this is that I spent an awfully long time, Senator Peris,
in getting the Northern Territory's legislation to where it is today.

The DEPUTY PRESIDENT: Senator Scullion, please address your remarks through the
chair and not directly to another senator.

Senator SCULLION: If we are, in fact, going to roll it out across the country, which
should have been done years ago, then it is really important that we provide multipartisan
support for this piece of legislation.

One of the challenges to this legislation being adopted is that it is the responsibility of the
states and territories, and the Northern Territory government, as we have already heard, has
already provided some leadership in that regard and has gone forward. There are some
technical issues, and I spoke to every state and territory in the early days of being in
parliament and before I was in parliament, and they were always coming up with reasons why
they do not all have the legislation. The technical part of the legislation in the Northern
Territory that allows this to be the case was an amendment to ensure that anyone who handled
fish that was for sale required a licence. Because you require a licence to sell fish in the
territory, that means, as part of the conditionality of the licence, you are able to ensure that
those things on the menu are labelled Australian.

So a simple amendment is available to every single fisheries act around Australia that
would make this a very simple and a seamless process to ensure that people have a choice and
they are making a choice as they look at the menu. I can give you an example. This is from
Crustaceans on the Wharf, and I know Senator Peris would also, no doubt, have eaten there
and will sing the praises of the wonderful seafood that is available there. You can now have
Australian creamy garlic prawns. You can have Western Australian rock lobster mornay. You
can have crustaceans seafood platter for one, and you go, 'Oh, there is no local on that.' But it
will identify in the menu local barramundi and crumbed imported calamari. So they are just
giving you a choice.

People can make those choices, and a lot of people, when they are making those choices,
do think. It can be motivated by a whole range of motivations. It can be motivated by saying,
'I should support what is Australian.' It is a great thing to support what is Australian. And,
indeed, supporting an industry is a wonderful motivation. Whilst I was not here to hear
Senator Xenophon's contribution, I know he has recently quoted that the numbers of
Australian jobs that this sector can increase by is in the thousands. In this place, any
opportunity to ensure that such a simple thing would create thousands more jobs in an
industry where Bob Richards in the aquaculture industry can have more demand for his
product and therefore employ more people would be a terrific thing indeed.

But there are other motivations. A lot of people want to know what they are eating, and
they assume—and rightly assume—that if you are eating an Australian rock lobster or if you
are eating an abalone or eating barramundi or eating a piece of whiting, it is a reasonable
assumption to make in Australia that our food standards are such that you can have a very high level of confidence that this is the quality of the fish that I am being provided. I have to say we have come a long way in the seafood industry, perhaps because of many of the MasterChef type shows we have on television. It was an issue 20 years ago: do you buy a lamb chop or do you buy a whiting? And they would say, 'I'll buy the lamb chop because I actually know how to cook it. It's all very simple. It's not hard.' The whiting was a bit of a different issue. But now people are very interested in seafood. The culinary delights that we are exposed to on our television screens very regularly have excited people into taking a different approach to seafood.

Of course, many people also are motivated by health issues. They might ask, 'Why would I pick seafood? If I turn over the menu, they have some rump and some other stuff happening.' In my view, this is always less interesting. Seafood is very good for you. A number of types of seafood have a whole range of health benefits—and they are not only low in stuff that is bad for you. If you are on a seafood diet, you are on the best diet you can possibly have. But there is one other motivation, which is a really important motivation. I often tell this story. It is a real question when you sit down with a young lady, particularly if you have met her for the first time, and you are wondering if you should have the garlic prawns or the garlic bread.

An opposition senator interjecting—

Senator SCULLION: With respect to the garlic prawns, people might be concerned about the sustainability of prawns. It is a really important issue. You are not sure if people are going to be wondering about the sustainability of it. So you say: 'Okay. I might be a bit worried about the prawns.' But I will tell you a little bit about bread. Do you know how we make bread? We knock down native forests. We knock down virgin pastures. We plant a non-endemic, really thirsty wheat. We manage that by making sure we spray insecticides that kill every insect—every single insect. We divert rivers to irrigate those sorts of things. We might even have sexy mega fauna like kangaroos. We get a permit to shoot them to make sure they do not eat the wheat—and you think that the bread would be safer than the prawns! The prawn is managed in an Australian fishery that has turtle-excluding devices—devices that exclude fish and prawns of a certain size by square netting. We can demonstrate in Australia that, if I am eating a prawn or a whiting or some seafood from anywhere across Australia, it is sustainably managed. It is a really important part of the motivation for a lot of people now. They wonder if the prawn that they are eating is a sustainable prawn, or if, somehow, taking that prawn is going to affect the environment or the sustainability of seafood negatively.

The reason for that is, of course, that we have had a lot of real tragedies across the world. The desertification of some of the coastal areas of Asia—the total desertification, and permanent desertification, through inappropriate use of very low-lying land and the introduction of salt to aquaculture ponds. You can fly over areas of Vietnam and South-East Asia where that will never return. It is now a desert. It will never return, and there is nothing you can do to save that particular country. It was unknown at the time that that would happen. That obviously has had a real impact on the people who are aware of that and about their decisions. They want to make sure that if they are buying a vannamei prawn, for example, that it comes from a sustainable place. If they are not sure, they would like to know—and the place that you would like to know should be directly before you eat it on the menu, because that is when you make a choice.
As Senator Peris pointed out, Coles and others already have that in place. Their policy is that you need to ensure that all the seafood is labelled from the country of origin at the place of sale, as it is in Coles. As chair of the Australian Seafood Industry Council, I was very pleased to have that put in place right across the country as part of seafood labelling. It is really important. It is not only in Coles where you are buying raw product before you take it home and cook it, or processed product. Every single thing you buy now, in any outlet, that is not cooked already has to have a label that says what its country of origin is. This next step is very important, whether you are motivated by safety, in terms of food safety, by sustainability, or by the national interest of employing people of Australia. These are all very important processes. The challenge we have in this place is, while it is not quite like traffic regulations, it is not a matter that this parliament would normally be dealing with. However, I support very much Senator Xenophon's approach to this. It comes out of frustration, which I share and everyone shares. We need to bring this to a point where, if the states and territories are not prepared to act on behalf of Australia and Australians in our national interest, then we need to send a very clear signal that that is what they should be doing. If we can, we should.

I was not here for the whole debate, but I understand that there are a number of technical issues. I would probably make an argument that this is about Australian interest not necessarily about foreign interest and New Zealanders and the others. Without offending them, I would make that case. I commend the Senate for what it has been doing, but this legislation will not definitively provide what we want. FSANZ provides advice to MinCo, and then MinCo would make some other decisions, so we are still not actually defining this. I think there is another opportunity, and I understand that Senator Joyce has—

Senator Sterle: You have demoted him! He is the minister!

Senator SCULLION: Minister Joyce! He has shifted. My apologies. I think that Minister Joyce is currently considering country of origin labelling more generally. I put on the record today that I will be doing everything I can to ensure that the country-of-origin labelling that is currently being considered under wide consultation across Australia for a whole range of different products, at least in the seafood industry is extended to provide an undertaking from states and territories to ensure that, when you pick up a menu, the menu indicates where the product comes from. This is going to be a significant change. I am hoping that by the time we come back in August, Senator Xenophon, this will be redundant, because it will already have been done under another process. I would like to commend you for your assistance in this matter. I would also like to commend all those other speakers who have supported it. It does seem like we have a rare outbreak of multipartisanship in this matter.

It is very, very important. To simply pick up a menu and know exactly what you are eating is, I think, something every Australian would say we should all be able to take for granted.

So, as to any of the notions of opposition, which are highly technical issues, I think we should leave those to where they are best discussed—in foreign affairs and those sorts of matters. But Australia does not join a treaty—Australia does not get into food standards—with the intention of ensuring that somehow this ties one hand behind our back when we are dealing with our own national interest. Fundamentally, I know that every single person in this place would feel that every decision we make in this place should be about our own national interest. So, as to most of those other matters that were discussed earlier, whilst they may be accurate, Australia has maintained and will always maintain our right to continue to provide
leadership and advice and legislation that make for the best interests of Australians in this regard.

The labelling of seafood—which, to many, may not seem such a big deal—will have an absolutely inordinate impact on not only so much of the industry but also, particularly, people. People in the Northern Territory, when we first started out on this, were asking: 'How are we going to print new menus—do you know how much this is going to cost?' There was pushback in all sorts of ways. And, interestingly, it is actually those in the industry themselves who now believe that, without a doubt, this is the best thing they have ever done. One of the things they say is: 'We write "imported" here. But when I am down in South Australia, don't we know?' They are really quite excited. Some people make a decision, as to cost or something, when they look at a menu, and perhaps say, 'Yes, I will take that one; it is 90 per cent, but the other one does not have squid in it. So I am going to take some of the imported stuff as well.'

As to the states' and territories' perspectives, I genuinely have very little understanding about why their position has lasted for so long. I have not had a rational response from any of them, over many years—apart from, 'It's a bit hard.' And the restaurant lobby is cranky. I say: you should go and talk to the restaurant lobby in the Northern Territory. They are delighted. They are saying, 'Yes, it was a bit difficult at first, but we are in a new space and this new space is an incredibly good space to be in.' This is a place where people are delighted that they are informed. And, normally, when they ask, because they are now informed they have an interest. They ask, 'So, is this local barramundi?' They say, 'Yes; local.' And they ask, 'What does that mean?' They say, 'That comes from the Northern Territory.' So they have taken it upon themselves; it is not through legislation. Take rock lobster. We have two types of rock lobster that are endemic in Australia; we have the Western Australian rock lobster, and another down south in the southern sites in Australia. With rock lobster, they have actually gone further, because people are interested in asking: 'Where does the rock lobster come from?' They say, 'We have different sorts.' They ask, 'Does the barramundi come from here? Where does it come from? Is it Western Australian barramundi, or from Queensland or the Northern Territory? And is it grown in an aquaculture farm or is it caught in the wild?' And suddenly you will find that the people who are in the restaurant are providing this information as part of an experience. Food is an experience, and part of that experience is now that, instead of staff saying, 'I can remember 20 things on the specials list'—which absolutely stunned me; I do not know how they remember them—those young men and women also understand about fisheries management, and about the importance of where the fish comes from, and they are prepared to answer questions on how sustainable it is, like: 'What about dugong? What about turtles? Are they affected? Are they not affected?' So, yes, it is about food, but it is also about ensuring that we feed the knowledge of young Australians—though not only young Australians; even Australians as old as I am actually eat seafood, but I think there is an emerging Australia that wants to know.

I heard Senator Whish-Wilson's contribution, and there is a thirst to know where things come from and to know what effect they have on the environment. As I have said, there are a number of motivations. Some of those motivations might be from self-interest: 'I want to make sure this is not going to hurt me. It is supposed to be a pleasant experience.' But I think that one of the most significant emerging issues at the moment is the issue that I want to be
confident—whether it is a piece of beef, or a prawn or any of the other seafood products that we are going to get on our plate—that I am not contributing to degrading an environment somewhere else. People are thinking and talking about that. So there is going to be an insistence that our own environment in Australia is being better looked after.

I say very proudly: Australia does not have unmanaged fisheries. Some fisheries still need a lot of work, but at least we have moved into a leadership position in the world, of indicating that every single one of our fisheries has to be managed. And they are interesting—we have a lot of interesting mechanisms to manage our fisheries, and the fact that that story is now being told is very, very important. I would never have thought that my interest in fisheries management would be able to be promulgated around Australia—actually by waiters and waitresses and other people who work in restaurants. I think the more information that we have out there the better, not only about Australia’s success but the relative success we have because we can say: ‘Everything that you eat that comes out of the seafood industry is a product that you can safely eat in Australia, and you can safely say that it is not going to have a—’ (Time expired)

The DEPUTY PRESIDENT: Senator Moore, you have 12 seconds, should you wish to accept it.

Senator Moore: I waive my 12 seconds.

The DEPUTY PRESIDENT: Then, as we are close enough to 11.52, the time for this debate has expired.

NOTICES

Presentation

Senator Fifield to move:

That consideration of the business before the Senate on Wednesday, 24 June 2015 be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator McAllister to make her first speech without any question before the chair.

Senator O’Sullivan to move:

That the Senate—

(a) acknowledges the valuable contribution of the sustainable forest industry to Australia’s economy as the industry generates over $20 billion of economic turnover each year and employs over 70,000 people;

(b) recognises the important work conducted by the Forest and Forest Industry Market Development Mission to Japan and China to promote Australia’s sustainable forest industry as the sustainable building material of the 21st century; and

(c) condemns the misinformation spread by radical environmental non-governmental organisations that has resulted in sustainable Australian product being replaced by timber from less sustainable forests damaging our economy, employment and the environment.

Senator Smith to move:

That the Senate—

(a) notes that:

(i) 15 June 2015, is the 800th anniversary of the sealing of the Magna Carta by King John of England, and
(ii) the enduring legacy of the Magna Carta has been its statement of basic rights and liberties of people under law; and

(b) affirms the Magna Carta's place as a foundation stone of the rule of law in Australian and its constitutional legacy for democratic societies around the world.

COMMITTEES

Selection of Bills Committee

Report

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (11:52): I present the fifth report of 2015 of the Selection of Bills Committee and I seek leave to have the report incorporated in Hansard.

Leave granted.

The report read as follows—

SELECTION OF BILLS COMMITTEE

REPORT NO. 5 of 2015

1. The committee met in private session on Wednesday, 13 May 2015 at 7.15 pm.

2. The committee resolved to recommend—That:

(a) the provisions of the Fair Work (Registered Organisations) Amendment Bill 2014 [No. 2] be referred immediately to the Education and Employment Legislation Committee for inquiry and report by 11 August 2015 (see appendix 1 for a statement of reasons for referral);

(b) the provisions of the Law Enforcement Legislation Amendment (Powers) Bill 2015 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 18 June 2015 (see appendix 2 for a statement of reasons for referral); and

(c) the provisions of the Tax and Superannuation Laws Amendment (Employee Share Schemes) Bill 2015 be referred immediately to the Economics Legislation Committee for inquiry and report by 16 June 2015 (see appendix 3 for a statement of reasons for referral).

3. The committee resolved to recommend—That the following bills not be referred to committees:

- Defence Legislation Amendment (Parliamentary Approval of Overseas Service) Bill 2015
- Defence Legislation (Enhancement of Military Justice) Bill 2015
- Freedom of Information Amendment (Requests and Reasons) Bill 2015
- Judiciary Amendment Bill 2015.

4. The Norfolk Island Legislation Amendment Bill 2015 and 7 related bills were considered at meeting 4 of 2015 on Wednesday, 25 March 2015 and not referred. These bills were reconsidered and the committee resolved to recommend that they not be referred.

The committee recommends accordingly.

5. The committee deferred consideration of the following bills to its next meeting:

- Australian Centre for Social Cohesion Bill 2015
- Competition and Consumer Amendment (Australian Country of Origin Food Labelling) Bill 2015
- Corporations Amendment (Publish What You Pay) Bill 2014
- Motor Vehicle Standards (Cheaper Transport) Bill 2014
- Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2014.

David Bushby
APPENDIX 1

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee:
Name of bill:
Fair Work (Registered Organisations) Amendment Bill 2014 [No.2]
Reasons for referral/principal issues for consideration:
The bill will have a substantial impact on employees and registered organisations representing employees
Possible submissions or evidence from:
Union and employer groups
Committee to which bill is to be referred:
Education and Employment Legislation Committee
Possible hearing date(s):
July 2015
Possible reporting date:
11 August 2015

(signed)
Senator Rachel Siewert

APPENDIX 2

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee:
Name of bill:
Law Enforcement Legislation Amendment (Powers) Bill 2015
Reasons for referral/principal issues for consideration:
• This Bill broadens the Australian Crime Commission's examination powers, raising human rights concerns about how these powers may jeopardise a person's right to fair trial
• The Bill raises rule of law concerns because what are effectively judicial powers are being used by an administrative body
• The government has stated that the Bill includes adequate safeguards, however these safeguards need to be explored further by a Committee
Possible submissions or evidence from:
• Law Council of Australia
• Australian Lawyers for Human Rights
• Australian Human Rights Commission
• Gilbert and Tobin Centre of Public Law
• Attorney-General's Department
Committee to which bill is to be referred:
   Legal and Constitutional Affairs Legislation Committee
Possible hearing date(s):
   9 – 12 June 2015
Possible reporting date:
   18 June 2015
(signed)
   Senator Rachel Siewert

APPENDIX 3
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee:
Name of bill:
   Tax and Superannuation laws Amendment (Employee Share Schemes) Bill 2015
Reasons for referral/principal issues for consideration:
   The Bill will have substantial impact on employees' wages, conditions and entitlements
Possible submissions or evidence from:
   Union and employer groups
Committee to which bill is to be referred:
   Economics Legislation Committee
Possible hearing date(s):
   July 2015
Possible reporting date:
   16 June 2015
(signed)
   Senator Rachael Siewert

Senator BUSHBY: I move:
That the report be adopted.
Question agreed to.

BUSINESS
Rearrangement

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (11:52): I move:
That—
(a) the following government business orders of the day be considered from 12.45 pm today:
   No. 2 Norfolk Island Legislation Amendment Bill 2015
   Tax and Superannuation Laws Amendment (Norfolk Island Reforms) Bill 2015
   2600 No. 94—14 May 2015
   A New Tax System (Medicare Levy Surcharge—Fringe Benefits) Amendment Bill 2015
Health and Other Services (Compensation) Care Charges Amendment (Norfolk Island) Bill 2015
Health Insurance (Approved Pathology Specimen Collection Centres) Tax Amendment (Norfolk Island) Bill 2015
Health Insurance (Pathology) (Fees) Amendment (Norfolk Island) Bill 2015
Aged Care (Accommodation Payment Security) Levy Amendment (Norfolk Island) Bill 2015
Private Health Insurance (Risk Equalisation Levy) Amendment (Norfolk Island) Bill 2015
No. 3 Australian Border Force Bill 2015
Customs and Other Legislation Amendment (Australian Border Force) Bill 2015
No. 4 Judiciary Amendment Bill 2015
No. 5 Private Health Insurance Amendment Bill (No. 2) 2014; and
(b) government business be called on after consideration of the bills listed in paragraph (a) and considered till not later than 2 pm today.
Question agreed to.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (11:53): I move:

That the order of general business for consideration today be as follows:
(a) general business notice of motion no. 718 standing in the name of Senator Moore relating to the 2015-16 Budget; and
(b) orders of the day relating to documents.
Question agreed to.

Consideration of Legislation

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (11:53): I seek leave to move a motion relating to the consideration of legislation on Wednesday, 12 August 2015. I indicate to the chamber that this is to facilitate a vote during government business in relation to the Food Standards Amendment (Fish Labelling) Bill 2015 of Senator Xenophon.

Leave granted.

Senator FIFIELD: I move:

That—
(a) the vote on the motion for the second reading of the Food Standards Amendment (Fish Labelling) Bill 2015 (general business order of the day no. 62) be taken at the commencement of business on Wednesday, 12 August 2015; and
(b) any remaining questions relating to the bill be put by no later than 10 am.

Question agreed to.

Leave of Absence

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (11:55): by leave—I move:

That leave of absence be granted to Senators Abetz and Wang for today, for personal reasons.

Question agreed to.

CHAMBER
NOTICES
Postponement

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Xenophon for today, proposing a reference to the Rural and Regional Affairs and Transport References Committee, postponed till 18 June 2015.

Business of the Senate notice of motion no. 2 standing in the name of Senator Rice for today, proposing a reference to the Education and Employment References Committee, postponed till 15 June 2015.

COMMITTEES

Education and Employment References Committee

Rural and Regional Affairs and Transport References Committee

Reporting Date

The Clerk: Notifications of extensions of time for committees to report have been lodged in respect of the following:

Education and Employment References Committee—Australia's temporary work visa programs—extended from 22 June to 19 August 2015.

Education and Employment References Committee—private vocational education and training providers—extended from 10 August to 16 September 2015.

Rural and Regional Affairs and Transport References Committee—airport and aviation security at Australian airports—extended from 21 May to 12 August 2015.

Rural and Regional Affairs and Transport References Committee—Australia's sugar industry—extended from 21 May to 24 June 2015.

Rural and Regional Affairs and Transport References Committee—effect of market consolidation on the red meat processing sector—extended from 12 August 2015 to the last sitting day in March 2016.

The PRESIDENT (11:56): I remind senators that the question may be put on any of those proposals at the request of any senator. There being none, we will move on.

NOTICES
Postponement

Senator XENOPHON (South Australia) (11:57): by leave—I move:

That business of the Senate notice of motion no. 3 standing my name for today, proposing a reference to the Economics References Committee, be postponed till 16 June 2015.

Question agreed to.

BUSINESS

Orders of the Senate

Senator McEWEN (South Australia—Opposition Whip in the Senate) (11:58): At the request of Senator Gallagher, I move:

That the order of the Senate of 20 June 2001, as amended on 27 September 2001, 18 June 2003, 26 June 2003, 4 December 2003 and 1 March 2007 for the production of documents relating to departmental and agency contracts, be amended as follows:

CHAMBER
Omit paragraph (1), substitute:

(1) There be laid on the table, by each minister in the Senate, in respect of each entity administered by that minister, or by a minister in the House of Representatives represented by that minister, by not later than 2 calendar months after the last day of the financial and calendar year, a letter of advice that:

(a) a list of contracts in accordance with paragraph (2) has been placed on the Internet, with access to the list through the entity's home page; and

(b) includes an assurance by the entity head that the listed contracts do not contain any inappropriate confidentiality provisions.

After paragraph (1), insert:

(1A) Order 1(b) takes effect from 1 July 2017.

Paragraph (2)(a), omit "agency", insert "entity".

After paragraph (2), insert:

(2A) For the purposes of paragraph (1)(a) as it applies to procurement contracts only, access from an entity's home page may include a link to a complying report on AusTender. If an entity has contracts to report other than procurement contracts, there must be a dedicated link to a list of such contracts from an entity's home page in addition to any link to AusTender.

Paragraph (3)(b), omit "agencies", insert "entities".

Paragraph (4) omit "a department or agency", insert "an entity".

Paragraph (5) omit "each year", insert "2016 and 30 September 2018".

Paragraph (7) after the word "Administration" insert "References".

Omit paragraph (9), substitute:

(9) In this order:

"complying report on AusTender" means a report in respect of an individual entity that meets the requirements of this order in respect of procurement contracts;

"entity" means a Commonwealth entity within the meaning of the *Public Governance, Performance and Accountability Act 2013*, but does not include a trading Public Non-financial Corporation as classified by the Australian Bureau of Statistics;

"inappropriate confidentiality provision" means a confidentiality provision that is not in accordance with guidance issued by the Department of Finance on compliance with this order and approved by the Finance and Public Administration References Committee; and

"previous 12 months" means the period of 12 months ending on either 31 December or 30 June in any year, as the case may be.

After paragraph (9), insert:

(9A) Until 1 July 2017, entity is taken to mean a non-corporate Commonwealth entity within the meaning of the *Public Governance, Performance and Accountability Act 2013*.

Question agreed to.

**MOTIONS**

**National Palliative Care Week**

*Senator McEWEN* (South Australia—Opposition Whip in the Senate) (11:58): At the request of Senator Bilyk, I move:

That the Senate—

(a) notes that National Palliative Care Week runs from 24 May to 30 May 2015;
(b) encourages all Australians to use National Palliative Care Week to get together with those close to them, celebrate life and talk about death; and

(c) recognises that, as people are facing the end of life, particular questions to ask include: how they want to be cared for, what values are important to them, what types of medical assistance they want to receive, whether they wish to be buried or cremated, where they want to pass away, whether they have established a power of attorney, and whether they have considered writing an Advance Care Plan.

Question agreed to.

Childhood Immunisation

Senator O’SULLIVAN (Queensland—Nationals Whip in the Senate) (11:59): I, and also on behalf of Senators Williams and Canavan, move:

That the Senate—

(a) notes that childhood immunisation is one of the most effective ways of preventing disease;

(b) acknowledges the removal of 'conscientious objection' as an exemption category to immunisation for preventable diseases for child care payments (Child Care Benefit and Child Care Rebate) and the Family Tax Benefit Part A end of year supplement;

(c) condemns the Townsville Greens for supporting the debunked and discredited research of individuals to justify their scaremongering and continuing to expose children to the dangers of preventable childhood diseases; and

(d) calls on all parties to support the implementation of the 'no jab no pay' policy as part of a science-based approach to stopping the spread of communicable childhood diseases.


The PRESIDENT: Leave is granted for one minute.

Senator DI NATALE: I commend Senator O’Sullivan for his support of childhood immunisation—it is indeed one of the most effective ways of preventing childhood diseases, and it is something that I have spoken about in this chamber many times. There is no stronger supporter of childhood immunisations in the Australian parliament than me and the Australian Greens. What I object to is that this motion condemns an entire branch of the Greens for the statements of several individuals. It is true that there are several individuals within the Townsville Greens—as there are within every party—who have concerns about immunisation; but we do not put motions to condemn an entire political organisation. We do have people on the fringes in our party, but the difference between our party and the Liberal Party is that you have them in the parliament. Look at Cory Bernardi—a case in point.

Question agreed to.

Environment

Senator WILLIAMS (New South Wales) (12:01): I move:

That the Senate notes—

(a) the Coalition Government was returned in New South Wales at the 28 March 2015 election;

(b) the intention of the New South Wales Coalition Government to introduce new biodiversity conservation legislation to remove barriers whilst maintaining environmental protections, and which will repeal the Native Vegetation Act, the Threatened Species Conservation Act and sections of the National Parks and Wildlife Act, and which will enhance food security for all Australians; and
(c) comments from NSW Farmers' Association President, Ms Fiona Simson, That the decision recognises that environmental outcomes and food production outcomes can in fact go hand-in-hand and do not have to result in perverse outcomes for farming practices.

**The DEPUTY PRESIDENT:** The question is that general business notice of motion No. 715 be agreed to.

The Senate divided. [12:05]

(The Deputy President—Senator Marshall)

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Senator Bilyk did not vote, to compensate for the vacancy caused by the resignation of Senator Mason.

Question agreed to.

Australian Fisheries

Senator WHISH-WILSON (Tasmania) (12:07): I move:

That the Senate—

(a) in regard to the operation of the FV Geelong Star in the Small Pelagic Fishery, notes:

(i) the Report of the Expert Panel on a Declared Commercial Fishing Activity - Final (Small Pelagic Fishery) Declaration 2012 which found mid-water trawling by large factory freezer vessels would negatively impact on protected species such as seals, dolphins and sea birds,

(ii) recent Australian Fisheries Management Authority reports that four dolphins and two fur seals were killed on both the first and second fishing trips of the FV Geelong Star, and

(iii) media comments by the Minister for the Environment (Mr Hunt) indicating That the dolphin deaths are unacceptable and outrageous; and

(b) calls on the Government to protect cetaceans (whales, dolphins and porpoises) in Australian waters.


The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: Australia’s fisheries are world class and sustainably managed. Decisions are made using the best available science. This will continue under this government’s watch. The independent Australian Fisheries Management Authority has responded swiftly to government and community concern regarding recent dolphin mortalities by the Geelong Star, with further strict conditions.

This government will ensure that Commonwealth fisheries continue to be managed in an ecologically sustainable way, and that they are not having a detrimental impact on protected species such as seals, dolphins and sea birds. Importantly, Commonwealth fisheries are accredited under the Environment Protection and Biodiversity Conservation Act. Further, the government has committed $2 million to the implementation of a whale and dolphin protection plan, including a national whale trail to encourage community involvement in the dissemination of information about whale migration and a stranding action plan to improve survival of stranded and entangled animals.

Question agreed to.


The DEPUTY PRESIDENT: Leave has been granted for one minute.

Senator WHISH-WILSON: I love and value dolphins, as do most Australians, especially children. You cannot put an economic value on how I feel about them, having spent my life surfing and diving with them. Nor can you put a scientific value on it. That is why, in this country, under EPBC law cetaceans are protected. They protected under EPBC law; however, there is an exemption for the fishing industry that allows them to kill dolphins.
There is a disconnect here between our law and what the Australian public want. They want dolphins and other cetaceans protected. The fact that the Geelong Star came here and killed eight dolphins in its first two weeks of operations is simply unacceptable to most Australians. I have been told that it was not meant to kill dolphins. That was not predicted, based on vessel management plan studies. However, it occurred. It is unacceptable, and I am glad that the Senate has made statement today that they want to see cetaceans protected.

Nuclear Weapons

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (12:10): I ask that general business notice of motion No. 693, which relates to nuclear weapons abolition, be taken as a formal motion.

The DEPUTY PRESIDENT: Is there any objection to this motion being taken as formal?
Senator Fifield: Yes.

The DEPUTY PRESIDENT: There is an objection.

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

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator LUDLAM: I can save the government and opposition whips the opportunity of reading into the record a condescending statement about how this is a complex foreign policy matter. I presume that that is the reason that the Senate is not even going to be able to express a view on this matter. The motion effectively goes to the fact that Australia, together with 155 other states, participated in the Vienna Conference on the Humanitarian Impact of Nuclear Weapons on 8 and 9 December last year.

Eighty-five nations have signed that pledge, and this is about nuclear weapons abolition—weapons that have no strategic military utility but would have a massive humanitarian impact were they ever used. Eighty-five countries have signed that pledge. Former Prime Minister Malcolm Fraser, who has—

Senator Whish-Wilson: I rise on a point of order, Mr Deputy President. I cannot hear Senator Ludlam, there is so much talking going on in the chamber. Can you please bring the chamber to order.

The DEPUTY PRESIDENT: I accept your point of order. There is too much noise in the chamber and the Senate will come to order.

Senator LUDLAM: Mr Fraser said, in 2009:

“There has never been a better time to achieve total nuclear disarmament; this is necessary, feasible and increasingly urgent. We are at the crossroads of a crisis involving these worst weapons of terror, presenting both danger and opportunity.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (12:12): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: It is the view of the government that complex foreign policy matters are not best dealt with by a simple binary yes-or-no situation. Australia is committed to nuclear disarmament and has a long record of working effectively with partner countries and through the nuclear non-proliferation treaty review process to advance this aim. It has been...
the position of successive Australian governments to urge all the nuclear weapon states, including the United States and Russia to reduce and, ultimately, eliminate nuclear weapons in a way that does not compromise Australia's national security or international security. Banning nuclear weapons will not lead to their elimination. A step-by-step approach, which involves all nuclear weapon states and adopts practical and realistic measures, is the most effective way to achieve disarmament.

The prohibition and elimination of nuclear weapons is a complex matter and should not be reduced, as I said, to a simplistic Senate motion without debate.

**Income Support**

Senator SIEWERT (Western Australia—Australian Greens Whip) (12:14): I move:
That the Senate calls on the Government to drop its ideological attack on young job seekers by withdrawing the budget measure that forces young people under 25 to wait one month before being able to access income support.


The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator FIFIEND: This year's budget is seeking to provide a better deal for young people to release them from a life on welfare and to realise their potential. Around one in five young Australians are not fully engaged in either work or study. Particularly worrying are figures that show that young people account for around 30 per cent of long-term unemployed.

The government does not think it is unreasonable to expect job-ready job seekers to complete certain pre-benefit activities, such as attending meetings with their jobactive provider, agreeing to a job plan, developing an up-to-date resume, creating a job-seeker profile and providing evidence of job applications in order to receive a benefit. The government recognises that some people affected by an extended waiting period may require assistance, and therefore we are providing approximately $8.4 million for additional emergency relief services for under-25s affected.

Senator SIEWERT (Western Australia—Australian Greens Whip) (12:15): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator SIEWERT: Whether you are kicking people off income support for six months or for one month, it is an extremely cruel measure and it ignores the evidence—and I realise the government is an evidence-free zone when it is making these measures. The fact is that keeping people in poverty, which is what you do to young people when you kick them off income support, means they are not able to find work. Poverty has a devastating impact on young people—on anybody—when they are looking for work. This is a counterproductive measure and it is cruel and harsh. It demonises young people as if it is their fault that they cannot find employment. Last year the government said these young people are sitting at home on the couch. Actually, they are not. They want to find work. This will make it harder for young people to find work. It is a counterproductive measure. It is cruel, it is mean, it is demonising and it should be rejected.
The DEPUTY PRESIDENT: The question is that the motion moved by Senator Siewert be agreed to.

The Senate divided. [12:20]

(The Deputy President—Senator Marshall)

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

AYES
Brown, CL
Carr, KJ
Conroy, SM
Day, R.J.
Gallacher, AM
Hanson-Young, SC
Lazarus, GP
Ludlam, S
Madigan, JJ
McEwen, A (teller)
Moore, CM
O’Neill, DM
Polley, H
Rice, J
Singh, LM
Waters, LJ
Wright, PL

Bullock, J.W.
Collins, JMA
Dastyari, S
Di Natale, R
Gallagher, KR
Ketter, CR
Lines, S
Ludwig, JW
McAllister, J
McLucas, J
Muir, R
Peris, N
Rhiannon, L
Siewert, R
Sterle, G
Whish-Wilson, PS

NOES
Back, CJ
Birmingham, SJ
Canavan, M.J.
Colbeck, R
Fawcett, DJ
Fifield, MP
Johnston, D
McGrath, J
Nash, F
Payne, MA
Ronaldson, M
Ryan, SM
Sindonis, A
Williams, JR

Bernardi, C
Bushby, DC (teller)
Cash, MC
Edwards, S
Fierravanti-Wells, C
Heffernan, W
Leyonhjelm, DE
McKenzie, B
O’Sullivan, B
Reynolds, L
Ruston, A
Scullion, NG
Smith, D

PAIRS
Cameron, DN
Milne, C
Urquhart, AE
Wang, Z
Wong, P

Seselja, Z
Abetz, E
Brandis, GH
Macdonald, ID
Cormann, M
Senator Bilyk did not vote, to compensate for the vacancy caused by the resignation of Senator Mason.

Question agreed to.

BILLS

Construction Industry Amendment (Protecting Witnesses) Bill 2015

Tribunals Amalgamation Bill 2015

Returned from the House of Representatives

Messages received from the House of Representatives returning the bills without amendment.

Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator McKENZIE (Victoria) (12:23): I rise to continue my contribution to the debate on the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015. As I was saying last night, I am Chair of the Education and Employment Committee, which was tasked to produce a report on this legislation. Senator Lines made assertions last night about the lack of consultation in the development of this piece of legislation, and, contrary to the picture she attempted to paint of the committee's attempts to shut down public discussion about it, I stand here before the Senate as the chair of that committee to reject those assertions. We did indeed, as I said last night, receive four submissions. We promoted the inquiry in the usual way that we do in Senate committees—online, in newspapers, and we sent letters to various stakeholders such as unions, businesses, state governments and the like. We got four submissions back—one from the Department of Employment, there are no worries there; one from the ACTU; one from the ETU; and one from the CFMEU-controlled Victorian government. When the secretariat read those submissions they advised the committee that the report be done on the papers. I believe in transparency, I believe in a committee process that allows all senators to have their say and for stakeholders in the community to have their say, but in the interests of time and because of the fact that there were only three submissions, we did actually do the report on the papers without having to go through a public hearing.

I stressed to senators in the committee that we do have a process of questions on notice when we are doing a report into legislation, which for those listening to this fascinating debate today is a process whereby any senator from any political persuasion has the right to submit questions to those stakeholders that have submitted to an inquiry—whether it be the department, the ACTU, the ETU or the Victorian government—to flesh out in a little more detail anything about their written submissions that a senator thinks might be appropriate to bring to the public debate. After I listened to Senator Lines yesterday, I was quite concerned that she felt she had not had the chance, I think the words she used were, to delve a little more deeply into the written submissions and pull out some more conversations.

Senator Canavan: There are four submissions, aren't there?
Senator McKENZIE: Three, if you do not count the department, Senator Canavan. I went back to the secretariat concerned that Senator Lines felt that she had not had the opportunity to delve further into those submissions and flesh out some of those concerning aspects for her. The secretariat advised that no questions on notice were submitted by senators during the process of the report being developed. To me that indicated that no senator had any concern with what the ACTU had written, what the ETU had written or indeed what the Victorian government had written, and that no senator wanted to flesh out in any greater detail the submission from the Department of Employment on this bill. So, Senator Lines, I reject the fact that there was not an open and transparent process in the writing of the report on this piece of legislation.

Senator O'Neill, in her contribution, started to extol the virtues of human rights and the different international conventions and treaties that the human rights committee has to go through to assess whether legislation is compatible with our human rights. I did not quite get from Senator O'Neill's contribution what the conclusion was of those particular processes; however, I am happy to report to the Senate that, having gone through the human rights process, the bill is indeed compatible with human rights because it advances the protection of human rights.

Some key issues came out of the report, but the primary purpose of the bill is to ensure a Commonwealth authority does not exit the Comcare scheme without contributing appropriate ongoing costs for injured employees who remain in the scheme and to cover liabilities—the primary purpose of the bill is to protect the system that protects workers. The Comcare scheme, as we heard earlier, covers a range of workers compensation and work-related injuries to Commonwealth and Australian Capital Territory public servants, employees of Commonwealth and ACT statutory authorities and corporations, ADF members for injuries before 1 July 2004 and employees of corporations who have a licence to self-insure under the SRC Act. In February 2015, the ACT government announced its intention to leave the Comcare scheme due to long delays in the scheme, excessive premiums and ineffective rehabilitation. That was sourced from a Canberra Times media report of 26 February 2015.

The ACT government—and I think at the time the Chief Minister was current Senator Katy Gallagher—made the decision, which seems quite sensible, to leave a scheme that was costing that government money because of excessive premiums and ineffective rehabilitation. There were issues for the ACT government and issues for the workers covered by the scheme because it was not providing appropriate rehabilitation. The ETU submission to the inquiry supported the ACT government's move to exit the Comcare scheme for these reasons. So I am looking forward to Senator Gallagher's contribution to this debate, because in this place the Labor Party is obviously not in support of the ACT Labor government's decision and the implementation of that decision through this bill's primary function. But we should not be surprised, Senator Canavan, at the hypocrisy of the federal ALP opposition in not supporting the ACT government's previous decision. The flexibility in their policy position knows no bounds. In fact, for the next Olympic Games, we might hold some trials on the ovals on the Senate side of Parliament House to see which Labor Party senator is the most flexible—we could get them in the gymnastics comp to the Olympics. Anyway, I digress from the bill and I apologise for not staying relevant to the material before us.
For very good reasons, the ACT government decided to leave the scheme, and, as we proceeded through the submissions, the committee noted:

... maintaining the financial sustainability of the Comcare scheme through appropriate exit contributions for ongoing claims management and liabilities is integral to ensuring the long-term sustainability of the scheme to pay claims and support injured employees.

Again, this goes to the very heart of the difference between that side of the chamber and this side of the chamber. On this side of the chamber, we are interested in policies, legislation and approaches that go to financial sustainability. Financial sustainability is in our DNA—in everything we do and in everything we bring to this chamber. Indeed, it is a hallmark of our budget, brought down this week. We are a government committed to ensuring not only the financial sustainability of the Comcare scheme but, indeed, the financial sustainability of our entire nation. I will be happy later in my contribution to go through some of the measures announced this week that reflect our commitment to financial sustainability. The committee noted concern regarding the potential impact on employees. However, the report states:

The committee is satisfied that the bill will not change any existing benefits or entitlements for injured workers.

That brings me to some of Senator Lines’s other assertions made during her contribution. She continually asserted that this is an anti-worker bill. Quite the contrary—it is a bill that attempts to ensure the financial sustainability of a scheme that underpins many workers' compensation entitlements. For her to put forward, once again, the rhetoric that our government does not care about workers right throughout Australia is, again, just attempting to use language to paint this side of the parliament in a certain way, when nothing could be further from the truth.

The Abbott government is the best friend the workers of Australia have ever had. If you look just at our budget, we are completely focused on ensuring that young people throughout this nation are able to access jobs through youth transition programs. We are looking at overhauling apprenticeship programs so that we can ensure they have the skills they need that are relevant to our industries within our communities. We have programs to ensure that older Australians are supported back into the workforce. Our entire jobs program is focused on those long-term unemployed and on assisting them back into the workforce.

That is one end of that conversation; the other end is that you have to actually support the employers of the workers of Australia. If you do not have employers, you cannot have jobs for the workers of Australia, and that is why our budget is completely focused on bringing capacity and support to the small businesses around Australia, to ensure that they can go out into their communities with confidence and build their balance sheets so that they have the money in the till to put on that additional employee—because, if you do not get it right as a small business owner, the impact is significant.

Another assertion Senator Lines made was that we on this side believe that all red tape is bad—that our commitment to not having over-burdensome red tape is somehow in our DNA. What we are interested in is effective and efficient legislation and regulation. We want to achieve positive outcomes for our communities, individuals, businesses and economies, but we do not want to make that regulation so burdensome that we stifle innovation and growth, at either an individual level or an economic level.
One piece of regulation that I think has been a great initiative of the Abbott-Truss government relates to the Foreign Investment Review Board changes. They are important for Australia's growth and innovation, contributing to the prosperity of our businesses, our communities and the broader society. We absolutely welcome foreign investment in this country. It stimulates our economy and grows our local community, providing, once again, jobs for Australians young and old. But we have to ensure that that foreign investment is in our national interest. It does not matter whether you are an American company wanting to buy a farm or a Chinese investor wanting to buy an apartment in Toorak—it does not matter who you are or where you are from; we need an appropriate mechanism to assess that investment to ensure that it is, indeed, in our national interest. We should not shy away from that. That is a piece of regulation we have implemented that I think has been of great benefit and something that the community has long called for. I am very proud of our government achieving that.

I also want, in the time left available to me, to go through some of the fabulous ways that our government are supporting the workers of Australia through our budget. We have been focused on stimulating small businesses. Those businesses with turnovers less than $2 million will be able to access tax relief in terms of purchasing assets. That is going to run ripples right throughout the community. Right across regional Australia the biggest employer in the community—75 per cent of employment—comes from the small business sector. This is going to have huge flow-on effects for the towns that I care about in regional Victoria, that Senator Canavan cares about in regional Queensland, and that is important. It is very important.

When we turn to the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015 before us, our government is committed to actually getting it right. I have been hearing critique from the other side about the splitting of the bills. The opposition have a problem because we have taken the initiative and chunked that legislation down to bring it into the Senate and have the conversations, which this particular Senate requires us to have as a government. That is not a bad thing. Last week the opposition were critiquing us for putting too much in one bill, and in showing that some things were dependent on others, et cetera. We just cannot seem to get it right for the Labor opposition. I wonder whether they will get it right tonight. I am looking forward to the Leader of the Opposition's budget in reply speech. I noticed on Tuesday night that the opposition were very, very loud for, maybe, the first three minutes of the Treasurer's address. They increasingly got more and more quiet as our government's sole focus on families and on job creation, and the very real and common sense approaches we are taking to solving those problems became apparent.

**Senator Cameron:** You've got to be kidding.

**The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson):** Order!

**Senator McKENZIE:** Unfortunately, Senator Cameron, you were not there. I saw the shadow Treasurer's face fall. He got more and more quiet. Indeed, the Leader of the Opposition had a smile pasted on his face like some sort of comic relief or some sort of clown at the carnival where you put the ball in. You should have seen it, Mr Acting Deputy President, you would have had a wry smile.
The opposition had gone from loud attack, but as the initiatives rolled out, as our government's commitment to the future of laying the right foundation for our nation going forward became apparent, there was shutdown. I note that there has not been a lot of critique. Even question time in this place over the last three days has been pretty shoddy. It has been a pretty shoddy attempt at critiquing a budget that is seriously dealing with the real problems of our community, and of our society more broadly. It is setting us up to take advantage of the 21st century like never before by dealing with youth unemployment, which is so high in the communities I care about, and by dealing with the realities of women returning to the workforce in a way that allows families to access flexible childcare arrangements.

*Senator Cameron interjecting—*

**The ACTING DEPUTY PRESIDENT:** Order! Ignore the interjections, Senator McKenzie.

**Senator McKENZIE:** I am trying to, Mr Acting Deputy President. I really want to return to this fabulous bill. We consulted with stakeholders, we conducted a comprehensive study as part of the Education and Employment Legislation Committee, which recommended that the bill be passed, and I commend the bill to the Senate.

**The ACTING DEPUTY PRESIDENT:** Thank you, Senator McKenzie. Before you begin, Senator Canavan, I remind you that at 12:45 we move to other business.

**Senator CANAVAN** (Queensland) (12:41): Thank you for that, Mr Acting Deputy President, so I will keep my remarks to three or four minutes. It is great to follow Senator McKenzie, who is so knowledgeable on this bill and, as she outlined, had chaired an inquiry into this bill.

It is not a bill that I have followed closely, but one thing that became apparent while I was sitting here listening to Senator McKenzie's contribution was the position of the Labor Party. I do not understand why they are opposing this bill. This is a very administrative, technical bill. It makes very sensible changes. Apparently the Labor Party may not be opposing it as they have some weird position that we are in a grand conspiracy with the ACT Labor government and the former ACT Chief Minister, now Senator Gallagher. Maybe that is the case. Maybe I am just not high enough up the post to know. Perhaps we are in a grand conspiracy with these people.

Through you, Mr Acting Deputy President, Senator Cameron noticed that I was laughing at the time. I was thinking that the opposition would pretty much oppose everything we put up at this stage. I am a fan of *The Lego Movie* that came out last year, which is a fantastic movie. In that movie there is an evil character called President Business, who decides to have Free Taco Tuesday where everybody can have tacos for free on a Tuesday. I reckon, if we came up with a plan for free tacos on Tuesday, the opposition would oppose it. They would oppose everything that we put up. It is not about what is in the taco; it is because the taco is being offered by someone called Tony Abbott. That is why the opposition are opposed to it. That is why the Greens are opposed to everything as well. They are opposed to anything that we come up with. That is fine and that can be their position.

If the opposition are successful in opposing this bill, they will be defrauding the workers of our country, particularly the public sector workers, because it is public sector workers that are largely covered by the Comcare scheme. This bill helps to ensure that the protections those
workers—and I used to be a public sector worker—are offered under their employment agreements are maintained and funded throughout their working lives and beyond their employment with any individual employer. That is why I have struggled to understand why this bill is being opposed. This is a very simple and common arrangement for schemes like this.

In the very short time I have left I want to draw a comparison. What we are doing is establishing an exit fee. People who want to leave the scheme need to pay and make sure that they fund the future liabilities that may otherwise have accrued to them if they had stayed in the scheme. It is very similar to something we do in the Murray-Darling Basin when an irrigator wants to leave an irrigation scheme. We—and the Labor Party have supported this legislation in the past—have established a price that that irrigator must pay to the other users of the scheme to cover the network costs that they would have had to bear if they had continued in the scheme. It is fair on those that are left and it is fair on the person that leaves because it is an appropriate cost to reflect the other costs imposed on other people in the scheme. This bill simply does that. It is a Murray-Darling initiative coming to the public sectors of the ACT, and it should be supported.

Debate interrupted.

Norfolk Island Legislation Amendment Bill 2015
Tax and Superannuation Laws Amendment (Norfolk Island Reforms) Bill 2015
A New Tax System (Medicare Levy Surcharge—Fringe Benefits) Amendment Bill 2015
Health and Other Services (Compensation) Care Charges Amendment (Norfolk Island) Bill 2015
Health Insurance (Approved Pathology Specimen Collection Centres) Tax Amendment (Norfolk Island) Bill 2015
Health Insurance (Pathology) (Fees) Amendment (Norfolk Island) Bill 2015
Aged Care (Accommodation Payment Security) Levy Amendment (Norfolk Island) Bill 2015
Private Health Insurance (Risk Equalisation Levy) Amendment (Norfolk Island) Bill 2015

Debate resumed on the motion:
That these bills be now read a second time.

Senator CAROL BROWN (Tasmania) (12:45): I welcome the opportunity to speak on the Norfolk Island Legislation Amendment Bill 2015 and related bills. As the deputy chair of the Joint Standing Committee on the National Capital and External Territories, I would say to any member of this parliament or anyone in the community, for that matter, with a general interest in the progress of Norfolk Island that they would be well served if they read the committee's report, Same country: different world—the future of Norfolk Island, that was presented to this parliament in October last year. The government responded to the report in February this year, accepting the recommendations of the report, all eight in total. The report
and the government's response has bipartisan support and, most importantly, broad support from the Norfolk Islanders. All agree it is time for action because the prospects for Norfolk Island future was bleak in the wake of a marked decline in tourist numbers as a result of the GFC, a serious budget deficit and ongoing financial management concerns.

The purpose of this legislation is to draw a halt to the downward slide, to address economic development on Norfolk Island, to address declining employment, to create growth in tourism, to better manage the island's revenue and expenditure, to bring an even greater confident outlook to the community of Norfolk Island and a satisfaction to the lifestyle of the islanders, equal to other communities on the mainland. This legislation follows the bipartisan support for the recommendations of the report I mentioned earlier: Same country: different world—the future of Norfolk Island. The first two recommendations deal with adopting a new governance model for Norfolk Island. The third recommendation is that the Commonwealth assume responsibility for key infrastructure items on the island, the Cascade and Kingston piers and upgrade them to Australian standards—very critical for the island. The forth recommendation, in line with the third recommendation, is that the Commonwealth purchase multipurpose barges for Norfolk Island. This vital infrastructure is paramount if the community is going to have access to food and fuel security. If the pier and/or barges are out of action the community comes to a halt. It is not an uncommon problem to island communities around mainland Australia. The fifth recommendation deals with upgrading roads, another vital piece of infrastructure. The remaining recommendations deal with provision of expertise from Commonwealth agencies to promote tourism and cottage industry on the island and that the Commonwealth take quarantine control matters.

The objectives of the legislation are to reform governance arrangements of Norfolk Island; the extension of mainland social security, immigration, health arrangements; and changes to the tax system on Norfolk Island. Norfolk Island is a remote community. Currently it does not receive social security benefits, access to the age pension or access to family tax benefits and does not fully participate in the Australian taxation system. This legislation introduces changes through a transitional period over the next 12 months, so that from July 2016 Norfolk Island residents will pay income tax and other direct federal taxes on all their income. The introduction of the mainland social security and taxation system will have enormous consumption and economic benefit to the island. These systems will provide confidence for investment in the island.

There is strong bipartisan support that the Norfolk Island Legislative Assembly be transitioned to a regional council. This has not been welcome by some on Norfolk Island. The fact of the matter is that the Norfolk Island Legislative Assembly model has failed on many levels. The priority must be: what is in the best interests and welfare of Norfolk Island and Norfolk Islanders as Australian residents? This legislation transitions Norfolk Island to a regional council model. The establishment of the regional council will be in consultation with islanders and the Commonwealth and the state departments of New South Wales that will take responsibility for service delivery arrangements of state type services. The regional council established on Norfolk Island will have make decisions about what services it can manage and deliver. What are the challenges of delivering an adequate level of services to a community?

Importantly Norfolk Island must have an effective governance model and comprehensive and well-understood service delivery agreements for a health and hospital service, for
adequate roads, for an effective and efficient electricity network, for new infrastructure, for maintenance, for a prosperous inclusive community, for economic opportunities and for regularly air transport and shipping services. The coming 12 months of what is titled ‘the interim transition time’ are critical for the future of Norfolk Island as a new foundation is laid through a local advisory council appointed by the minister to a fully regional elected council in July 2016—a process whereby state-like services will be negotiated with the New South Wales government and New South Wales laws will gradually be applied on Norfolk Island. As this happens, other federal services will be extended, such as the Australian migration system, customs and biosecurity services. As the minister pointed out in his second reading speech earlier in the year:

These changes will bring Norfolk Island in line with other Australian communities and ensure services are delivered to a modern standard by the appropriate level of government.

It is a challenge. It must be the Commonwealth in partnership with the Norfolk Islanders implementing the reforms. The community must be kept informed and must fully understand and, likewise, those from the Commonwealth employed in the implementation process must work with the community so that each change and its impact is understood.

It is pleasing that Norfolk Islanders are excited and expressing their support at the prospect of the changes, but they are apprehensive nonetheless that the transition period and the establishment of the regional council will not become a top-down process where bureaucrats—whether they be Commonwealth or state in the case of service delivery agreements—decide unilaterally what is best for the islanders of Norfolk Island. Islanders want to be informed of when consultations are taking place. They want their voice heard and they want to have a real say. They have concerns that the extension of social services go hand-in-hand with opportunities for economic development. They have a deep concern that the role of the administrator’s position in relation to the islanders and the Minister for Territories be clearly stated and understood. Islanders want to see their community prosper. I commend the bills before you to the chamber.

Senator BACK (Western Australia) (12:52): I rise as a member of the Joint Standing Committee on the National Capital and External Territories to also endorse the comments made by Senator Brown with regard to Norfolk Island and express my enthusiasm for a new era for Norfolk Island. People who have not visited the island would be surprised to learn that at this moment, and indeed up to the time when the committee visited the island and undertook its negotiation and discussions, Norfolk Islanders are not really fully Australian citizens. This is unacceptable. It is unacceptable to the Australian community; it is unacceptable to the community of Norfolk Island. These changes—recommended in a bipartisan way by the committee, endorsed by the government and now in legislation that has come through the other chamber into this chamber—will not only give a high degree of certainty to Norfolk Island and Norfolk Islanders; they will certainly guarantee the commercial and social future of the island. I believe they are going to open up a completely new opportunity.

At this moment, a retired Australian, perhaps on a pension, who went over to Norfolk Island and contemplated residing there would not enjoy Medicare benefits and the other benefits they would back at their home on the mainland. This has to change. At the same time, I can understand the community apprehension, as expressed by Senator Brown, as to how the
future will play out. From my point of view, I want to say that if I have any influence at all in how the new legislation is enacted and introduced it will be to take a high degree of interest in making sure that the island community remains a community which is able to have its input, receive information and see the benefits of being fully incorporated into Australian society as Australian citizens. I have not enquired but I certainly hope that the current practice of having to take a passport and depart from Sydney through the international terminal—being treated in some way as a foreigner when going to and coming back from Norfolk Island—stops. To me, it was one of the strongest expressions of the gap between Norfolk Island and that big large island to the west of it, which is mainland Australia, and of course Tasmania.

There is only one area of concern I want to express my views on. I have done so to the committee, to the minister with responsibility, Minister Briggs, and indeed to the Assistant Treasurer, Mr Frydenberg. It relates to second and third jobs on Norfolk Island. Having been responsible for the management and administration of an island myself, I am only too aware of the limited amount of labour that is available on an island. Let me give you an example. Somebody might be working as a mechanic in a workshop on the island when a vessel comes in delivering freight. That person, and others like them, are then required to stop what they are doing, go down and become lightermen so that the vessel can be unloaded. It may even be the case that in the event a cruise ship manages to get its passengers onto Norfolk Island—and I will come back to that in a moment—that same person may end up being a bus driver driving visitors around the island. This is not a nice-to-have situation. It is not a case of having a great pool of people out there to be trained as lightermen or to be trained as bus drivers. The simple fact of the matter is there is not that pool of labour. Therefore, we must have a circumstance in place in which, without disadvantage from a taxation point of view, that person can do a second and a third job on the island without financial penalty.

Here on the mainland, we know that a person undertaking a second job would be paying tax at the marginal tax rate. I say, and I have made the plea, that in Norfolk Island we need a circumstance in which people are encouraged and allowed to provide essential services. I am pleased to be able to report that in the tax arrangements, as they have been explained, and as in the documentation, there is in fact quite a degree of information for employees on Norfolk Island as to how they would be treated under that circumstance of a second or indeed even a third job so that, as we transition, it will be made clear to people where their circumstances are. Again, I will be watching this closely myself. As they transition, if you like, to be fully Australian citizens under our tax system, if for some reason there is a disincentive or it is not working, then I will be coming back into this place and I will be pleading with the relevant ministers to make sure we do not cut off the supply of labour to do these occasional but necessary and essential tasks.

I want to finish, if I may, on those people coming from cruise ships and visiting the island. Those who do successfully get onto Norfolk Island report the highest level of satisfaction to their cruise ship company of all of the places they visit. They just love getting onto Norfolk Island. So where is the problem? The problem is the same one that was experienced by the HMS *Sirius*, which was a vessel in the First Fleet of Governor Phillip in 1788. The *Sirius* was wrecked on Norfolk Island. The island is simply inhospitable when it comes to anchoring or mooring vessels. It is the case that of an evening no vessels are anchored around Norfolk Island. Everything comes out of the water—recreational vessels, lighters, et cetera. The
difficulty at the moment becomes the fact that the landing facilities, or the two ports—I would not call them ports—are so unreliable in terms of safety that the cruise ships usually cannot successfully get their passengers onto Norfolk Island. Even for those who do come into Norfolk Island waters, I think the success rate is less than 15 per cent. You can then imagine, of course, there would be an enormous number of cruise vessels that would not even make Norfolk Island their intended destination because of that unlikeliness. If we can change that, if we can create economically a safe circumstance in which those passengers can safely get onto Norfolk Island and, equally, from the viewpoint of the captain, get back off the island to again rejoin the cruise ship, that is going to add dramatically to the tourism potential of the island, because the islanders were telling us, and the cruise ship companies I think would confirm, that once people have visited Norfolk Island as a cruise ship passenger it is likely that they will return for a longer period of time as an overnight passenger for two or three or four nights.

Never having been to Norfolk Island but having had responsibility for the administration of another offshore island, I was particularly interested and somewhat apprehensive as I read the information as I travelled from Perth to Sydney and then Sydney to Norfolk Island. But there is absolutely no doubt the environmental assets of the island, the historic assets of the island, the social assets of the island and the tourism assets of the island make it an imperative that we continue to support Norfolk Island. As Senator Brown said, there are now more opportunities for the island to tap into resources and services. At this moment, for example, Tourism Australia does not include much, if any, of Norfolk Island tourist information. It is essential that those sorts of services now become extended. So I am delighted, as a member of the committee, that the committee, in a bipartisan way, made the recommendations that we did and that they have been endorsed by government and they have passed through the other place. I, like Senator Brown, look forward to a very bright future for Norfolk Island as it becomes totally absorbed into the Australian commune.

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (13:01): I thank all senators for their contributions on what is a very important debate. The reforms agreed to today will put Norfolk Island on the path to sustainability and provide a solid foundation for economic growth. Importantly, these bills provide the building blocks for change, and their passage marks the beginning of the reform journey, a journey which the Australian government and the Norfolk Island community will need to take hand in hand. Together, the Australian government and the Norfolk Island community will build a better and more prosperous future for this important part of Australia, and I commend the bills to the Senate.

Question agreed to.

Bills read a second time.

Third Reading

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson) (13:03): As no amendments to the bills have been circulated, I shall call the minister to move the third reading unless any senator requires that the bills be considered in Committee of the Whole.

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (13:03): I move:

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CHAMBER
That these bills be now read a third time.
Question agreed to.
Bills read a third time.

BUSINESS

Rearrangement

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (13:04): I move:
That government business order of the day No. 3 (Australian Border Force Bill 2015 and related bill) be postponed till a later hour.
Question agreed to.

BILLS

Judiciary Amendment Bill 2015
Second Reading

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

Senator CAMERON (New South Wales) (13:05): I rise to indicate Labor’s support for the Judiciary Amendment Bill 2015. This is a bill which implements a change to the management of the Australian Government Solicitor, the AGS. This change in management was announced in MYEFO late last year, when the government indicated its intention to consolidate the Australian Government Solicitor into the Attorney-General’s Department. The AGS presently operates independently as a government owned business, as it has since 1999. However, it is not unprecedented for the AGS to operate from within the Attorney-General’s Department. For most of its history, the AGS and its predecessor, the Crown Solicitor’s Office, was housed within the Public Service.

The government has indicated that this is only a machinery change, and Labor accepts it on this basis. This bill does not in any functional sense alter the work of the AGS. The AGS will continue to operate as a distinct entity within the department. It will continue to work under its own name and brand. It will still play the same role in the Commonwealth legal services market that it plays today. In that sense, this bill stands in stark contrast to the recommendation by the National Commission of Audit ahead of the government’s 2014 budget.

We do not hear much about the Commission of Audit from those opposite these days. The government would rather we all forget about it. It tells you something when even Tony Abbott’s Liberal government is embarrassed by just how extreme the commission’s report was. But it is worth returning to that report for a moment just to contrast what this bill will do against what had been proposed earlier.

In May last year, the commission recommended that the AGS be abolished. It argued that the Office of General Counsel, a section of the AGS dealing with particularly sensitive matters of government, should be consolidated into the department, and that the rest of the firm should be sold off into the private sector. That recommendation was deeply foolish. It was a lazy, ideological gesture. The commission paid no regard to the realities and the
practicalities of the market for Commonwealth legal services. It ignored the important, distinct role of the AGS in meeting the legal needs of the Commonwealth government. This bill does not implement that recommendation in any sense. As I said, it is a minor machinery change, and Labor is willing to support it on that basis. As was foreshadowed in MYEFO, the bill's explanatory memorandum states that the changes will be cost neutral. The government has indicated that once this bill is in effect, it will review the operation of the broader Commonwealth legal services landscape. We welcome this. But we want to make it clear that we believe strongly in the continuing role of the AGS in that landscape. We hope that the coming review repudiates the glib approach taken by the Commission of Audit and, instead, continues the serious work undertaken by the last Labor government.

In government, Labor was deeply serious about reforming Commonwealth legal services. We wanted to make sure not only that the Commonwealth got the best legal services possible, but also that those services were provided in a cost-effective way. Expert legal advice is critical to the smooth function of government, but we should always ensure that we are getting value for money. In 2009, the then Labor Attorney-General, Robert McClelland, commissioned a comprehensive report into Commonwealth legal services by the respected experts in government and law, Tony Blunn AO and Sibylle Krieger. Mr Blunn and Ms Krieger were tasked with examining how the Commonwealth could achieve further efficiencies and maximise value for taxpayers' money. This was in the procurement of legal services. In 2010 we followed that up by commissioning expert economic advice on the Commonwealth legal services market from Nicholas Gruen of Lateral Economics.

In response to this considered, thorough work, the Labor government introduced important reforms to the way the Commonwealth procures legal services. Most notably, we replaced the old panels system with the legal services multi-use list. This change cut down on duplication and inefficiencies for both government clients and the providers competing for their work. We also took a number of steps to build knowledge and expertise among all categories of lawyers servicing the government, whether at the AGS, in-house, in government departments, or working in private firms bidding for government work. This is the sort of thoughtful, productive work that Commonwealth governments of both political persuasions should undertake. I hope that the government continues in this vein. We are certainly very glad to see the government abandon the foolhardy ideas entertained by its Commission of Audit last year and instead move forward with the minor machinery changes made by this bill.

Senator RYAN (Victoria—Parliamentary Secretary to the Minister for Education and Training) (13:11): It is with great pleasure that I take the opportunity to sum up on the Judiciary Amendment Bill 2015. I thank all honourable senators who have contributed to this debate. This amendment bill supports the consolidation of the AGS into the Attorney-General's Department and will create a more unified and effective department that will become a comprehensive source of authoritative advice on key Commonwealth legal and legal policy issues. I commend the bill to the Senate.

Question agreed to.

Bill read a second time.
Third Reading

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson) (13:12): As no amendments to the bill have been circulated, I shall call the minister to move the third reading unless any senator requires that the bill be considered in Committee of the Whole.

Senator RYAN (Victoria—Parliamentary Secretary to the Minister for Education and Training) (13:12): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Private Health Insurance Amendment Bill (No. 2) 2014

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator McLucas (Queensland) (13:12): I am pleased to rise today to speak on the Private Health Insurance Amendment Bill (No. 2) 2014. This bill intends to transfer the functions of the Private Health Insurance Ombudsman to the Office of the Commonwealth Ombudsman. It was introduced by the government as part of their smaller government commitment. It is still unclear, though, how much money this activity will save. When the bill was passing through the House of Representatives, the shadow minister, Catherine King, outlined the reservations that were held by the Labor Party around the transfer of the operations from the Private Health Insurance Ombudsman to the Commonwealth Ombudsman. The bill was also referred to the Senate Community Affairs Legislation Committee for inquiry. This process of referring bills to committees is one of the great pieces of democratic infrastructure that we have in this place. It allows a committee to interrogate all the questions that various senators and parties have. The community affairs committee recommended that the bill be passed, and that is what we are going to do today.

The role of the Private Health Insurance Ombudsman was established to protect the interests of people who are consumers of private health insurance. We wanted to be confident that the protections for those consumers remained—and we were assured that that was the case. The Ombudsman assists health fund members to resolve disputes through an independent complaints handling service. The Ombudsman identifies underlying problems in the practices of private health funds or healthcare providers in relation to the administration of private health insurance. The Ombudsman provides advice to government and to industry about issues affecting consumers in relation to private health insurance and provides advice and recommendations to government and industry about private health insurance—specifically, the performance of the sector and the nature of the complaints. They produce a document very regularly—I think it is quarterly—and it is a very useful document for consumers to understand the trends in private health insurance, and we would hope that the Ombudsman would take on that role as well.

Labor respects the office of the Commonwealth Ombudsman, and notes that it also serves the Defence Force, immigration, law enforcement, taxation, the postal industry, the ACT and the Overseas Students Ombudsman as well, so it is not unusual for the Commonwealth
Ombudsman to have specific tasks outside of the general role of the Ombudsman. So Labor will be supporting this bill that will amalgamate the PHI Ombudsman with the Commonwealth Ombudsman, and I commend it to the house.

Senator RYAN (Victoria—Parliamentary Secretary to the Minister for Education and Training) (13:16): In bringing this debate on the second reading of the Private Health Insurance Amendment Bill (No. 2) 2014 to a conclusion, I will note the contributions of senators opposite and also address a number of issues that were raised in other debates regarding this legislation.

As has been outlined, the purpose of this bill is twofold. It will transfer the functions of the Private Health Insurance Ombudsman to the office of the Commonwealth Ombudsman by amending several acts of this place. The bill will also amend the Private Health Insurance Act 2007 to repeal provisions that were left over from certain indexation arrangements. The consolidation of these functions will reduce duplication, improve coordination and increase efficiency in delivering the Ombudsmen's services to the community. There is not expected to be an impact upon the services provided to policyholders. The Private Health Insurance Ombudsman will continue to provide educational and other advice to consumers as well as assist in resolving certain complaints.

A number of issues were raised in the other place, and I think it is pertinent to address some of those here today. A concern was raised that this bill will impact upon the capacity of the subject of a complaint to request additional time to report back to the Private Health Insurance Ombudsman about a complaint that would not necessarily be transferred to the Commonwealth Ombudsman. This provision has been removed to ensure consistency with the Ombudsman Act 1976 and to provide efficiencies by streamlining the administrative processes of the Commonwealth Ombudsman. It should be noted that, in doing so, these changes should benefit consumers by potentially providing faster resolutions of complaints, as those organisations that have been complained about will now be required to report within set time frames, without the ability to delay.

The Commonwealth Ombudsman is an independent statutory office-holder and is not subject to direction by anyone on how complaints are to be managed. This is consistent with the approach taken for other industry ombudsmen created under the Ombudsman Act 1976 and ensures complaints are free from interference. For this reason, the power enabling the Minister for Health to intervene when the Private Health Insurance Ombudsman decides not to investigate a complaint has not been transferred to the Commonwealth Ombudsman, in the interests of maintaining this important independence. I further note that the power to intervene has not yet been used by any minister for health, as I understand it.

Additionally, the provision enabling the Minister for Health to request the Private Health Insurance Ombudsman to undertake an investigation has not been transferred to the Commonwealth Ombudsman, for these same reasons of independence. However, it must be made clear that this does not preclude any person from raising concerns with the Commonwealth Ombudsman for their consideration, and that includes any citizen or member of this place.

With regard to certain questions raised about resourcing the transfer, I can confirm that, as part of the transfer of the functions of the Private Health Insurance Ombudsman to the office of the Commonwealth Ombudsman, more than 90 per cent, or 11 of 12, of the current staff of
the office of the Private Health Insurance Ombudsman are expected to transfer to the office of the Commonwealth Ombudsman. The transfer of existing Private Health Insurance Ombudsman staff to the office of the Commonwealth Ombudsman will also ensure retention of specialised industry knowledge and provide a continued high level of service to consumers and industry. As someone who has worked in this space, I can attest to the importance of actually having specialised industry knowledge and, indeed, experience in and insight into the operation of this sector.

Additionally, the Private Health Insurance Complaints Levy will continue to be collected, to support the investigation of private health insurance complaints by the Commonwealth Ombudsman, and I can again confirm, as was confirmed by the minister in the other place, that the relevant website, privatehealth.gov.au, will continue to operate.

Finally, I will respond to a concern that was raised with regard to revised penalties for mediation. It is important to note that the current act does not provide for mediation powers for any of its ombudsmen—or ombudspeople. However, the bill seeks to retain a mediation power specifically for the Private Health Insurance Ombudsman, noting the importance of this function. While the corresponding penalty offence has, as far as I am aware, not yet been applied in any example, this was viewed as being an important power to retain. In order to better align with the penalty rates contained within the Ombudsman Act 1976, the penalty rate for the failure to participate in mediation has been revised accordingly; yet it, importantly, still exists.

I thank senators for their contributions and thank those who have raised concerns and listened to the responses, and I commend the bill to the chamber.

Question agreed to.

Bill read a second time.

Third Reading

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson) (13:21): As no amendments to the bill have been circulated, I shall call the minister to move the third reading unless any senator requires that the bill be considered in Committee of the Whole.

Senator RYAN (Victoria—Parliamentary Secretary to the Minister for Education and Training) (13:21): I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

(Quorum formed)

Australian Border Force Bill 2015

Customs and Other Legislation Amendment (Australian Border Force) Bill 2015

Second Reading

Debate resumed on the motion:
That these bills be now read a second time.

Senator KIM CARR (Victoria) (13:25): The measures in the Australian Border Force Bill 2015 and related bill are ones that the opposition will be supporting. They fulfil a
commitment that was made by the member for Blaxland when he was the Minister for Justice in the former Labor government. Merging the border control functions of the Australian Customs and Border Protection Service and the Department of Immigration and Border Protection into a single integrated agency was formally proposed last year by the National Commission of Audit, but the need for the structural and cultural change in border control was identified in 2013 by the capability review of the Customs and Border Protection Service, which Labor established. The review recognised the work of Customs as growing much more complex, requiring fundamental revision of the management systems, intelligence capabilities and business processes. Substantially increasing volumes of passengers and cargo traffic, the increased complexity of travel routes and supply chains and the threat of criminal infiltration all require constant enhancement of border protection.

The task reforms set out by the capability review began under Labor. We began the move towards full electronic data reporting for goods arriving and departing our border. We strengthened the investigative relationship between Customs and the Australian Federal Police and created a special integrity adviser to manage cases of serious misconduct. Labor understands that improving border control and processes requires constant refinement to keep up with best practice, and we will continue to support reform in that vein.

The Australian Border Force Bill 2015 brings the Department of Immigration and Border Protection clearly within the national security sector. Importantly, however, the Australian Border Force will not have greater powers than are currently possessed by the Customs Service and the Department of Immigration and Border Protection. Specifically, the bill establishes the Office of the Australian Border Force Commissioner, who will control the operations of the new agency. The commissioner and Australian Border Force members will be able to exercise powers under the Customs Act, the Migration Act, the Maritime Powers Act and other relevant Commonwealth legislation.

The bill is consequential to the ABF Bill. It repeals the Customs Administration Act and therefore abolishes the Australian Customs and Border Protection Service. The ABF Commissioner will also hold the office of Comptroller-General of Customs, with responsibility for the enforcement of Customs law and the collection of relevant revenues.

Because of the hour I will not go through the detail of the measures, but I will simply say that we understood that it had been agreed across the chamber that this legislation would be dealt with as non-controversial legislation. I understand that that has changed with the view that amendments are now being sought. We received no notice of the amendment. We were not consulted about it and we do not believe that the amendment is necessary. Labor supports the existing whistleblower arrangements and would oppose any attempt to dilute those protections. The advice we have received is that this bill does not include any provisions that would prevent an employee of the Department of Immigration and Border Protection, including the Australian Border Force, from making a public interest disclosure in accordance with the Public Interest Disclosure Act 2013, which is the act that provides protection for whistleblowers.

I will leave my contribution at that point, given that time is pressing for the treatment of this legislation.

**Senator Hanson-Young** (South Australia) (13:29): I rise today to speak on the Australian Border Force Bill 2015 and the Customs and Other Legislation Amendment
(Australian Border Force) Bill 2015 on behalf of the Australian Greens. The combined effect of the two bills is to merge the Department of Immigration and Border Protection and the Australian Customs and Border Protection Service into one new department, the Department of Immigration and Border Protection, with the newly created Australian Border Force to function as the department's operational enforcement arm, taking responsibility for immigration compliance, enforcement and detention services and other operational functions. In his second reading speech the minister said that the Australian border is: 'a national asset' that 'supports strong national security by interdicting prohibited goods and people who seek to do us harm'. The Australian Greens accept it is imperative to Australian national security that rigorous immigration and customs laws be enforced by professional, well-trained personnel. But the Australian border is already well served by these laws and these personnel, and the cynical rebranding of this service as a 'border force' will not protect us any further than do the laws that we currently have. Rather, the notion that our border needs a force to protect it is one that has been concocted by the government to exploit the base fears of those here in Australia who are concerned about what is going on in our region, what is going on in our world. It is being exploited by the government for their own political ends.

Language is really important. It dictates the culture of an organisation such as the immigration department. It sends a message to those who work there and to those who rely on its services. And in this case, language is so important. We have already seen this government direct public servants in this place to refer to asylum seekers as 'illegal arrivals' when, of course, there is nothing illegal about seeking asylum here in Australia. In fact, even the Migration Act does not refer to asylum seekers as illegal arrivals. Language is so important. In this case it sends a message to asylum seekers, who are entitled to seek Australia's protection, that for some reason they are not welcome here. They have every legal right under international law and under Australian law to seek Australia's protection and to arrive here as asylum seekers. Language ostracises large sections of Australian society who might see themselves reflected in the faces of these asylum seekers and the people who want to come to Australia, to contribute to our community and to call Australia home.

We all know that this rebranding of the immigration department through the establishment of this Border Force is all about Tony Abbott's get-tough-on-immigration stance. It is a front for Tony Abbott's government to say that they are the ones being the toughest on people who arrive at our borders. Of course we are talking about asylum seekers; we are talking about refugees; we are talking about people who have fled war zones and torture. These are not people we need to be afraid of. These are people for whom we need to put in place a proper processing regime—to find out who they are, where they have come from and why they are entitled to or need Australia's help. They are not people that we should necessarily instantly have to be afraid of. The last thing asylum seekers want to do is to cause us harm—they are fleeing harm. The irony of this entire debate is that it is refugees who are fleeing harm, and they are coming to Australia not to breach our borders but to invoke the protection of our borders.

There are many, many concerning aspects to the entire regime of this government, and they are exemplified by this government's establishment of Border Force. You have got to wonder: how does a group of asylum seekers feel when they have been intercepted on the high seas, confronted by Customs personnel who say they are working for Australia's Border Force and
then have their claims—as we know is happening—screened out on the boats, without access
to proper legal assistance and without even access to proper interpreters to be able to explain
their case? But there they are, confronted at the very first point of call by Australia's Border
Force. Is that really how we should be engaging with some of the most vulnerable people who
come to our region asking for our help?

We, the Australian Greens in this place, will continue to remind our colleagues that asylum
seekers are not a threat to us. They do not require a military response or a 'border force'. They
are overwhelmingly refugees in need of our protection. Why else would they put their lives in
danger just to get here? It would be much easier to buy a ticket with Qantas and fly here
yourself, if, indeed, you had the freedom to be able to do that. Obviously, they are fleeing
persecution where their lives are at even greater risk. Why would you put yourself in harm's
way if you did not need to?

You have to wonder what the rest of the world is thinking when Australia continues on this
path that the current government is taking us down when it comes to our engagement with our
region and our immigration policies. The Australian Greens in this place will continue to
remind people that refugees are not an economic burden to our country but are in fact some of
the most motivated, eager to contribute immigrants we will ever have. They are people who
want to contribute, they want safety for their families and they want to feel part of a safe and
vibrant community. That is why they have chosen Australia to be their home. And it is why
they are asking Australia to welcome them and to help them to put their lives back together;
to help them to be able to give proper education and care to their children and to allow them
simply to get on with the rest of their lives.

You have got to wonder, when you look at this week's budget papers, why on earth we are
spending almost half a million dollars per person—per woman, per child, per man—to detain
asylum seekers in Nauru. This government has all of this so backwards. There are many,
many concerning points in relation to this government's direction, but one of the last things I
want to mention—which is really important in relation to this Border Force legislation—is
around the issue of secrecy. This government is obsessed with covering up and keeping both
the Australian people and, indeed, the parliament in the dark with what is going on inside
their Border Force operations. These bills will further entrench the unjustified and dangerous
culture of secrecy of the department of immigration. This is yet another example of the
government's eagerness to compromise the basic principle of transparent government in the
name of national security.

The bill entrenches secrecy by making it a criminal offence, punishable by two years
imprisonment, for Department of Immigration employees to disclose information. This bill
will also allow employees to be summarily fired for this, and removes their right of review for
unfair dismissal. You have to wonder why the Labor Party is not jumping up and down about
the right of public servants in this place to have a proper review when they have been fired for
standing up for what is right.

This is an issue that is going to impact on 15,000 employees of the Department of
Immigration. Those people deserve proper protections by this parliament. Those people
deserve to know that if there is something being done that is wrong, and which it is in the
public interest to know, that the Senate has their backs. Those staff who we ask to go out onto
the high seas to carry out these dangerous operations and to work in our detention centres to
deal with the human misery of this policy, deserve to know that the Australian parliament has their backs. When there is a matter that is in breach of the law or in breach of government policy, or when there is a matter that is in breach of what is considered to be morally acceptable, those people deserve the opportunity to have a proper public interest test applied before they are simply thrown out on their ears.

They need a right of review, and they need to know that if information is in the public interest that this parliament will have their backs. We want public servants to be able to give advice without fear or favour. We want public servants to be able to stand up when they believe it is in the public interest to do so. This bill further entrenches the culture of secrecy of this government, particularly the culture of secrecy that is being carried out in the immigration department.

The Australian Law Council of Australia recommended a very simple amendment to this bill in its submission to the Senate inquiry, proposing the radical idea that whistleblowing not be criminalised—imagine that!—where the disclosure would be in the public interest. This is a very basic amendment. It makes sure that here, in this place, elected representatives are protecting our public servants and giving them the best cover they can get to ensure that there is no intimidation against offering advice without fear or favour.

You have to wonder, with all of the accusations that are currently coming out of the Nauru detention centre—child abuse, sexual assault of women, intimidation of staff and even asylum seekers who raise concerns about what is going on—why this bill comes before this place, today, removing the ability for public servants to stick their heads up and say, 'You know what—things aren't okay. The government needs to look at this. The minister needs to take responsibility for this action.'

A really important signal to send to our public servants is that, in the course of their service to the country, the best thing they can do is to ensure that, when it is in the public interest that something be known, they act in the public interest—and that they have protection to do that. I will be moving that amendment to this bill.

It is not the case that what we don't know cannot hurt us. Government secrecy is causing us considerable damage. It is leaving a stain on our national character. And I do not say that lightly. The current culture inside our detention centres, inside our immigration department and inside our minister's office is about secrecy and cover-up. This bill would stop public servants from being able to raise genuine, serious concerns about what is going on. That is not the type of culture that we should be endorsing or entrenching in our Public Service.

The Greens strongly condemn the changing direction of this government's immigration policies. This bill takes us down that path even further. It represents another regrettable step in that direction. The Australian Greens do not support this piece of legislation. We will be moving the amendment to protect public servants from at least the very basic element of being dismissed just because they wanted to stand up for what was in the public interest. And it is not just a matter of being fired. If it is going to be a criminal offence to speak out against what is going on in the department we need to make sure that people have at least a public interest test by which their actions are judged.

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (13:43): I just want to add some brief comments—I am well aware that time is fairly short—
in addition to those put on the record by my colleague Senator Hanson-Youn.

As she spoke of the penalties introduced in this bill for speaking out about some of the horrors that occur in our immigration detention centres she spoke of two-year jail terms for disclosing some of the human rights abuses that are being perpetrated in our name.

The question that occurs to me is: how would they track down who is talking to journalists? It is extraordinary to discover that this is happening six weeks after this parliament debated mandatory data retention legislation, which basically scoops up all of the material generated by any device connected to the internet and telecommunications devices of every Australian, whether they are assumed to be doing anything wrong or not.

Senator Brandis made a great show of narrowing the range of agencies that would be able to access this collected material. And here we are in parliament, on the very next sitting week after that mandatory data retention bill passed, and the first example of scope creep lies on the table today. Of course, the Australian Border Force wants to be able to scrape people's home and email records and find out who they have been talking to and where they were. This is the first instance of scope creep. It gives me absolutely no pleasure to say 'we told you so', but we did; we said at the time of the data retention debate that the bill has scope creep written into it.

There is another kink, though. The normal way in which the range of agencies who would be able to access this material would be expanded is that it would be declared by the Attorney-General and the new agency is then able to collect that material. Of course, it has to be subjected to eventual approval by the Parliamentary Joint Committee on Intelligence and Security and then this parliament. But something very different is happening here. The Border Force legislation that is before us today sidesteps even this feeble check and balance by simply amending the Telecommunications (Interception and Access) Act to change the classification of the Border Force agency to allow it to access extra classes of telecommunications data. That is done by the turn of a switch: we will call them a criminal law enforcement agency and now they are added to the list of agencies that can go through our phone and email records—not just those of employees, not just asylum seekers, but anybody in the country. It is absolutely remarkable and it is precisely what we said would happen when the Labor Party, which is in the process of waving this bill through as non-controversial, also rubberstamped the government's controversial data retention legislation.

We are going to need to keep a very careful watch on any machinery-of-government change that adds or subtracts or merges or demerges government departments to see if these kinds of riders are going to be contained in it.

The Border Force's access to private information is particularly troubling given its terrible history of securing its own data. The Senate will recall that the immigration department last year accidentally disclosed the personal details of nearly 10,000 asylum seekers in one of the largest data breaches in Australian history. It attracted more than 1,600 complaints. These are people for whom the release of their names, their locations, where they have been and other personal records could be a matter of life and death. As Senator Hanson Young has explained in detail persistently over a number of years, these are people fleeing, in some cases, murderous regimes. You say if they have nothing to hide they have nothing to fear. But people do have things to fear from the Iranian secret police, or the Sri Lankan government or the Taliban. That is why that data breach was such a disgrace—and now the successor agency
to the one that let that material walk out the door and remain on a public website for days is asking to be able to access all Australians' private records as well.

There are also moves by the government, which again Senator Hanson-Young has outlined at length, to refer leaks involving asylum seekers to the Australian Federal Police for investigation. When you hear evidence of sexual abuse and violence inside our detention camps, do you move in there to try and sort things out or to get people out of these places of horror? No, you do not. You refer to the Federal Police the journalists who wrote the reports to try and find out who they have been talking to. How will the Federal Police find out? How will Border Force find out? They will be vacuuming up people's data—people who have not committed any crimes but are trying to disclose crimes. That is why the debate around immigration detention has become so corrupt.

For anybody who is wondering just how dangerous these powers of telecommunications access can be, here is an example sitting on the table before us today. It is entirely plausible to imagine the Border Force tracking down sources through their contacts with journalists and attempting to prosecute them for leaking information about asylum-seeker issues to journals. They will have access—and anyone who is contemplating employment in this agency needs to be aware of this—to the personal private records of everyone of their employees, their families, everyone they come into contact with and everyone they talk to. Whether they are accused of committing a crime or not, they can access that material by rubberstamping a single piece of A4 paper and submitting it to the telecommunications provider—no warrants needing to be entered into. That bill had scope creep written into it. It is extremely distressing to discover, particularly with the task before the Australian Border Force, that even the narrow checks and balances that were incorporated into the data retention bill are entirely circumvented by the legislation we see before us today.

Every time an agency sticks its hand up, either overtly or covertly, to be able to access the private records of ordinary people I am going to make an absolute point of pointing it out and putting it on the record so that maybe the government, once they are safely back in opposition, or the Australian Labor Party might want to rethink what they did to all Australian citizens when they waved through the data retention legislation upon all of us.

Question agreed to.

Bills read a second time.

In Committee

Bills—by leave—taken together and as a whole.

Senator HANSON-YOUNG (South Australia) (13:50): I foreshadowed in my speech in the second reading debate that I had circulated an amendment to deal with this very important issue of protecting whistleblowers, particularly those working in the Public Service. We know that a big part of this government's agenda is to shut down information, cover things up and not let anyone know what is really going on. The secrecy entrenched in these bills means that legitimate whistleblowing will essentially be criminalised. The point is that we need whistleblowing more than ever at the moment. If it were not for whistleblowers, we would not know the children have been abused in detention centres. We would not know the terrible conditions inside the Nauru detention camp. We would never have had the Moss review into the detention centre in Nauru—let alone a raft of other elements of human rights abuses that

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are going on under the guise of the current immigration minister, the former immigration minister and probably the ministers before them. If it were not for whistleblowers, we would not know about the things that have been going on. These are public servants who are trying to do their jobs, and they deserve to have protections under legislation that ensures that, when they do speak out, they have at least a check of the public interest on their side—and that is what this is about.

Simply criminalising people for whistleblowing is the kind of thing a government that wants to shut down all dissent would do. You have to wonder why this government is so obsessed with secrecy, with keeping the public in the dark and even with keeping the parliament in the dark. It is time we started shining the light in the dark places in our detention centres.

Senator Ludlam: The truth is ugly.

Senator Hanson-Young: The truth is very ugly. Staff within the department and Border Force operations, and contractors, deserve to know that they have the backing of this parliament and the law in terms of a public interest test. The amendment I have circulated deals very specifically with that. It is very simple. It is not saying that everyone can go and blow their whistles as much as they want; it is saying that if there is any type of offence then it needs to be tested against the public interest. That is a decision that the courts should make. It is not a decision for the minister. When the former minister, Minister Morrison, headed this department he was renowned for covering up. This amendment is important to ensure that there is an independent arbiter, and it must be the courts that stand up for the right of the public service and the right of the Australian people to know what is in the public interest and what information their government is trying to hide from them. I move amendment (1) on sheet 7704:

(1) Clause 42, page 35 (after line 13), after paragraph (1)(b), insert:

(ba) the making of the record, or the disclosure, causes, is likely to cause, or is intended to cause, harm to a public interest.

Senator Cash (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (13:54): The government does not agree with the amendment and will be opposing it. The Public Interest Disclosure Act is the Commonwealth's statutory regime for such a disclosure as referred to by Senator Hanson-Young. Any disclosure under that act that would give immunity from criminal liability under section 42 of the Australian Border Force Act. There is nothing in the bills before the Senate preventing disclosure that is inconsistent with the Public Interest Disclosure Act.

The TEMPORARY CHAIRMAN (Senator Dastyari): The question is that the amendment moved by Senator Hanson-Young be agreed to.

The Committee divided [13:58]
(13:58)
Ayes ......................11
Noes ........................45
Majority ..................34
Question negatived.
Progress reported.

MINISTERIAL ARRANGEMENTS

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:03): by leave—I advise the Senate that the Leader of the Government in the Senate, Senator Abetz, will be unavoidably absent from question time again today. Any questions in the Prime Minister’s and the Employment portfolios should be directed to me. Questions in the Agriculture portfolio should be directed to Senator Scullion.

QUESTIONS WITHOUT NOTICE

Taxation

Senator KETTER (Queensland) (14:04): My question is to the Minister for Finance, Senator Cormann. I refer the minister to Peter Costello, the man the minister calls ‘a great
Australian’. Does the minister agree with this great Australian, who says the Abbott government's tax slogan, ‘Lower, simpler, fairer’, is ‘a morbid joke’?

Senator CORMANN (Western Australia—Minister for Finance) (14:05): I absolutely agree with the senator that Peter Costello is a great Australian, and I have to say: the overwhelming support across the chamber—the overwhelming noise across the chamber—after the senator referred to Peter Costello as a great Australian was so loud I could not really hear the rest of the question. But let me just say—

The PRESIDENT: Pause the clock.

Senator Wong: Mr President, on a point of order, given that the minister, out of his own mouth, said he did not hear the question, perhaps the senator could repeat the question.

The PRESIDENT: That is a fair request, Senator Wong. Senator Ketter, would you repeat the question. We will reset the clock for both the question and the answer.

Senator KETTER (Queensland) (14:05): Does the minister agree with this great Australian, who says the Abbott government's tax slogan, ‘Lower, simpler, fairer’, is ‘a morbid joke’?

Senator CORMANN (Western Australia—Minister for Finance) (14:06): Peter Costello is indeed a great Australian. He was a fine Treasurer for Australia over nearly 12 years. But let me just say that I disagree with him on this, because, of course, this is a government which is committed to lower, simpler, fairer taxes. This is a government which has brought taxes down over the forward estimates compared to what they would have been under Labor. There is absolutely no doubt that, under this government, taxes are now lower than they would have been under Labor. We got rid of the carbon tax. We got rid of the mining tax. On Tuesday, we delivered a small business tax cut. We delivered immediate asset write-offs for small business up to $20,000. This is a government that does tax lower than Labor any day.

Would we like to do more? Of course we would. Of course we would like to bring down taxes by more. We have brought down a budget which is measured, which is responsible, which is fair, and which puts the budget back onto a credible path to surplus on the same timetable as last year's budget. Our budget repair effort is predominantly focused on the spending side of the budget. We have kept spending growth under control, much better than the previous government. We inherited spending growth of 3.6 per cent above inflation, on average, per annum, from the previous government. We have brought that down to 1.5 per cent spending growth, on average, over the forward estimates.

Senator Conroy interjecting—

The PRESIDENT: Senator Conroy.

Senator CORMANN: Let me just pause here for a moment to say that in the whole period that Mr Shorten has been the Leader of the Labor Party, how many savings do you think he has identified? Tell us how many spending reductions Mr Shorten has identified? It is a big, fat zero. There is not a single dollar that Mr Shorten has suggested should be saved. And guess what? Tonight, Mr Shorten will have the opportunity to fix that. Tonight, Mr Shorten will have the opportunity to tell us where he is going to save.
Senator KETTER (Queensland) (14:08): Mr President, I ask a supplementary question. Can the minister confirm that net government debt will escalate to 18 per cent of GDP in 2016-17 and total $325.5 billion in 2018-19?

Senator CORMANN (Western Australia—Minister for Finance) (14:08): I am pleased to see that the senator is able to read our budget papers where everything is laid out, openly and transparently, for everyone to see. What I can confirm is that net debt under this government will peak in 2016-17 at 18 per cent before coming down. Of course, over the medium term, it is going to come down to seven per cent as a share of the economy, or about $201 billion by 2025-26. The crocodile tears from this Labor Party over there are quite extraordinary, because we are the only ones who are actually trying to get the budget back under control. We are the only ones who are making an effort. You are the ones who are working to a huge expenditure growth. The Labor Party is not helping. If you are so concerned about bringing spending growth down, if you are so concerned about bringing debt down, come and join us in the national interest. Come and work with us in a bipartisan fashion to put Australia on a stronger foundation. (Time expired)

Senator KETTER (Queensland) (14:09): Mr President, I ask a further supplementary question. Can the minister confirm that under him government debt is higher than at any point in Australia's history including under the Whitlam government?

Senator CORMANN (Western Australia—Minister for Finance) (14:10): What I can confirm is that we inherited a budget in a mess from the worst finance minister in Australia's history. We inherited a budget position that was rapidly deteriorating. We inherited a debt growth trajectory that was rapidly deteriorating. What I can confirm is that the position that we are in now is much better than what it would have been if the Labor Party had been re-elected to government in 2013. What I can confirm is that this side of the parliament is working hard to strengthen growth, to create more jobs and to get the budget back to surplus.

The PRESIDENT: Pause the clock. Minister. Senator Moore on a point of order.

Senator Moore: I was on my feet before the minister sat down, Mr President. I wanted to know, on direct relevance, whether we would get any answer to the issue about debt and whether that was coming into the minister's answer.

The PRESIDENT: Thank you, Senator Moore, I will remind the minister of the question. Minister, you have 28 seconds.

Senator CORMANN: Thank you very much, Mr President. The spending growth trajectory that we inherited from the worst finance minister in Australia's history was taking us to 26.5 per cent spending as a share of the economy by 2023-24. We are actually now heading down. Under Labor, spending as a share of the economy was heading up, debt was heading up. We have now turned that situation around and debt is now heading down, and government spending as a share of the economy is heading down. It will peak in 2016-17 and it will— (Time expired)

Budget

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (14:11): My question is also to the Minister for Finance and Minister representing the Treasurer, Senator Cormann. Why is it so important for the parliament to support the government's plan for stronger growth, more jobs and to get the budget back to surplus?
Senator CORMANN (Western Australia—Minister for Finance) (14:12): I thank Senator Bushby for that question. Earlier this week the government delivered our next instalment in our responsible, long-term, economic plan to strengthen growth, to strengthen job creation and to get the budget back into surplus. Of course it is in the national interest for the Labor Party to support the measures that we have put forward for stronger growth, more jobs and a budget that gets back to surplus on a credible pathway.

Tonight, Mr Shorten will have the opportunity to stand up for the national interest. Tonight, Mr Shorten will have the opportunity to show that he has what it takes to make the necessary decisions in the national interest. Tonight, he will have the opportunity to explain how he is going to pay for Labor's $52 billion budget black hole. You, the Labor Party, are asking us questions about our spending growth trajectory which is much lower than yours. Guess what? Right now, Labor is opposing $17 billion in savings and revenue measures put forward by this government. Right now, Labor is opposing $6.5 billion in savings and revenue measures that Labor, themselves, initiated, and they are calling for the restoration of more than $31 billion in spending from savings the government has already banked, including $18 billion in foreign aid. That is Labor economics; that is the Labor magic pudding. You might ask: how many alternative savings measures has the Labor Party identified? How many alternative savings measures has Mr Shorten identified? Let me tell you, Mr President—zero. There is $55.8 billion in expenditure and not a single savings measure.

The PRESIDENT: Minister, that is disorderly. You can continue, Minister, but you cannot use the props. Minister.

Senator CORMANN: Mr President, $55.8 billion in new spending under Labor, $3.8 billion in revenue proposals, 100 per cent of Labor's effort on the revenue side wanting to increase taxes on people saving for their retirement to pay for Labor’s—(Time expired)

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (14:14): Mr President, I ask a supplementary question. Can the minister further advise the Senate of the savings and revenue measures outstanding from Labor’s last budget for the 2013-14 year?

Senator CORMANN (Western Australia—Minister for Finance) (14:14): I can indeed. Here we are, in the last budget of the worst finance minister in Australia's history. She put forward a spending cut, applying an efficiency dividend to university funding. The value of that spending cut over the current forward estimates is $1.2 billion. Senator Wong, having initiated it, having banked it in the budget, is now voting against it. Here we have ending the discount for paying HECS fees up-front—$336 million over the current forward estimates, a Wong savings measure. She initiated it, she banked it in the budget and, guess what, she is now voting against it. There is the change in Labor's Student Start-Up Scholarship. Instead of providing a grant, Senator Wong said the loan repayable should be repayable through HECS—$2.1 billion dollars over the forward estimates. She is nodding. She knows that they are her savings measures. They are savings measures which she initiated, which she banked in her last budget and which she is now voting against. That is the sort of reckless attitude that we are getting from the Labor Party today.

Tonight Mr Shorten has the opportunity to pull Senator Wong into line. Tonight Mr Shorten has the opportunity to show that he has actually got the strength to provide leadership in the Labor Party, that he actually has the strength to do the right thing in the national
interest. We are waiting. Australia will be watching. Australia wants to know where the money is coming from. We are saying to Bill Shorten, 'Show us the money.'

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (14:16): Mr President, I ask a further supplementary question. Can the minister advise the Senate of any alternative spending proposals to those put forward by the government in this budget?

Senator CORMANN (Western Australia—Minister for Finance) (14:16): Mr Shorten is always very fast to be out there complaining about the proposals to reduce spending put forward by the government. Labor want to have it both ways: they complain about our proposals to reduce spending; they do not put up any other alternative proposals; and then they complain that spending is growing by too much. If the Labor Party do not like the proposed savings measures that we are putting forward, where are yours? What are your savings? Australia wants to know from Mr Shorten tonight how he will pay for his increased spending and how he will pay for not proceeding with $17 billion in savings that the government has put forward. How will he pay for it? I say it again—and this is a very important message to the Labor Party: 'Mr Shorten, show us the money. Pull Senator Wong into line—the big spender; the worst finance minister in the history of the Commonwealth. Pull Tanya Plibersek into line, who is out there spending $18 billion on foreign aid, which we do not have.'—(Time expired)

Budget

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:17): My question is to the Minister for Finance, Senator Cormann. Can the minister confirm that his budget sets spending at $62 billion higher next year than in the last full budget year under the Labor government?

Senator CORMANN (Western Australia—Minister for Finance) (14:17): What I can confirm is that, since the Mid-Year Economic and Fiscal Outlook before Christmas, spending is $7.3 billion less. What I can also confirm is that, instead of the massive growth in spending under Labor, hidden in the period beyond the forward estimates, under this government we have brought spending growth down. Senator Wong, the worst finance minister in the history of the Commonwealth, used to have the supposed target where she said, 'We're going to control spending by not exceeding spending growth of two per cent above inflation.' She always failed. She never met that target. Three point six per cent spending growth—

The PRESIDENT: Pause the clock.

Senator Moore: Mr President, I rise on a point of order going to direct relevance. There was a straightforward question about the spending level—$62 billion more than in the last year of the Labor government. We have not got close to that answer.

The PRESIDENT: Thank you, Senator Moore. The minister has a minute and 15 seconds in which to answer the question. I remind the minister of the question.

Senator CORMANN: What I can confirm again for the Labor Party is that, under Labor, spending as a share of the economy was constantly trending up. The Intergenerational report showed 37 per cent as a share of the economy over the next few decades. Under the coalition, spending as a share of the economy is actually trending down, from 25.9 per cent now to 25.3 per cent. Spending under Labor, according to the Independent Commission of Audit, was heading for 26.5 per cent as a share of the economy in 2023-24. It is actually now trending
down. Why is that? Because we are actually controlling spending growth. Do you know what the only reason is that spending is still at 1.5 and not still down at one per cent? Because—

**Senator Moore:** Mr President, I rise on a point on order, again going to direct relevance. The minister is confirming everything except the question.

**The PRESIDENT:** I am sorry, Senator Moore, I cannot agree with you on this occasion. The minister was answering the question. I was listening very carefully. He was indicating the spending rates and he was indicating the levels—where they are going up and coming down. That was part of the question.

**Senator Conroy interjecting—**

**The PRESIDENT:** Order, Senator Conroy! Minister, you have the call.

**Senator CORMANN:** What I would say to the Labor Party is: it is time that you actually started to focus on the national interest, instead of just putting politics over substance. This government is working to get the budget back into surplus. This government is making the difficult or necessary decisions to get back into surplus as soon as possible. All we are getting from the Labor Party is negativity and politics. That is all we are getting from the Labor Party. *(Time expired)*

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) *(14:21)*: Mr President, I ask a supplementary question. Can the minister confirm government spending will be higher next year than in six out of seven years under the former government?

**Senator CORMANN** (Western Australia—Minister for Finance) *(14:21)*: No wonder that Senator Wong made such a mess of the budget, because she does not actually understand the indicators that matter when it comes to spending growth. The indicator that matters is by how much expenditure is going up above inflation, by how much expenditure is going up year on year in real terms. Of course, under Labor, on average, in their first five years it went up by 3.6 per cent above inflation. In our first budget, it went up by just one per cent a year above inflation. In our second budget it is going up by just 1.5 per cent above inflation. The only reason why that is slightly higher is because the ramp-up in expenditure on the NDIS is coming into the forward estimates. We have a bipartisan commitment to the NDIS, and that is one of the reasons why we have to make sure that we make space in the budget: in order to be able to afford the important investment into the National Disability Insurance Scheme. I am working very closely with Senator Fifield to ensure that we make that happen. The truth is that Labor left behind an unsustainable spending forward trajectory and we are fixing it. *(Time expired)*

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) *(14:22)*: Mr President, I ask a further supplementary question. Can the minister confirm that his budget returns spending to levels not seen since the global financial crisis? When did the minister decide he wanted to be Australia's biggest spending finance minister?

**Senator CORMANN** (Western Australia—Minister for Finance) *(14:22)*: And that from the worst finance minister in Australia's history—the finance minister who presided over a $107 billion blow-out in her three short years in the job and who is now part of a shadow cabinet which has blown a $52 billion additional hole, a $52 billion budget black hole, into the budget. You are actually out there in the stratosphere looking down on Australia, looking from the mountain of spending and debt that you are sort of accumulating here as part of a
senior member of the Labor Party. I say this: the coalition is working in a measured, responsible and fair way to get our budget back under control. We are focusing on making sure that federal spending growth is on a sustainable trajectory for the future—with no help from the Labor Party. If I could show the prop I would: zero spending reduction from the Labor Party. (Time expired)

Budget

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (14:24): My question is to the Minister representing the Treasurer, Senator Cormann. I refer to reports that the new Northern Australia Infrastructure Facility announced in the budget could see taxpayers' money used to finance Galilee Basin coal mines, railways and coal ports beside the Great Barrier Reef. In this age of climate change, when we know that the Galilee Basin coal must stay in the ground, and after 11 international banks have ruled out financing these projects, handing over taxpayers' money to mining billionaires to fund economically unviable white elephants is sheer madness. Can you guarantee that taxpayers' money will not be used to prop up these climate-destroying coal mines?

Senator CORMANN (Western Australia—Minister for Finance) (14:25): I thank Senator Waters for that question. May I also congratulate Senator Waters on her elevation as a Co-Deputy Leader of the Greens. I have to answer the final part of the question first. I can give you an absolute guarantee that the Northern Australia Infrastructure Facility will not be used to fund white elephants. I can absolutely guarantee that the Northern Australia Infrastructure Facility, which is a very important tool for us to strengthen growth and create more jobs across our great north, will not be used to fund white elephants. It will be available to help us leverage private sector investment in the important productivity-enhancing, job-creating infrastructure of tomorrow. It will help us create growth across our north—from North Queensland to the Northern Territory and to the north of Western Australia. I would have thought that, as a senator representing the great state of Queensland, you would be all in favour of more investment in infrastructure in North Queensland.

Coal is our second biggest export. The largest export income comes from iron ore—about 21 per cent. When I last looked, our national export income from coal was about 12 or 13 per cent. That is a very important industry for us. It is an industry that I would like to continue to see grow and prosper. I think there is a great opportunity for us to continue to strengthen growth across North Queensland and other parts of Australia. We have not made any decisions about specific—

The President: Pause the clock. Senator Waters, a point of order?

Senator Waters: Thanks, Mr President. I think the Minister might have, just that second, actually been coming to my question, which I am interested in an answer to—particularly, if that facility will be used to fund Galilee Basin coal projects.

The President: I will call the minister.

Senator CORMANN: I was answering the question. But, just to be very specific, I am not going to pre-empt what projects will be invested in through that facility, because, of course, we will go through a proper, orderly and methodical process to ensure that the investment is directed into sound and very strong economic infrastructure. But will I rule it out? No, I will not rule it out, because I do not want to rule out anything. (Time expired)
Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (14:27): Mr President, I ask a supplementary question. The Abbott government has abolished the mining tax and the carbon price. You are handing billions to big polluters under Direct Action and $10 billion more in fossil fuel subsidies. You are trying to axe the Clean Energy Finance Corporation, and now you are proposing a dirty energy finance corporation. Minister, has your government not done enough to wreck the climate without setting up yet another slush fund for the coal industry?

Senator CORMANN (Western Australia—Minister for Finance) (14:28): I completely reject the premise of that question. Yes, we got rid of the mining tax because it was a job-destroying tax which was undermining our international competitiveness. Yes, we got rid of the carbon tax because it was a carbon tax that undermined our economic prosperity without doing anything for the environment. Let me just say again that coal is a very important export product for Australia. As I have said here before, we will have to agree to disagree. I believe that coal is good. I believe that coal has helped lift people around the world out of poverty. It has helped lift living standards, and long may that be the case. I was persuaded by none other than Dr Bob Brown, of course, who told us that coal-fired power was the best option. That is what Dr Bob Brown from Tasmania said. The Greens have to sort themselves out. The Greens have to decide what they believe in.

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (14:29): Mr President, I ask a further supplementary question. The Prime Minister’s top business adviser, Maurice Newman, says climate change is a UN hoax. The Treasurer’s budget speech did not even mention climate change. The budget papers include graphs showing projections for our biggest export commodity, which as Senator Cormann rightly mentioned is iron ore, and for our third biggest, but they conspicuously miss out coal—because coal prices have plummeted as the world shifts to renewables. Why will this government not admit that the age of coal is over?

Senator CORMANN (Western Australia—Minister for Finance) (14:29): The reason we do not admit that the age of coal is over is that it is not. It is very hard to admit to something that is not true. In this government we believe in telling the truth. We believe in being open and transparent with the Australian people. Why would you want me to say something that I know to be untrue? I will not, and nobody on this side of the parliament will. I would love to continue to have these conversations with Senator Waters and the Greens about coal, but I have got to say what I have said here before: I find it very hard to take the Greens seriously on this because right now they are fighting for regular reductions in the tax on fuel. Right now they are fighting to hand back hundreds of millions of dollars to big oil. So do not come in here telling us sanctimoniously how we should shut down the coal industry and shut down farming and go and sit in caves. We actually want to continue to grow the economy. We want to continue to lift living standards. That is what we are doing. But, you go—(Time expired)

Budget

Senator McALLISTER (New South Wales) (14:30): My question is to the Minister for Finance, Senator Cormann. I refer to the Prime Minister’s promise:

… we, the Coalition Government, are not going to repair our Budget this year at the expense of your family budget.

CHAMBER
Why is the government still cutting $6,000 a year from family budgets?

Senator CORMANN (Western Australia—Minister for Finance) (14:31): I congratulate you on what I believe is your first question. Welcome to this great chamber. In answer to your question, in this budget we have put forward a $4.4 billion Jobs for Families package. We have put forward a package to help families get into work, stay in work and be in work. We have put forward a package to help families get access to simpler, more affordable, more flexible child care because we understand that that helps families get into work, stay in work and be in work. What we have also said is that wherever we want to increase spending, wherever we want to increase investment in a higher priority area, given the challenges that we are facing, given the opportunities in front of us, we have got to be able to pay for it. It is a very simple proposition: if you want to spend more over here, you have got to be able to pay for it. If you do not want to add to the deficit, you have got to pay for it by spending less elsewhere. Any family around Australia understands this concept. You only have got so much money going around. If you want to increase your level of spending on one area of expenditure, you have got to reduce your spending on another area of expenditure. What we are saying to the Senate, what we are saying to the Labor Party, what we are saying to anyone is that if you want to increase spending, wherever we want to increase investment in a higher priority area, given the challenges that we are facing, given the opportunities in front of us, we have got to be able to pay for it. It is a very simple proposition: if you want to spend more over here, you have got to be able to pay for it. If you do not want to add to the deficit, you have got to pay for it by spending less elsewhere. Any family around Australia understands this concept. You only have got so much money going around. If you want to increase your level of spending on one area of expenditure, you have got to reduce your spending on another area of expenditure. What we are saying to the Senate, what we are saying to the Labor Party, what we are saying to anyone is that if you want to join us in helping families get better access to more affordable, simpler, more flexible child care, then work with us on how we can pay for it. We think it is important. Do you think it is important? If you think it is important and if you are fair dinkum about it, work with us. In the end, we will be pragmatic. We are focused on the outcome. We want to do the right thing by Australia.

Opposition senators interjecting—

Senator CORMANN: We want to make progress in the national interest. If you work with us constructively, instead of just hurling politics and abuse at us, then we will sit down with you and we will work with you in the national interest.

Senator McALLISTER (New South Wales) (14:33): Mr President, I ask a supplementary question. I refer to comments by former Prime Minister John Howard, who says:

… family tax benefits are not welfare payments, they're tax breaks …

... ...

... the constraining of tax benefits is in effect a tax rise for people in certain income tax brackets …

Is former Prime Minister Howard correct?

Senator CORMANN (Western Australia—Minister for Finance) (14:33): I am really pleased to see that the Labor Party is now embracing two of the giants of the Liberal Party. I am really pleased to see that the Labor Party is now embracing John Howard and Peter Costello. Finally, having fought them tooth and nail through years, having fought John Howard and Peter Costello as they were fixing the Labor mess, I am really pleased that you are now putting your arms right around them. I have got a very high regard for former Prime Minister John Howard. He is one of the greatest politicians that I have ever witnessed. He has made an outstanding contribution to our country. It is a very different proposition when it comes to making decisions about government payments—and family tax benefit payments are government payments—from a position of a strong surplus compared to when you are in a situation where you have inherited a very large deficit. Labor, in 2007, inherited a strong economy, a strong budget— (Time expired)
Senator McALLISTER (New South Wales) (14:34): Mr President, I ask a further supplementary question. Can the minister confirm that the coalition plans to axe the large family supplement, the low income supplement and kick families off family tax benefit part B when their youngest child turns six? Is this not another broken promise from the Prime Minister?

Senator CORMANN (Western Australia—Minister for Finance) (14:35): The answer to that final question is no. What I would say to the good senator is that the government has put forward a holistic families package. What we have decided to do is to prioritise an additional investment in more affordable, more flexible, simpler child care arrangements because we understand that that will help families get into work, stay in work and be in work. The Labor Party has to decide whether they will agree with us that that is an important priority. If they do, they are going to decide on how we can work together to pay for it, because you cannot spend more money in one area without spending less money in another area. I know that the Labor Party has got this big Labor magic pudding, but on the coalition side we understand that if ever you want to spend more in one area you have got to spend less in another area, which is exactly what this government is doing. It is offsetting our new expenditure by expenditure reductions in other parts of the budget.

Royal Commission on Trade Union Governance and Corruption

Senator LAMBIE (Tasmania) (14:36): My question is to Senator Brandis, the spokesperson for the Abbott government in this place today. I refer the senator to section 99 of the interim report of the Heydon royal commission, which examined a confidential or secret report. As the senator is aware, the Commissioner examining organised crime, union and/or political corruption wrote:

It is necessary for that volume to be confidential in order to protect the physical well-being of those witnesses and their families. This is unfortunate, because the confidential volume reveals grave threats to the power and authority of the Australian state.

I also refer the senator to a transcript of a media report where Senator Abetz refused to directly answer the question:

What is the grave threat that he’s—

the Commissioner is—


talking about?

Has the senator or any other members of the Abbott government had official access to a copy of the Heydon royal commission confidential report and, if so, how many members?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:37): This is a very important question. Let me come to it directly. The danger is the threat to witnesses. The danger is the threat to the life and wellbeing of witnesses and their families, because one of the shocking things that the Heydon royal commission has discovered is a pattern of conduct of unlawfulness by some trade unionists and some trade union leaders, particularly, though not exclusively, the CFMEU, including serial violence.

Senator Cameron interjecting—

The PRESIDENT: Order! Senator Cameron!
Honourable senators interjecting—

The PRESIDENT: Everyone come to order! Senator Brandis, you have the call.

Senator BRANDIS: I think we all know why Senator Cameron is so sensitive when it comes to union thuggery.

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

Government senators interjecting—

The PRESIDENT: Order on my right! Before you take a point of order, Senator Wong, I was going to invite the Attorney-General to just withdraw that remark about Senator Cameron.

Senator BRANDIS: I withdraw.

The PRESIDENT: Thank you, Senator Brandis.

Senator BRANDIS: In the published volumes of his interim report, Mr Heydon, who it should be remembered is a distinguished retired judge of the High Court of Australia, found a pattern of serious criminality, contempt for the law, threatening conduct and actual physical violence and intimidation. That is what he found in his public report. There are confidential elements of the interim report as well, which particularise further those matters. I think, Senator Lambie, you would understand very well, if a royal commissioner decides to go into the detail with particularity of specific threats of violence and physical harm to witnesses, why that would be kept confidential—and it should be kept confidential. It is a very common practice for royal commissioners and commissioners of inquiry to produce a confidential volume of their report in relation to sensitive matters such as this.

Senator LAMBIE (Tasmania) (14:40): Mr President, I ask a supplementary question. Given that Senator Abetz, in his reply to the media’s question about the confidential royal commission report, demanded that the Labor Party ‘get on board with our Registered Organisations Commission legislation and the reintroduction of the Australian Building and Construction Commission’, can the minister detail for the chamber the names of people his government shared the royal commission’s secret report with, and were any of these crossbenchers?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:40): No, I cannot. It would not be appropriate for me to do so, so I certainly will not. The Heydon royal commission is still ongoing. We are still to await its final report at the end of this year. But, already, in the published interim report we have had shocking revelations of criminality, of intimidation, of physical violence, of threats of harm to the wellbeing of honest people who have come forward to the royal commission to expose that culture of criminality with which the CFMEU and its senior officials, and certain other militant trade unions as well, I am sorry to say, are associated. You would understand why those witnesses need to be protected. But what a shocking thing it is that they should need to be protected, in modern Australia today, from threats of physical harm and violence to them by trade unionists!

Senator LAMBIE (Tasmania) (14:41): Mr President, I ask a further supplementary question. Given that the royal commission’s secret report says that there are ‘grave threats to the power and authority of the Australian state’, and Senator Abetz has publicly admitted it is
very important to the reintroduction of the Australian Building and Construction Commission, has the Abbott government failed to share a vital secret report with crossbench senators because it would uncover political corruption and harm the Liberal Party's reputation?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:42): What Senator Abetz was concerned about, what all of us should be concerned about, including the honest and decent members of the Labor Party who sit in the Senate, is the culture of violence, intimidation, criminality and corruption associated with certain rogue elements of the trade union movement and, in particular, with the CFMEU. That is why this government has committed itself to the reintroduction of the Building and Construction Commission to deal with the culture of illegality and unlawfulness and intimidation and violence on workplaces.

Senator Cameron: It is a witch-hunt against working people!

The PRESIDENT: Senator Cameron!

Senator BRANDIS: There you go again, Senator Doug Cameron! You are sensitive about this, aren't you? You should not be defending these people. You should be joining with all the honest members of the Labor Party in this place.

The PRESIDENT: Pause the clock.

Senator Lambie: Mr President, I rise on a point of order. I wanted to know: is there political corruption within that report?

The PRESIDENT: Thank you, Senator Lambie. Senator Brandis, you have 13 seconds in which to answer the question.

Senator BRANDIS: It is a confidential volume. I do not think you would expect me to be referring to the contents of the report in an open forum such as this. I think it is enough for you to know— (Time expired)

Budget

Senator McKENZIE (Victoria) (14:43): My question is to the Assistant Minister for Immigration and Border Protection, Senator Cash, representing the Minister for Infrastructure and Regional Development. Can the minister outline to the Senate how the budget creates jobs, boosts growth and secures opportunities for Australians through investment in infrastructure?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:44): I thank Senator McKenzie for her question. This government is delivering on its commitment to build the infrastructure of the 21st century, and, in doing this, we will support economic growth, we will create jobs, we will link businesses to markets and we are delivering on our infrastructure growth package.

Last year, senators will recall, this government made a record investment of $50 billion in infrastructure. This was a record investment for any Australian government, and we are improving road and rail linkages in every state. In this year's budget, we have further boosted our funding for infrastructure. We have started work on 19 new major projects in 2014, and another 55 projects will now commence in 2015. A total of 382 projects across five states and
territories have already been announced for 2015-16, with further announcements to be made in the coming weeks.

This government is building better infrastructure more quickly and, unlike those opposite, at less cost to the Australian taxpayer. How are we doing this? Through new financing and delivery arrangements for some of Australia's biggest projects, like WestConnex and NorthConnex in Sydney, and the Perth Freight Link in my home state of Western Australia.

Our $5 billion Asset Recycling Initiative is propelling state and territory governments to invest billions into new city-transforming infrastructure projects like the second harbour rail crossing in Sydney and the Capital Metro light rail project in the ACT. Of course, as you already heard from our finance minister, this year in our budget the government will establish a $5 billion Northern Australia Infrastructure Facility that will be available for major infrastructure projects like ports, railways, pipelines and electricity generation. We are also investing heavily, Senator McKenzie, in our regions. (Time expired)

**Senator McKenzie** (Victoria) (14:46): Mr President, I ask a supplementary question. Can the minister outline for the Senate the benefits in the budget for infrastructure, particularly in my home state of Victoria?

**Senator Cash** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:46): Thank you very, very much, Senator McKenzie. Well, in Victoria, what do we have? $12.5 million will be allocated under round 1 of the Bridges Renewal Program, with $7.6 million going to local governments. Victoria will also receive $35.7 million under the National Highway Upgrade Program, including for works on the Western Highway, the Hume Highway, the Monash Freeway and the Goulburn Valley Highway.

In addition, 19 projects have received funding through the National Stronger Regions Fund. This program will provide $45 million over two years to fund small projects in local communities.

There is no doubt, based on this government's record infrastructure spend last year of $50 billion and our further commitment to investing in infrastructure in Australia, that this is a budget that will deliver for all Australians, and it will create jobs and it will boost our economy, but, most of all, it is an opportunity for all.

**Senator McKenzie** (Victoria) (14:47): Mr President, I ask a further supplementary question. Can the minister inform the Senate of any impediments to improving infrastructure in my home state of Victoria?

**Senator Cash** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:47): Unfortunately, I can, and that of course is: the Victorian Labor Premier, followed by his minions in the Victorian Labor government. What did the Commonwealth do for Victoria? We gave Victoria $1.5 billion of Commonwealth money to build the East West Link. And instead, what did the Victorian Labor government do? Well, they are not building the East West Link; we know that! But they have kept the $1.5 billion that was given to them, and guess what? They have got a surplus budget, created by holding onto the $1.5 billion given to them under a memorandum of understanding which specifically stated that they had to build the East West Link. In typical Labor style—they have no shame at all—they have gone to the people of
Victoria and said, 'We have a budget surplus,' but what they have not told the people of Victoria is that they have been robbed of the opportunity for the East West Link.

Asylum Seekers

Senator HANSON-YOUNG (South Australia) (14:48): My question is to the Minister representing the Minister for Foreign Affairs, Senator Brandis. My question is in relation to reports that up to 8,000 Rohingya and Bangladeshi asylum seekers are adrift in the South-East Asian seas, in boats that have been abandoned by smugglers after being turned back by Indonesian and Malaysian authorities. It has been reported that many of them are starving and sick and without provisions. The UNHCR and the IOM have called for an international search and rescue mission to save these people. Can the minister inform the Senate on the situation with these asylum seekers and the unfolding human tragedy?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:49): Well, Senator Hanson-Young, yes I can, but can I say at the start that the problem that you have identified, and this was a very, very serious problem, is a problem that Australia no longer has. It is a problem that Australia no longer has—no thanks to you, or to the Labor Party, by the way. It is a problem that was solved by the Abbott government, in the teeth of your opposition and in the teeth of the opposition of the Australian Labor Party. Let me remind you, Senator Hanson-Young, that, in the six years of the previous government, policy supported by you saw more than 50,000 illegal entrants attempt to arrive in Australia on leaky boats, saw more than 800 leaky boats seek to make the dangerous journey across the Timor Sea, and saw more than 1,200 deaths. That is a humanitarian problem—a terrible humanitarian problem—that Australia had, and was shamed by, but no longer has because of the policies of this government.

Turning directly to what is happening on the Andaman Sea, in relation to the Rohingya and Bangladeshis stranded there on boats: this is a regional issue demanding a regional response. The foreign minister has had talks with regional governments about the need to find a solution to managing the challenge of large-scale movement of people from Myanmar, and the foreign minister raised the matter in Thailand last week. The Abbott government welcomes the Thai government's plan to hold a regional officials meeting to address the situation. Australia will attend that officials-level meeting.

I should inform you, Senator, that Australia has provided a total of $10.7 million for urgent humanitarian assistance for the people in the Rakhine State in Myanmar, including many Rohingya. Peace and security are essential for the country to achieve long-term stability and economic growth, and Australia, through its aid program, is contributing to that.

Senator HANSON-YOUNG (South Australia) (14:51): Mr President, I ask a supplementary question. Can the Attorney-General, representing the foreign minister, please inform the chamber as to whether the government has received any requests for assistance from Indonesia, Malaysia, the UNHCR or the IOM in relation to this specific tragedy?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:52): What I can tell you is what we have done in responding to the specific tragedy, and that is, as I said in answer to your primary question, the provision of some $10.7 million of urgent humanitarian
aid, and, as well, our attendance at the regional summit. I am advised that Australia has not been approached directly for assistance of the kind that you mentioned.

Senator Hanson-YounG (South Australia) (14:52): Mr President, I ask a further supplementary question. Is the government in the process of providing any assistance to the search and rescue mission, and, if not, why not?

Senator Brandis (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:52): The search and rescue mission is being undertaken on the Andaman Sea. The assistance that Australia is providing is financial assistance in the form of the $10.7 million package I described to you. The Indonesian authorities and the Malaysian authorities are dealing with the search and rescue aspects of this tragedy, but, of course, Australia is engaged with the issue. We are keeping the matter under review with an alert eye to further opportunities to be of assistance.

Paid Parental Leave

Senator Dastyari (New South Wales) (14:53): My question is to the Minister for Finance, Senator Cormann. I refer to the 80,000 women affected by the government's cuts to paid parental leave and attacks on them by senior ministers, who have described them as 'rorters' and 'frauds'. Does the minister agree with the learned senator from New South Wales, Senator Sinodinos, who said:

It's not a good look to be having a go at the young mothers or new mothers …

Senator Cormann (Western Australia—Minister for Finance) (14:53): I do not accept that any of my colleagues have referred to women in that way. I agree with Senator Sinodinos that we should treat young mothers with respect.

Senator Dastyari (New South Wales) (14:54): Mr President, I ask a supplementary question. I refer to comments by the Minister for Communication, Mr Turnbull, who said it is very important that the government 'respect and show due empathy' for families and mothers. Minister, considering that it is a matter of fact that senior members of your government and your cabinet have used the word 'rorters' and the word 'frauds' to describe these mothers, is that showing due respect— (Time expired)

Honourable senators interjecting—

The President: Order! Order on my right! Minister, there was not a complete question there, but I invite you to answer.

Senator Cormann (Western Australia—Minister for Finance) (14:55): I think I know what Senator Dastyari is trying to get at. Let me just say that I do not accept the premise of the question and I agree with the sentiments expressed by Mr Turnbull.

Senator Dastyari (New South Wales) (14:55): Mr President, I ask a further supplementary question. Minister, are there many families like my own, who benefited from two schemes, so that new mothers could spend as much time as they can with their children—people who have 'rorted' or 'defrauded' the system? If so, have any coalition MPs, including the minister himself, also benefitted from current arrangements?

Senator Cormann (Western Australia—Minister for Finance) (14:55): The government has decided that given that most women can have access to only one scheme,
whereas some women can have access to two schemes—a more generous scheme through their private or public sector employer—in those circumstances where women can have access to a more generous scheme through their private or public sector employer, in the current circumstances we are in it is not appropriate to expect the taxpayer to fund a second scheme.

Honourable senators interjecting—

The PRESIDENT: Order on my left! Senator Collins!

Senator CORMANN: In response to the personal question that Senator Dastyari has chosen to ask me, let me confirm for him that I indeed had a little child, in 2013, and that our family, of course, worked within the system that was available at the time, like any other family. My family will work within whatever system is in place in the future.

Budget

Senator BERNARDI (South Australia) (14:56): My question is to the Assistant Minister for Social Services, Senator Fifield. Can the minister please update the Senate on how the budget delivers more choice and control to older Australians in aged care?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:57): Thank you, Senator Bernardi, for the opportunity to share with colleagues more good news from the second Hockey-Cormann budget. I think all colleagues in this place know that often when it comes to social services and funding arrangements for social services the individuals that social services are intended to support are often invisible in those funding arrangement. That is certainly the case with home care in aged care. The current arrangements are not necessarily great from the perspective of the provider or the consumer. Providers have to apply for packages through the annual ACAR round. Consumers, after they are assessed by ACAT as being eligible, firstly need to endeavour to find a provider who has a package and, secondly, need to seek to find a provider who has a package at the level to which they are entitled, be it level 1, 2, 3 or 4.

I am very pleased to be able to advise colleagues that the budget provides that from February 2017 the money will no longer attach to providers. Instead, it will attach to individuals. So when an individual is assessed as being eligible and they are given a package they will then be able to take their package to the service provider of their choice, much like the NDIS, putting the individual at the centre and in charge. For the modest investment of $74 million, we will be able to change the system and the process so that $7.5 billion worth of home-care packages over four years can go through the individual.

But it is also good news from the perspective of providers that there will be a $3.2 million a year saving for providers, because they will no longer have to go through the ACAR process. So, after February next year there will no longer be— (Time expired)

Senator BERNARDI (South Australia) (14:59): Mr President, I ask a supplementary question. It is indeed very good news. I would ask if the minister would be kind enough to inform the Senate of other budget measures that benefit older Australians in aged care?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:59): We have also announced our intention to explore new ways to help the aged-care sector to adapt to changes in consumer demand and preferences, including through the market provision of accreditation services to help decrease
red tape. Currently the Aged Care Quality Agency is the sole provider of aged-care accreditation services and we want to look to see whether a market for accreditation services can be opened up to provide greater competition.

We have also announced, importantly, that there will be a transfer of responsibility for the Aged Care Complaints Scheme, which currently sits with the Department of Social Services, to the independent statutory office of the Aged Care Commissioner. This is something that was recommended by the Productivity Commission and also the Walton aged care review. We think that it is good. It separates responsibility for policy and compliance with social services on the one hand and for complaints on the other.

Senator BERNARDI (South Australia) (15:00): Mr President, I ask a further supplementary question. I would ask the minister to please inform the Senate of any feedback from the aged-care industry on these measures.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:00): Yes, I can. For instance, Catholic Health Australia have said that the 2015 budget 'ushers in welcome next steps in aged-care reform'. The Council on the Ageing have called the measures in the budget 'bold and important steps to a much more consumer focused aged-care system'. COTA goes on to say:

Older Australians will strongly welcome measures announced in the 2015 Federal Budget to give them direct control of their own aged care funding packages, have access to an independent complaints system, and introduce a streamlined approach to home care delivery,

HammondCare, a provider in New South Wales, welcomed the measures to reform the delivery of restorative care, saying that it will 'bring transformational change to the lives of older Australians'. Increasingly I think all colleagues want to see the individual at the centre and in charge. Our aged-care measures announced in this budget do that. The individual will be at the centre and they will be in charge.

Budget

Senator GALLAGHER (Australian Capital Territory) (15:01): My question is to the Minister for the Arts, Senator Brandis. Can the minister confirm that in this year's budget he has taken over $100 million away from the independent Australia Council to fund his own personal arts slush fund?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (15:02): Thank you very much indeed, Senator Gallagher, for being so generous as to ask me that question, because it does give me the opportunity to speak of one of the great new arts initiatives which this government is introducing with this budget, the National Program for Excellence in the Arts, which will invest $107 million over four years to widen access to arts funding.

Senator Gallagher, it should be pointed out, to put this in context, that for the second consecutive year there has been no significant reduction in arts funding overall.

Senator Cormann: What?

Senator BRANDIS: Yes, I'm sorry, Senator Cormann. In fact, there has been no reduction in arts funding of any substance this year. But what we have done is we have broadened access to arts funding so that individuals, organisations, arts practitioners who were unable to get funding through the Australia Council will now be able to get funding.
I can tell you that in the last 24 hours, Senator Gallagher, the reaction in the sector has been extremely enthusiastic. Let me refer you to some of the reactions, Senator Gallagher. Li Cunxin, the much respected Artistic Director of the Queensland Ballet, said: 'What a brilliant initiative. My sincere congratulations and well done.' Jonathan Mills, the internationally renowned Australian festival director, said: 'I applaud this initiative and the minister is to be congratulated for supporting the festival sector.' Rob Brookman, the CEO of the State Theatre Company of South Australia, said: 'I have no doubt that this will see fantastic results.'

So what this does, Senator Gallagher, is it broadens access. The Australia Council will still be the principal arts funding body in Australia. It will be responsible for about 88 per cent of arts funding. But nobody thinks that monopolies are a good idea. This gives opportunities to people who did not have them before.

Senator GALLAGHER (Australian Capital Territory) (15:04): Mr President, I ask a supplementary question. How much less funding will the National Gallery, the National Museum and the National Portrait Gallery receive as a result of this year's budget?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (15:04): Senator Gallagher, with respect, if you are going to ask these questions, you have got to get across the detail. None of those organisations are funded through the Australia Council at all. The national collecting institutions are funded from elsewhere within the arts budget. The answer to your question is zero.

Senator GALLAGHER (Australian Capital Territory) (15:05): Mr President, I ask a further supplementary question. Why is the government providing tax breaks for museums to purchase luxury cars but cutting funding to the national cultural institutions?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (15:05): We are not cutting funding to the national cultural institutions. The national collecting institutions, which you referred to in your first supplementary question—and I assume that is what you are referring to in your second supplementary question—are not affected by this initiative whatsoever and there is no reduction in funding to the national collecting institutions in this budget. What the government is seeking to do is to engage more philanthropic giving so that the taxpayer funds, in partnership with generous Australian benefactors and philanthropists, arts programs including acquisitions by the national collecting institutions of the kind that you referred to.

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

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Answers to Questions

Senator JACINTA COLLINS (Victoria) (15:06): I move:

That the Senate take note of the answers given by ministers to all questions without notice asked today.

I take note of all answers to questions to ministers in question time today as a special request from the National Party, so I look forward to their contribution to this debate. I hope that they
will not shy away from the opportunity that I will provide when I focus on the questions to Senator Cormann and his answers regarding this year's budget.

As was canvassed clearly in question time today, the Prime Minister, Tony Abbott, promised—perhaps not in writing but he did promise—that this budget would not come at the expense of the family budget. So let us look very clearly at where the arrangements in this budget are coming from. The focus on families and, in particular, on mothers is astounding. I was shocked to hear Mr Hockey admit that, on Mother's Day, he had failed to ring his mother, but when I saw the budget I understood how ill informed and insubstantial his understanding of some very important issues is, because this budget locks in the family tax benefit cuts to single-income families, where a family on $65,000 a year can lose $6,000. But, on top of that, there is a bonus. It is not like the John Howard family bonuses, or baby bonuses. Instead we have a different bonus in this budget: we have savage new cuts to parental leave arrangements that will impact on 80,000 mothers.

When you look at the design of what is in the budget, you understand that the only person in this place that comprehended the Productivity Commission report recommending the arrangements for paid parental leave is Senator Arthur Sinodinos. He understood the design of the system and the plan. He would not get up and suggest that these mothers were rorting or double-dipping. It is extraordinarily insulting. Let me run through the detail of why. What the Productivity Commission recommended was that we set up a publicly funded scheme to provide for 18 weeks paid parental leave, because here in Australia we could work towards an objective of mothers taking 26 weeks, or six months, to care for their child, and a fair proportion of Australian mothers had access to other leave arrangements as well.

I wonder what this government—now that Senator Brandis is here, he will be interested to hear this—will now say to the international community. We were able to say we had a publicly funded scheme designed to support mothers to take six months leave, but we will no longer be able to say that. What we have now, according to this proposal, is a scheme based on a bare bones period of 18 weeks. But we also have a fairly unworkable scheme. I look forward to seeing the design, how this government proposes these arrangements will work industrially, because I cannot fathom how they will even be able to make that work.

Senator Cormann tells us today that we, the Labor Party, focus on politics over substance. Well, where is the substance in this budget, seriously? I see no detail about how they can make a workable scheme to deny these 80,000 mothers access to paid parental leave arrangements to allow them to spend that six months. I see no comprehension other than the government's attempt to back down and say, 'Oh, we'll negotiate about family tax benefit B cuts.' And what do we see from the National Party? 'Oh, um, we'll take this out of the budget context and, um, oh, gosh, we'll deal with it in the tax white paper.' Well, I am sorry, but families who are looking at losing their family tax benefit B—$6,000 a year—are worried about this now. Senator Canavan might talk about two tax-free thresholds and other options in the tax white paper, but he needs to deliver a result on this now, before these single-income families lose $6,000 a year. This is what cannot wait. And this is what Senator Cormann is able to avoid because, in the coalition, the National Party has gone silent.

The DEPUTY PRESIDENT: Order! Senator, your time expired sometime ago. I am sorry I was somewhat distracted.
Senator WILLIAMS (New South Wales) (15:12): I certainly was not going to seek leave to have Senator Collins's time extended, but she did get an extension! I rise to take note of answers to all questions. I feel sorry for Senator Gallagher. She is new to the place and she got thrown over the cliff without a parachute in a big way today.

Senator Jacinta Collins: No, she didn't.

Senator WILLIAMS: She certainly did. I do not know who was feeding her the questions from the Labor Party's team that goes through the questions, but Senator Brandis was excellent in his answer, saying: 'No cuts there, sorry. You're in the wrong street. You're in the wrong address.' Anyway, we are not here to talk about that. No doubt Senator Gallagher will learn. Next time a question comes to her, hopefully she will not be set up again. How embarrassing were the answers to the questions to Senator Brandis?

Senator Collins mentioned paid parental leave. I have said all my life that life is about families. I will give an example. My daughter, Rebecca, works in the public sector. She had a little girl last September, my gorgeous little granddaughter, Ella. Becky was paid 18 weeks minimum pay from the Paid Parental Leave scheme. She also got 14 weeks full-time pay from her employer, a government department. Here is a problem. We get complaints from the private sector that, when they go to employ people, young women especially are saying, 'No; I want to get a job in the public sector, because you get double paid parental leave.' So it is a negative to the private sector, where they cannot get these employees. I have had businesses ring me, saying, 'We want to put on three young ladies in particular jobs, but they don't want to work for us because they only get the 18 weeks Paid Parental Leave scheme, whereas in the public sector they get a double scheme.' So I think it is time that the system was corrected here to make it fair. The system we have brought forward is fair. It balances up those in the private sector who wish to employ people with those in the public sector who wish to employ people. I do not think my daughter, Rebecca, will be too impressed with it if God blesses them with another baby—but time will tell on that.

We are talking about the budget. There have been a lot of questions, as would be expected, since Tuesday night's great budget announced by the Treasurer, Joe Hockey. It is a great budget for regional and rural Australia and for small business. A lot of businesses have told me how quiet sales, especially in retail, have been. The incentive is now there for businesses, especially those in rural areas, where we are celebrating such great commodity prices. Cattle prices are at record highs after the disgraceful treatment of the beef industry by those opposite, who banned live exports and caused so much damage to the beef industry. To see prices of $2.70 to $2.80 for steers and prices of $3.30 live weight for young weaners is tremendous. Not only are prices high in the beef industry the sheep industry, the lamb industry and the mutton industry are getting prices of $140, $150, $160 even up to $200 for lambs. Combine that with good sorghum prices and the record chickpea prices—and the last week in the wool market—and we are seeing people on the land actually making money, because of the hard work of people such as Andrew Robb on the free trade agreements and Barnaby Joyce with his tremendous work in building more markets overseas.

People who are having a good financial year will face a tax bill. It is always good to pay tax because it means you are making money, especially if you are on the land. Now they have incentive to go and spend some of that money. It might be for a new generator, a new computer for the house, perhaps a new chainsaw or an ATV, as we call them, four-wheel
motorbikes—they are a dangerous item, too, I might add; there are too many accidents and deaths caused by them each year. These people can take it straight off their tax. That means those businesses in country communities who are selling those products will have a surge in their business. There are two million small businesses in Australia. They are the country's biggest employer, with almost five million people. If we can get them to employ another million people over the next five, six or seven years, that will be great for employment and for growth in those small businesses.

During question time, those opposite criticised our budget. It showed that they do not understand small business, that they do not understand rural Australia and that they do not realise that every big business actually started as a small business. That is why I think we had done such a really good job with this year's budget.

Senator PERIS (Northern Territory) (15:17): I rise to take note of answers provided by the Minister for Finance, Senator Cormann. The budget delivered on Tuesday is an unfair budget. Despite that, the Treasurer wants Australians to 'have a go'. The Prime Minister said, 'We, the coalition government, are not going to repair our budget this year at the expense of your family budget.' Guess what? We now have higher taxes, more spending, a larger deficit and more debt, with greater projected unemployment. At the same time, the budget locks in the unfairness of last year's budget, which included an $80 billion cut to hospitals and schools, locks in the cuts to family payments and locks in degrees costing in excess of $100,000.

That Treasurer deeply offends the young mothers of Australia who rely on payments, who he describes as rorters or double-dippers. He is cutting up to $6,000 of their family payments a year. Mr Tony Abbott's second budget locks in his unfair cuts to family payments while imposing savage cuts to paid parental leave. Despite promising that the budget would not come at the expense of the family budget, Mr Abbott still wants to cut family tax benefit B for families when their youngest child turns six. He still wants to freeze family tax benefit rates. The Prime Minister wants to rip a further $967.7 million from paid parental leave, in a new cut that will push around 80,000 mothers off paid parental leave, leaving them up to $11½ thousand worse off. This will also mean that they will be able to spend less time with their babies in the early years of their baby's life. Is that how we treat the young mothers and new mothers of Australia? It was good to hear Mr Turnbull say, 'It is very important that the government respect and show due empathy for families and mothers.' But Mr Abbott does not care about that. He wants to abolish the large-family supplement and the low-income supplement.

Right now, we have a government that has cut millions from the health and hospital budget. I am deeply concerned for my constituents back home in the Northern Territory, in particular the families of the Palmerston region. I have been raising concerns about the need for Palmerston Regional Hospital, which is to be built in one of the fastest growing places in Australia, not just the Northern Territory, with more residents now than Alice Springs. Construction on the Palmerston hospital is supposed to start this month, but it is so far behind schedule, even though the Country Liberal government says it is on track. It has failed to meet every single deadline. Where is it? Earlier this week, the Northern Territory government awarded a tender for water mains. That is laughable—I am starting to wonder whether it is going to be a hospital or a water park. The Northern Territory government blames the federal government and the feds are blaming the Northern Territory government. This budget was
supposed to deliver $35 million to the Northern Territory government in its agreement for the construction of the hospital, but it has not. I repeat: there is no construction; we see no bricks.

Last year's budget papers show that the federal government gave the Northern Territory government $20 million. It did the same this year, but the question needs to be asked: what has the Northern Territory government done with that money? There is no construction and no new development. In this budget there is no money committed to the Palmerston Regional Hospital at all, nothing.

The federal government has failed the families of Palmerston. The Northern Territory government has failed the people of Palmerston and the Darwin region. They both need to explain themselves.

**Senator FIERRAVANTI-WELLS** (New South Wales—Parliamentary Secretary to the Minister for Social Services) (15:21): I will start by rebutting some of the misrepresentations that Senator Peris made in her contribution. Let me be very clear: in this budget school and hospital funding continue to increase each and every year. Total school funding increases by 28 per cent, or $4.1 billion, over the next four years. I directly rebut her comments in relation to hospital funding. Total hospital funding increases by 25 per cent, or $3.8 billion, over the next four years. That comes on top of growth of 12 per cent in this year alone.

I will also rebut the issues that have been raised in relation to paid parental leave. Over recent months, the government has consulted very widely on this issue and listened to the priorities that families have as to how we can best support them and help them to balance that very important work and family life. Families have told us that right now the best thing that we as a government can do to support them is to deliver a childcare system that is not only affordable but also flexible and more accessible. That is why in this budget we have delivered the jobs for families package with $3.5 billion extra in child care.

But those opposite do not seem to understand that when you do spend in one area, you have to save in another. That was something that was totally alien to them when they were in government. One only has to look at the debt and deficit mess that they left us to understand that those opposite have no idea about the fundamentals of economy. They try to pretend that the debt and deficit disaster legacy that they left us with just did not happen. It really has nothing to do with them! The trajectory that we were on of $123 billion in cumulative deficits and the debt trajectory of $667 billion had absolutely nothing to do with them! For six years they reigned supreme on one of the worst economic times in this country, but they have absolutely nothing to do with it! It has everything to do with everything else, but nothing to do with them!

This evening, I am looking forward to hearing Bill Shorten give us an explanation as to why it has absolutely nothing to do with him. I think he is going to come up with some fantasy to try to explain his way out of it. I remind those listening that Labor's legacy to us was not just the debt and deficit legacy that I mentioned but also more than 50,000 illegal arrivals and the world's biggest carbon tax. In relation to Mr Shorten, I also remind the Senate that Labor turned $50 billion in the bank into projected net debt well over $200 billion. That is the fastest deterioration in debt in dollar terms and as a share of GDP in modern Australia.

He leads a Labor Party that really has not changed and really has not reformed itself. It continues to stand for higher taxes, including a carbon tax; bigger debts and deficits; and open
borders. That is what your six years of chaos gave us and that is what you continue to stand for. Remember the Julia Gillard memorial halls? Remember the $900 that went to people who were dead? I understand that even went to the odd pet as well.

Senator Cash interjecting—

Senator FIERRAVANTI-WELLS: That is right, Senator Cash! There was waste and mismanagement. They delivered higher taxes. There were record boat arrivals that came at $12 billion cost, which Senator Cash has repeatedly told us about, there was debt and deficit damage as far as the eye can see.

Senator CAROL BROWN (Tasmania) (15:26): I have to say at the outset that the previous speaker for the government, when she talks about the tax record of the Abbott government, obviously has not been reading what the former Treasurer, Mr Costello, said about the fact that the Abbott government believes that their taxes are lower, simpler and fairer. He can actually tell the previous senator who spoke that that is exactly what the community is thinking. We have got 17 new taxes under this budget. It was actually quite interesting in the previous contribution that they could not use the five minutes to actually say why their budget was good. She maybe gave it two minutes, tops; there was three minutes of furphies all over the place. She did not talk about the fact that the Abbott government has failed their test: spending is up, taxes are up, the deficit is up and unemployment is up. That is the record that they have. They should own it.

Senator Fierravanti-Wells: Talk about what you left! Respond to what I said!

Senator CAROL BROWN: Here we have interjecting again because they do not want to hear the truth. They do not want to hear the facts and they do not want to hear the fact that at the core of this budget is the unfairness that was in their last budget. That last budget was totally repudiated by the Australian community. In Tasmania, I know what the previous budget was going to do to pensioners had those pensioners fearful. You had pensioners fearful of what the government was doing. I am sure other senators in this chamber know that.

Here we have at the core of this budget, again, the unfairness that was rampant in the last one. They are dressing it up, but it is still there. There are still cuts to health and education. They remain. The previous speaker said there were increases. We know that they had already cut $80 billion to health and education. There is a new $2 billion cut in this budget to health. There are still cuts to family payments. There are still $100,000 degrees on the table. This budget is a rehash of the unfair measures that we saw in the last budget. Mr Abbott has not changed. We know that this is more a budget about saving his skin, saving his job, than a budget for the Australian people. It is a budget that has failed the future test, and it is a budget that has failed the fairness test.

In his contribution Senator Williams talked in part about paid parental leave—80,000 mothers worse off. He never mentioned the number. He talked about the fact that he believes—in fact, his contribution really begs belief—that women were taking positions in the public sector to be able to access an extra paid parental scheme. I find that just amazing—that he thinks there are enough jobs out there for people to be picking and choosing. I tell you what, under this government, job security in the public sector just is not there, after what they have done.
Their budget is short-sighted. There is nothing in it for Australia's future. We know that Mr Abbott was fighting for his own political survival, and we know that the inherent unfairness of the previous budget is there. As has already been stated in other contributions, there were the other $80 billion cuts to hospitals and schools. We know that the higher education policies are still there. We know that there are cuts to family payments. And we know that even on Mr Hockey's own numbers he has doubled the deficit in one year. That is on Mr Hockey's own numbers. This government should be ashamed of bringing down a budget that is for Mr Abbott's future and not Australia's.

Senator LAMBIE (Tasmania) (15:31): I rise to speak to this motion to take note of all answers given today, and I wish to take note of the answer given by the senator representing the Prime Minister, Senator Brandis, to a question without notice I asked today relating to a secret or confidential royal commission report examining organised crime, union and/or political corruption.

Before I move into the detail of my speech I would like to acknowledge and thank my Independent crossbench colleague Senator Madigan, who kindly allowed me to take his scheduled question without notice. I consulted with Senator Madigan about the question I asked of Senator Abetz. He immediately realised the importance and urgency of my question's subject matter. Senator Madigan selflessly gave up his rostered question without notice so that I could try to force an explanation from the government about an extraordinary matter. Yesterday, after finding out about the existence of an explosive confidential or secret report written by Royal Commissioner Heydon, who looked at organised crime, union and/or political corruption, I wrote to the former justice and asked him if he could share that report with me and the other crossbench senators. Put simply, this report, judging by its brief description in last December's royal commission interim report, must be one of the most important and explosive documents ever written in recent Australian political history. It is not every day that a very experienced and respected judicial officer, in justification for making a document confidential, writes:

'It is necessary for that volume to be confidential in order to protect the physical well-being of those witnesses and their families. This is unfortunate, because the confidential volume reveals grave threats to the power and authority of the Australian state.'

I will repeat that key phrase again, just to give the listener time to think properly about the extraordinary nature of the royal commissioner's comment: 'because the confidential volume reveals grave threats to the power and authority of the Australian state'.

Implicit in these words is a warning, and from an important, informed judicial officer, that somehow the good government of Australia—indeed, the very authority of Australian government—is under threat by an unknown hostile entity. And even thought the Prime Minister's representatives in this house of parliament, Senator Brandis, continued today with his tricky, sly and evasive replies to my straightforward questions, we know from media transcripts of the ABC's 7.30 that there is a strong link between the threats to power and authority of the Australian state and the Abbott government's—and I will use Senator Abetz's own words—'Registered Organisations Commission legislation and the reintroduction of the Australian Building and Construction Commission'.

Now, every senator in this place knows that one of the biggest and most important decisions we will have to make in the near future is whether to vote for the controversial
government's laws that take away building workers' basic civil rights—the right to an assumption of innocence, the right to silence et cetera—so that we can address the widespread lawlessness and possible influence of organised crime in Australia's building and construction industry. Any responsible person would assume that if a government had a report that contained findings of a royal commission that were relevant to the legislation at hand then the government would bend over backwards to make sure that every senator, especially Independent crossbench senators, were made aware of the information in that confidential report. But what we had confirmed today is that this government has deliberately covered up that confidential report. Even more concerning is the fact that there is not just one secret report but two secret government reports containing potentially explosive, damning information about corruption and organised crime affecting Australia's building and construction industry.

The second report I refer to is the Hadgkiss report, which a letter from Royal Commissioner Heydon that I have just received today confirms was also covered up by the former Liberal state government. Royal Commissioner Heydon writes to me: 'In April 2014 commission staff contacted the Victorian government to request a copy of the Hadgkiss report. The Victorian government declined to provide one.' So, in summary, we have two explosive secret reports into alleged union corruption and links to organised crime have been covered up by two Liberal governments. It is likely that the reputations of both major political parties, Labor and Liberal, may be harmed if these reports were ever made public or viewed by independent parliamentarians.

In closing, the government must come clean. We can protect witnesses by de-identifying those secret documents. It is a simple process with precedence in this Senate. Crossbench senators must be allowed to view these documents before they cast their vote.

Question agreed to.

BUSINESS
Consideration of Legislation

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (15:37): by leave—I move:

That—

(a) consideration of government business order of the day no. 3 (Australian Border Force Bill 2015 and related bill) be called on immediately and that the time allotted for all remaining stages be until 3.45 pm; and
(b) paragraph (a) of this order shall operate as a limitation of debate under standing order 142.

Question agreed to.

BILLS

Australian Border Force Bill 2015

Customs and Other Legislation Amendment (Australian Border Force) Bill 2015

In Committee

Debate resumed.

Bills agreed to.
Bills reported without amendments; report adopted.

**Third Reading**

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (15:38): I move:

That these bills be now read a third time.

The DEPUTY PRESIDENT: The question is that these bills be now read a third time.

The Senate divided. [15:43]

(The Deputy President—Senator Marshall)

| Ayes ....................... 35 |
| Noes ....................... 10 |
| Majority ................... 25 |

AYES
Bernardi, C
Bushby, DC
Canavan, M.J.
Colbeck, R
Fawcett, DJ
Gallacher, AM
Ketter, CR
Ludwig, JW
McAllister, J
McGrath, J
McLucas, J
O’Neill, DM
Peris, N
Reynolds, L
Ryan, SM
Singh, LM
Smith, D
Xenophon, N

NOES
Di Natale, R
Ludlam, S
Rhiannon, L
Siewert, R (teller)
Whish-Wilson, PS

Question agreed to.

Bills read a third time.

**COMMITTEES**

**Parliamentary Joint Committee on Human Rights**

**Report**

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (15:45): On behalf of the Chair of the Parliamentary Joint Committee on Human Rights, I present the 22nd report of the 44th Parliament, Human rights scrutiny report.

Ordered that the report be printed.
Senator RUSTON: I seek leave to incorporate the tabling statement in Hansard.
Leave granted.

The document read as follows—

PARLIAMENTARY JOINT COMMITTEE ON HUMAN RIGHTS
CHAIR'S TABLING STATEMENT
Wednesday 13 May 2015

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

This report provides the Parliamentary Joint Committee on Human Rights' view on the compatibility with human rights of bills introduced into the Parliament from 23 to 26 March 2015, legislative instruments received from 6 March to 9 April 2015, and legislation previously deferred by the committee. The report also includes the committee's consideration of responses arising from previous reports.

This report outlines the committee's examination of the compatibility of these bills and instruments with our human rights obligations. The committee seeks to engage in dialogue with relevant ministers, both to help the committee better understand the intent of the legislation before it and to help relevant ministers and officials to identify and explore questions of human rights compatibility.

Of the 24 bills considered in this report, six are assessed as not raising human rights concerns and 18 raise matters requiring further correspondence. The committee has continued to defer its consideration of 1 bill and a number of instruments which had previously been deferred. The committee has concluded its examination of four bills and five legislative instruments.

This report includes the committee's consideration of the Attorney-General's response to issues raised by the committee in relation to the Counter-Terrorism Legislation Amendment Bill (No. 1) 2014. This bill passed both Houses of Parliament on 2 December 2014 and received Royal Assent on 12 December 2014. The bill contained a range of strong measures to strengthen Australian national security laws and the counter-terrorism regime. To that end, the legislation introduced a range of new powers which included expanding the control order regime and strengthening the powers of the Australian Secret Intelligence Service (ASIS) to provide assistance to the Australian Defence Force in support of military operations, and to cooperate with the Defence Force on intelligence matters. The measures limit a number of human rights, and in my view, are quite rightly aimed at countering extremism and protecting human life.

As set out in the committee's report, limitations on most human rights may be justifiable under international human rights law where they are in pursuit of a legitimate objective, are rationally connected to that objective and the measure is a proportionate means of achieving that objective. An element for the test of proportionality in international human rights law requires consideration of whether there are any less rights restrictive measures which will achieve the same objective. That is, measures which limit human rights will be nevertheless be compatible with human rights in a range of circumstances. In relation to the expansion of control orders and the strengthening of powers to ASIS, committee members, on this occasion reached different views as to whether these measures were compatible with human rights. This difference of view is illustrated with respect to the committee's examination of the amendments to the Intelligence Security Act 2001 and engagement of the right to life. These amendments enable ASIS to support the Defence Force including on intelligence matters. Such intelligence sharing may be used by the Defence Force and other military agencies in the context of armed conflict or other military activities. Some members of the committee, including myself, considered that this measure was reasonable and proportionate and therefore compatible with the right to life. Indeed, I would note that I would be concerned should intelligence be shared in a manner that was not consistent with Australia's obligations to respect, protect and fulfil the right to life. Other
members of the committee took the view that the Intelligence Security Act may be incompatible with the right to life.

This report also contains the committee's initial analysis on the Migration Amendment (Strengthening Biometrics Integrity) Bill 2015. The bill would introduce a broad discretionary power to collect the personal identifiers from an individual for the purposes of the Migration Act or Migration Regulations. Personal identifiers include fingerprints, handprints, measurements of height and weight, photographs or images of a person's face or an iris scan. This bill raises a number of human rights issues including the right to privacy, the right to equality and non-discrimination and the rights of children. In accordance with its usual practice, the committee has sought further advice from the minister as to the compatibility of the power with human rights.

I encourage my fellow Members and others to examine the committee's report to better inform their consideration of proposed legislation.

With these comments I commend the committee's Twenty-second Report of the 44th Parliament to the House.

Publications Committee

Report

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (15:46): On behalf of the Chair of the Publications Committee, I present the 14th report of the Publications Committee.

Ordered that the report be adopted.

BUDGET

Consideration by Estimates Committees

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (15:46): On behalf of the respective chairs, I present additional information received by committees relating to the following estimates:

Budget estimates 2014-15 (Supplementary)—

Economics Legislation Committee—Additional information received between 13 February and 13 May 2015—Treasury portfolio.

Foreign Affairs, Defence and Trade Legislation Committee—Additional information received between 12 February and 13 May 2015—Defence portfolio.

Additional estimates 2014-15—

Community Affairs Legislation Committee—Additional information received between 5 March and 12 May 2015—

Health portfolio.

Social Services portfolio.

Economics Legislation Committee—Additional information received between 27 February and 13 May 2015—

Industry and Science portfolio.

Treasury portfolio.

Education and Employment Legislation Committee—Additional information received between 5 March and 13 May 2015—Employment portfolio.

Environment and Communications Legislation Committee—Additional information received between 24 February and 11 May 2015—Communications portfolio.
Finance and Public Administration Legislation Committee—Additional information received between 17 March and—
  12 May 2015—
  Finance portfolio.
  Indigenous issues across portfolios.
  Parliamentary departments.
  13 May 2015—Prime Minister and Cabinet portfolio.
Foreign Affairs, Defence and Trade Legislation Committee—Additional information received between—
  17 March and 13 May 2015—Foreign Affairs and Trade portfolio.
  26 March and 13 May 2015—Defence portfolio.
Legal and Constitutional Affairs Legislation Committee—Additional information received between 27 March and 13 May 2015—
  Attorney-General’s portfolio.

Immigration and Border Protection portfolio.

COMMITTEES

Economics Legislation Committee

Report

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (15:46): On behalf of the Chair of the Economics Legislation Committee, I present the report on the Competition and Consumer Act 2010, the Competition and Consumer Industry Codes (Food and Groceries Regulation) 2015), together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator RUSTON: I move:
That the Senate take note of the report.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Legal and Constitutional Affairs References Committee

Government Response to Report

Senator PAYNE (New South Wales—Minister for Human Services) (15:46): I present two government responses to committee reports as listed at item 14 on today’s Order of Business. In accordance with the usual practice, I seek leave to have the documents incorporated in Hansard.

Leave granted.

The documents read as follows—

Australian Government response to the Legal and Constitutional Affairs References Committee Interim Report:
Incident at the Manus Island Detention Centre from 16 February to 18 February 2014
MARCH 2015
Legal and Constitutional Affairs References Committee report: Incident at the Manus Island Detention Centre from 16 February to 18 February 2014
AUSTRALIAN GOVERNMENT RESPONSE TO INTERIM REPORT
The Australian Government notes the Committee's Interim Report dated 5 December 2014.

Australian Government response to the Legal and Constitutional Affairs References Committee Report:
Incident at the Manus Island Detention Centre from 16 February to 18 February 2014
MARCH 2015
The Australian Government welcomes the opportunity to respond to the report of the Legal and Constitutional Affairs References Committee titled Incident at the Manus Island Detention Centre from 16 February to 18 February 2014. The report was published in December 2014.

The events of 16 to 18 February 2014, which resulted in the death of Mr Reza Barati and serious injuries being sustained by others, were tragic. The Australian Government has previously, and continues to, extend condolences to the family and friends of Mr Barati. The Australian Government also acknowledges the efforts of all those involved in resolving disturbances around the incident, in trying circumstances, including service providers and officials of PNG and Australia.

Regional processing of illegal maritime arrivals has been an important component of the Australian Government's framework for restoring integrity to Australia's borders and facilitating managed migration. Operation Sovereign Borders has been effective in preventing vulnerable people from joining dangerous, illegal people smuggling ventures—circumstances that claimed the lives of 1,200 people between 2008 and 2013. The Australian Government continues to work with regional partners to dismantle the entire people smuggling trade, while also ensuring that people who are owed protection receive it. The Government of Papua New Guinea has been at the forefront of these regional efforts, in its management of the Manus Regional Processing Centre and commitment to offer settlement to refugees. The Australian Government continues to support Papua New Guinea in its endeavours.

The Government acknowledges the work of the Senate Committee and notes its recommendations. The Government also notes that an investigation by PNG authorities into the Manus incident of 16-18 February 2014 is still to be concluded. Two persons await trial for Mr Barati's death as a result of this investigation. Recommendations made by the Senate Committee also relate to facts and issues currently before the PNG and Australian courts. The Government considers that it would therefore be inappropriate to respond to the Committee's recommendations at this time.

The Government notes as well that an independent investigation into the Manus incident was undertaken by Mr Robert Cornall AO. In his report, which was publically released on 26 May 2014, Mr Cornall recommended a number of remedial measures. The recommendations directly relevant to Australia have been progressively implemented by the Department of Immigration and Border Protection.

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:47): I move:
That the Senate take note of the documents.
I seek leave to continue my remarks later.

Leave granted; debate adjourned.
DOCS

Office of the Gene Technology Regulator

Order for the Production of Documents


MINISTERIAL STATEMENTS

United Nations Commission on the Status of Women


The statement read as follows—

Statement by the Minister Assisting the Prime Minister for Women,
Senator the Hon Michaelia Cash

59th Session of the United Nations Commission on the Status of Women

14 May 2015

It was my privilege to lead the Australian Government delegation to the 59th Session of the United Nations Commission on the Status of Women (the Commission) from 9-12 March 2015. This year marked the 20th anniversary of the signing of the historic Beijing Declaration and Platform for Action (Beijing Declaration).

The Australian Government delegation included Australia’s Ambassador for Women and Girls, Australia’s Sex Discrimination Commissioner, and two representatives from civil society.

The 59th Session of the Commission presented the unique opportunity to reflect upon the progress made in the two decades since the adoption of the Beijing Declaration and recognise just how important it is that we continue our efforts to realise gender equality in Australia and around the world.

In the context of current international concerns, the Commission also presented a timely reminder that our work is far from finished.

Women and girls continue to be kidnapped, raped and tortured in conflict situations.

One in three women around the world is still subjected to physical violence and abuse.

These insidious truths cannot be tolerated in the 21st Century and demand our national attention, as well as solidarity between members of the international community.

As a nation, Australia has influence in the global fight for gender equality and we are unwavering in our commitment to the empowerment of women and girls.

As head of the delegation, I delivered Australia’s national statement reinforcing our commitment to the Beijing Declaration. In addressing the Commission, I reflected upon the progress made, as well as the challenges remaining, in implementing the agreement in our own backyard, in the Asia-Pacific and across all nations.

Globally, we are at a critical moment in the formation of the post-2015 development agenda. In addressing the Commission, I advocated for the adoption of a stand-alone sustainable development goal on gender with a view to achieving transformative change.

My statement also highlighted the barriers which remain in addressing the 12 Critical Areas of Concern for achieving gender equality identified in the Beijing Declaration. Violence against women

CHAMBER
and girls continues to be a pervasive social scourge from which no nation is immune. Australia works in close cooperation with our neighbours in the Asia-Pacific region on this important issue. On a national level, Australia has taken important steps to address gendered violence, including:

- the provision of $100 million over four years by the Commonwealth Government to support the implementation of projects under the Second Action Plan under the National Plan to Reduce Violence against Women and their Children 2010-2022;
- the provision of $6 million in funding by the Commonwealth Government to support the Northern Territory's Domestic and Family Violence Reduction Strategy;
- the Prime Minister of Australia's elevation of this key issue to the forefront of the Council of Australian Governments (COAG) agenda;
- COAG's agreement to take urgent collective action in 2015 to address unacceptable levels of violence against women; and
- the appointment of an Advisory Panel to provide a vital source of advice and feedback to COAG.

I again expressed Australia's commitment to eradicating violence against women and girls in the form of harmful traditional, cultural and religious practices. We have joined an international movement of States calling to end such practices, including the intolerable practice of Female Genital Mutilation.

Whilst at the Commission, I took the opportunity to draw attention to recent national achievements targeted at improving gender equality. I highlighted the Government's commitment to encouraging women's workforce participation and the recent agreement of G20 Member States to increase the number of women in the workforce by 25 per cent by 2025.

I also reiterated Australia's strong working relationship with civil society, noting that a strong civil society presence at international forums is vital to its decision-making and to ensuring that gender equality and women's advancement remains at the forefront of international policy discussions.

As we celebrate the 20th anniversary of the adoption of the Beijing Declaration, it is important to acknowledge the bitter disappointment felt by many around the world that we are still trying to achieve gender equality and the empowerment of women and girls.

Enough is enough.

Until discrimination, gendered violence and inequality truly become the relics of history, Australia will continue to campaign at the forefront of the global fight for gender equality.

Senator MOORE (Queensland) (15:48): by leave—I move:

That the Senate take note of the document.

We acknowledge the report that the Minister Assisting the Prime Minister for Women has provided on the Commission on the Status of Women. We did have a strong representation at this meeting. We are very, very supportive of the minister's position on the strong support for a sustainable development goal that looks particularly at issues of women. This is something we have been working towards for a long time. We acknowledge that report, and the statement issued by the minister; however, I want to make short comment today about the process of how we have made this report.

We have had a focus on the Beijing platform. As we all know, this year is the anniversary of the Beijing conference on women. I have made a couple of speeches in this place about that platform, and this year the CSW is focusing on that. In particular, the Beijing platform looked at empowering women across the world. One of the key aspects of that was to provide effective support for women across the world through education, health and also in child rearing and childbearing. That is something which Australia has been very strong in our aid program over many years.
I am troubled by the fact that we get a report from the CSW at the same time as our international aid program has been slashed, particularly in the areas across African nations and in the Middle East. In each of those regions, particular programs of aid support have been focused on women—on education, on health and also on the safety and the health of women, newly-born children and also women who are pregnant and on their health at that time. I am deeply concerned that currently, as a result of decisions made in the budget focus, those programs have been slashed. That puts us in a questionable position when we go to international fora and talk about commitments Australia has made to ensure that women are empowered and safe, using the Beijing platform as the basis for that. Now that we are not going to be, I believe, taking up our international responsibilities effectively is something which I do not think we should be proud of.

I am using the opportunity of a report on CSW because it was an immediate link. The timing of the report on the CSW at the same time we have had these cuts is disturbing and upsetting. I know that in New York there was no consideration or mention of the fact that the Australian government was going to be pulling back in these areas. We have been applauded and there has been respect for the work we have done. In fact, the role of Australia internationally and how we have been strong in these areas has been one of the issues that has been spoken about most. We are no longer strong in these areas.

I also wish to note my concern about changes to things like paid parental leave. I know that at the G20 recently, which was reported on at the CSW, there was a commitment led by Australia to ensure that we would increase the engagement of women in the workplace. This is something of which we can duly be proud. However, now in post-budget, which is just after our statement in New York, we are pulling back in these areas. Whilst I admire the statement that we made, whilst I admire the contributions that were made and the strength that was put by the Australian delegation in New York, I believe that subsequently our position—not just in Australia, but internationally—has been significantly weakened. I believe there will be more speakers on this point.

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:51): I too want to make a few comments regarding the ministerial statement presented on behalf of the Minister Assisting the Prime Minister for Women, Senator the Hon. Michaelia Cash.

I note that the Commission on the Status of Women is the principal global intergovernmental body that is dedicated to the promotion of gender equality and the empowerment of women. Like Senator Moore, I would like to acknowledge the work of all the people who attended the CSW meeting in New York, to which the ministerial statement refers. However, I would also like to note that Australia is a signatory to the Convention on the Elimination of All Forms of Discrimination against Women, CEDAW—and proudly so.

One of the articles in that convention is the right to 'maternity leave', as it is called in the convention. The convention states that in order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, states parties to the convention shall take appropriate measures to do a number of things—in particular:

- To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
- That is partly why the Labor Party introduced the first state funded paid parental leave scheme into Australia—a fact of which I am very proud. So it was very disturbing to hear this
week, in a discussion about the federal budget, members of the Abbott government refer to women who access paid parental leave as rorting the system and committing fraud. I think that it is a dreadful thing to say about women who access their rights and entitlements that are enshrined in international law as well as in Australian law. It is dreadful that people in the Abbott government, including ministers, should refer to women who access their legal entitlements as committing fraud and as being rorters.

I also think that it is appalling that the minister who just had this statement tabled on her behalf, the Minister Assisting the Prime Minister for Women, has been vacant in this debate about the attacks on paid parental leave by the Abbott government. It is all very well for her to stand up here and present this report, but where is she defending women who have accessed their legal entitlements to paid parental leave? Perhaps this is a symptom of the fact that in Australia the current minister for women is the Prime Minister, who is a man. If people in this place do not think that that is a joke internationally then I suggest they listen to how Australia is viewed in that regard.

We have a Prime Minister, who is a man, who is the minister for women. That is part the embarrassing reason why, this week, we have seen attacks on women who access the legal international entitlement to paid parental leave.

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (15:55): I, too, rise to speak on the report just tabled in relation to the 59th session of the United Nations Commission on the Status of Women and put my commendation to the fantastic work that is done by this particular body. I also reiterate that as a nation Australia has influence in the global fight for gender equality, and we are unwavering in our commitment to the empowerment of women and girls.

I cannot allow the comments made previously to go undefended. The Minister Assisting the Prime Minister for Women, Minister Cash, has been an extraordinarily strong advocate for gender equality for all women, not just in Australia but around the world. To say that she has been absent from this space is an absolute travesty and those opposite should be ashamed to stand up here and condemn somebody like her. I have never seen anybody who is more committed to finding an outcome and delivering gender equality and making sure that women and girls around the world are treated in the manner we would expect those that live in Australia to be treated.

I also take issue with this constant carping on about the paid parental leave. When this government put the paid parental scheme out into the market for comment—when we came into government—it was soundly howled down by those opposite. The Prime Minister has listened to the comments that came from his members in this place but also from the public of Australia. Absolutely overwhelmingly the people of Australia called on this government to assist them with childcare so that they would be able to get back into the workforce when—and as soon as—they chose to. It seemed, almost to a T, that every woman out there who wished to go back to work saw that the lack of accessibility and affordability of childcare was the thing that was stopping her.

Because the Prime Minister and this government listens to what the people of Australia have to say, a decision was made in this budget to put a families package together which included very generous rebates for childcare—because that is what the mothers of Australia asked for. So I think it is a little hypocritical of those opposite to come in here, carping on
about the paid parental leave scheme and the changes in the budget in relation to that space, when it was them who condemned the paid parental scheme that was put into this place by the Abbott government.

In conclusion, I would like to stay that today a report has been tabled—an important international report that deals with some very significant international issues, such as the continued kidnap, rape and torture of women in other countries. There is an acknowledgement that whilst we have come a long way in this space there is still an awful long way to go. To seek to politicise this report instead of coming in here and, in a united fashion, commend this report and the actions of this particular institution and the body of work that it has conducted, is entirely shameful. I must say that I would like to put on the record that I think it is a fantastic report. I commend the minister for the work that she does in this space. It is a privilege to be able to speak about this report.

Question agreed to.

COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Williams) (15:59): Order! The President has received a letter from a party leader requesting changes in the membership of various committees.

Senator PAYNE (New South Wales—Minister for Human Services) (16:00): by leave—I move:

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

Abbott Government's Budget Cuts—Select Committee—
Appointed—Participating member: Senator McAllister

Australia Fund Establishment—Joint Select Committee—

Community Affairs Legislation and References Committees—
Appointed—Participating member: Senator McAllister

Economics Legislation Committee—
Appointed—Participating member: Senator McAllister

Economics References Committee—
Discharged—Senator Carr
Appointed—
Senator McAllister
Substitute member: Senator Carr to replace Senator McAllister for the committee's inquiries into Australia's innovation system and Australia's automotive industry
Participating members: Senator Carr and McAllister

Education and Employment Legislation and References Committees—
Appointed—Participating member: Senator McAllister

Electoral Matters—Joint Standing Committee—
Appointed—Senator Brown

Environment and Communications Legislation and References Committees—
Appointed—Participating member: Senator McAllister

Finance and Public Administration Legislation and References Committees—
Appointed—Participating member: Senator McAllister

Foreign Affairs, Defence and Trade Legislation and References Committees—
Appointed—Participating member: Senator McAllister

Health—Select Committee—
Discharged—Senator Cameron
Appointed—
Senator McAllister
Participating member: Senator Cameron

Legal and Constitutional Affairs Legislation and References Committees—
Appointed—Participating member: Senator McAllister

National Broadband Network—Select Committee—
Appointed—Participating member: Senator McEwen

Northern Australia—Joint Select Committee—
Appointed—Participating member: Senator McAllister

Rural and Regional Affairs and Transport Legislation and References Committees—
Appointed—Participating member: Senator McAllister

Trade and Investment Growth—Joint Select Committee—

Wind Turbines—Select Committee—
Appointed—Participating member: Senator McAllister.
Question agreed to.

BILLS

Personal Property Securities Amendment (Deregulatory Measures) Bill 2014
Bill received from the House of Representatives.

Senator PAYNE (New South Wales—Minister for Human Services) (16:00): I move:
That this bill may proceed without formalities and be now read a first time.
Question agreed to.
Bill read a first time.

Second Reading

Senator PAYNE (New South Wales—Minister for Human Services) (16:01): I move:
That this bill be now read a second time.
I seek leave to have the second reading speech incorporated in Hansard.
Leave granted.
The speech read as follows—

PERSONAL PROPERTY SECURITIES AMENDMENT (DEREGULATORY MEASURES) BILL 2014

The Personal Property Securities Act 2009 established the Personal Property Securities Register and introduced a single national system for the creation, registration, priority and enforcement of security interests in personal property.

The PPS regime superseded 23 previously existing state, territory and Commonwealth registers and over 70 pieces of supporting legislation.

This involved the migration of 4.7 million registrations to the new, national Personal Property Securities Register.

The PPS regime was an innovative microeconomic reform on a significant scale. It has fundamentally altered the way in which businesses and especially small businesses are able to borrow and it provides greater confidence to lenders in the security of their lending arrangements.

However, reform on this scale is not without its challenges.

As with all reforms of this scale, on-going assessment of implementation and adjustment where necessary is important to ensure that the PPS system meet the needs of all Australian business.

One such adjustment proposed by this Bill is an amendment to simplify the rules on when a lease will be deemed to be a security interest for the purpose of the PPS Act.

One of the goals of the PPS Act was to provide certainty about the creation of security interests. In support of this, the Act deemed certain arrangements to be security interests for the purpose of the Act. This includes the lease of goods where the lease term is for more than 12 months or an indefinite term, and the lease of serial numbered goods (for example, motor vehicles) for 90 days or more.

Since the commencement of the Act, it has become clear that the two deeming provisions can be a source of confusion and additional cost to business, as the lease of serial numbered goods can give rise to the need to make multiple registrations on the Register in relation to the same lease.

This Bill will repeal the provision deeming leases of serial numbered goods of 90 days or more to be security interests for the purposes of the Act. While this is only a small adjustment to the Act, it is expected to reduce the number of registrations that may need to be made and save business over $11 million per annum, most of which will be to the benefit of small businesses.

The Personal Property Securities Amendment (Deregulatory Measures) Bill 2014 will provide relief to the hire industry sector which provides essential support to the building and construction sectors and is primarily comprised of small businesses.

The regulatory burden imposed on the sector, by the Act in its current form, is more than is necessary for the achievement of effective and certain secured lending against personal property in Australia and this burden should be lifted.

Debate adjourned.

Biosecurity Bill 2014

Returning from the House of Representatives

Message received from the House of Representatives agreeing to the amendments made by the Senate to the bill.
Defence Legislation Amendment (Military Justice Enhancements—Inspector-General ADF) Bill 2014

Returned from the House of Representatives

Message received from the House of Representatives returning the bill without amendment.

MOTIONS

Budget

Senator POLLEY (Tasmania) (16:02): At the request of Senator Moore, I move:

That the Senate notes that the Abbott Government's 2015 Budget locks in cuts to health and education and delivers higher spending, taxes, deficits and unemployment.

I rise today to make comments in relation to the insulting language directed towards new Australian mothers unveiled in the latest Abbott-Hockey budget and to detail this government's continued indifference to the aged-care portfolio. Last year the government divided the Australian public into 'lifters' and 'leaners'; and now the government has finetuned and redirected its cannon, placing Australian mothers in the firing line and labelling them as 'fraudsters', 'rorters' and 'double dippers'. We have a Prime Minister who is known as a two-timer; and only an Abbott government and a predominantly male ministry would use these words to describe Australian mothers.

It was the Abbott government who wanted to introduce a gold-plated paid parental leave scheme that would have seen families and mothers get $75,000 to have a baby. True to form, the Abbott government has done another backflip and wants to rip away $967.7 million of paid parental leave, which will leave about 80,000 mothers worse off. Labor's paid parental leave scheme was designed so that paid parental leave would be topped up by employers who wanted to add to the government scheme. This is not 'double-dipping'. Employer contributions allow women to spend more time with their babies and families. Both the Productivity Commission and the Fair Work Ombudsman agree that employer contributions are an important part of paid parental leave; and now the Abbott government wants to rip this way. This is an extraordinary and intensive attack on ordinary hardworking Australian families and women who receive top-ups from their employer to help them spend more time with their newborn babies.

We have all seen this evidence of the foot-in-mouth disease that Mr Abbott is well known for not only nationally but internationally; and it seems that this disease has transferred to the Minister for Social Services, who referred to these mothers as 'rorters', when all they wanted to do was to be able to spend some extra quality time with their newborn babies. These are the critical first months of an infant's life. We mothers all know how extraordinarily important this is. What is worse, Mr Abbott has defended his minister's extraordinary attacks on Australian families and Australian mothers. And we have heard the same thing in this chamber this afternoon. I am amazed that the women on the government side of the chamber would defend these unprecedented attacks on Australian women. It is disgraceful. You really do have to wonder how low this Liberal government can go. The government's audacity in attacking young mothers by calling them double dippers and rorters underpins that we have a government that is arrogant and out of touch with young mothers and young families in this country. They are so out of touch with our modern Australian society. And to add insult to
injury, the government is led by a Prime Minister who has also assumed the role of Minister for Women. I think the truth is that this Prime Minister is a double-crosser. Not only has he doublecrossed young mothers in this country; he needs to apologise for the assault on them by his government and his ministers. It is disgraceful.

Under the pressure of last year's failed budget, the Abbott government has shown its true colours once again and reiterated the fact that the Abbott government does not value Australian families. The Prime Minister's credibility with Australian families is rapidly fading. A budget for families has not been produced; it is smothered in savage cuts not only to paid parental leave but also to family payments. How can Mr Abbott be believed by any Australian family ever again? We already know that the pensioners of this country cannot trust Tony Abbott. We already know that the Australian people cannot trust him to keep any of his commitments because, as we all recall, he said there would be no cuts to health and we have seen cuts to health. He said there would be no cuts to education and we have seen cuts to education. He said there would be no change to the pension and then denied the change in indexation for Australian pensioners was a cut. When the indexation is lower then that is a cut. That cut had an effect on the aged care sector as well.

Tony Abbott promised that his budget would not be at the expense of the Australian families budget. He has again broken that promise. We have seen in this federal budget that Mr Abbott has kept the severe cuts to the families budget that were announced last year. These cuts will have a serious impact on low- and middle-income families. These families will be $6,000 a year worse off. Labor will in no way support these cuts. Labor will continue to oppose these cuts every day in this Senate chamber, as we did for the 12 months between the last budget and this one. We have finally shamed the government into putting away cuts to the Australian pensioners. They have shelved them but I think they are really just in the bottom drawer—we know that we cannot trust those on the other side of this chamber. You cannot rip money away from families one day and then say you care about helping them with the cost of raising their children the next.

Labor will fight Mr Abbott and we will fight Mr Morrison, whether he is Treasurer or whatever portfolio he has, even if he ends up being the Prime Minister of this country. We will fight in this chamber to protect Australian families and we will fight to protect those that are most vulnerable in this country. Australians are represented by a bunch of fake fixers. Australian families deserve better from this government. What needs to be fixed is the state of the nation that unfortunately the Prime Minister has now created. We have a Prime Minister who is quite frankly unfit to hold that office. The budget has again this year failed the fairness test and the fundamental unfairness of last year's budget disaster still remains. Labor stands with Australian families. We do not want to see these shameful cuts that will hurt millions of families right across this country.

It is not just families and mothers that this government has forgotten in this year's budget. It has also forgotten older Australians. I ask myself, why doesn't this government like old people? Why doesn't this government support people with dementia? Why doesn't this government support those that have chronic health issues, those that are homeless and those that are on the pension? These are the most vulnerable people in this country and these are the people that this government has abandoned yet again in their second budget.
Labor will always support senior and vulnerable Australians. However, the government's second budget ignores the future of older Australians and has not delivered any security or any certainty when it comes to aged care. Mr Hockey's underwhelming Intergenerational report highlighted that Australia is ageing and that this will significantly impact on the nation's economy and our society in general. Labor is committed to addressing the issues facing Australians as they age. We have already done the heavy lifting to ensure sustainability of the system, and aged care should be absolutely immune from this savage budget. In reality the Abbott government's second budget is set to make it even more difficult for the aged care sector when recruiting staff. This is at a time when the sector needs to increase its workforce to meet the demand of our ageing population. Today in question time we had the minister for aged care in here talking about some of the things that the government has done in aged care. But he would not address the issue that they have had two years and two budgets and they have done nothing at all to ensure that we are ready with trained, skilled-up and available people to go and work in the aged care sector. They have failed again. In fact they have cut $40.2 million that should have been there to ensure that those who are currently working in the sector are skilled up and trained. As we know, we are an ageing population and the complexity of ageing is increasing but this government has failed older Australians. They have failed them and they should be condemned. The budget was brought down on Tuesday night and we have already had people from the aged care sector in our offices telling us how disappointed they are that there has been nothing at all in this budget to help, to encourage and to ensure that we have a ready workforce as we move forward. The minister came into this chamber on 26 June to cut the severe behaviour supplement for people with dementia, and we know that the government cut the supplement without any consultation whatsoever with the sector.

Senator Payne: You mismanaged it.

Senator POLLEY: You were in government, Senator. We introduced the legislation but you were in government. Your government and your minister took their eye off the ball and that is why this government cannot be trusted when it comes to looking after the welfare of older Australians. I will debate any senator on that side and I will debate the minister in the other place. When it comes to aged care the only government that will ever look after the best interests of older Australians will be a Labor government. Those on the other side stand condemned. Over 10 months ago the Abbott government vowed to undertake an audit of the various funds available for aged care workforce development with a view to developing a cohesive strategy. That was 10 months ago and what have we seen? Nothing. Nothing has been done because the government do not value aged care in this country. We had a minister for ageing and he was in cabinet so he had a strong voice—and I cannot speak highly enough of Mr Butler from the other place. We did all the heavy lifting.

We brought in the Living Longer, Living Better framework, which was going to take us forward for the next decade. Of course, there is always more to be done, and the incoming government had the responsibility to oversee, review and carry out those audits, but they have failed and failed miserably. They have not communicated with the community about the changes that will be upon us on 1 July. They have not bothered explaining them.

There are good things in aged care, and I give credit to the government that there are some things they have kept in place. They should be commended for that, and I do commend them,
but I will not allow those people on the other side to tell untruths and to continue to mislead the Australian community. What have the government really done? As I said, they have cut $40.2 million from the Aged Care Workforce Fund. The aged-care workers again have been abandoned and just brushed aside. The Abbott government fail to recognise that we need an adequately skilled and well-qualified aged-care workforce if we are to deliver what I believe we should have: the world's best practice when it comes to aged care. Australians deserve nothing less.

In my home state of Tasmania, by 2020, which is not that far away, we will need an additional 5,000 workers in the aged-care sector. Those workers need to be working not just in residential facilities; they need to be able to provide the services to keep people in their homes. A smart government would recognise that that would save them a lot of money, because we know, when older Australians end up in residential care now, that is when it is the most expensive. The longer a smart government can keep them at home, the better it is for the bank balance. But, because they do not care, have no vision and have no interest, they are not smart. In Tasmania, we know that there are already 1,000 people on the waiting lists, waiting for home based care. That is 1,000 older Tasmanians who have paid their taxes. They have worked to build up this country, along with all those other thousands of people across the country who need that assistance to stay at home. What have the government done? The only thing that they have demonstrated, and they have demonstrated it very clearly, is that they have no idea, no vision and no strategy and, quite frankly, they do not care.

Attracting new workers into this sector must occur for the future of this country. We have to recognise that, by 2050, we will need 310,000 people out there looking after all of us who are ageing and those who are coming behind us. It is not a question of whether this is possible or not; it has to happen. We have no choice. We are all living much longer, which is a fantastic thing—I like collecting all these numbers—but the reality is that the federal government has the responsibility in this country to ensure that we have the world's best aged-care facilities and support.

Labor's Living Longer, Living Better aged-care reforms and the Addressing the Workforce Pressures measures were aimed at providing funding and initiatives to ensure the longevity and productivity of those working in aged care. In government, what Labor tried to achieve—and we set the framework—was to ensure that there was a future not only for a strong workforce in this country but for a career path. We have to ensure that people coming to work in this very important sector are not those who just could not get a job somewhere else. We do not want people to join the sector because they cannot find any other job; we want people working in the sector to be there because it is a rewarding experience and they are valued. We want nursing staff to see the aged-care sector as just as exciting and as rewarding as working in an acute care hospital. This is our responsibility.

The Aged Care Workforce Compact, developed by an independently chaired advisory group in consultation with the sector, would have improved services, attracted and retained new staff, and trained staff so that they became the industry leaders. It would have ensured that their career development was an integral part of the sector-wide plan. Included under this measure was Labor's $1.2 billion aged-care workforce supplement. This funding would have assisted in improving ongoing sustainability and retention of aged-care workers. What did the
current government do when they came into office? They scrapped it and they have failed to put any other reforms in place.

What else did the 2015-16 budget offer aged care? As if it were not bad enough, the government also decided to cut funding to dementia—yet again. As I said, last year the government cut the dementia and severe behaviour supplement. This is well documented and Australians were up in arms about the lack of care demonstrated by the government to those who are most vulnerable. What did the government do this year? They cut the funding again. This time the arrogant and callous government have cut $20 million from the Dementia and Aged Care Services Fund. Again, it just demonstrates the lack of priority the government give to those who are most vulnerable and those in the aged-care sector. They have no regard for older Australians and no regard for their welfare. Quite clearly, the only thing Mr Abbott cares about is his own job, because that is what this budget was all about. It was all about shoring up Mr Abbott's own job. We are yet to see whether it will save Mr Hockey's job or whether Mr Morrison will be the new Treasurer—in fact, maybe he will go straight to the top and take over from Mr Abbott.

The government have quite clearly failed the Australian people when it comes to aged care. For those suffering with dementia and their families, this is such a disappointing, harsh and callous budget. Not only did they attack those with dementia, but the outrageous attack on young mothers in this country is a disgrace, and I am embarrassed to be sitting opposite—

(Time expired)

Senator McGrath (Queensland) (16:22): As I was saying in the whip's office before I came into the chamber, this is a budget that will let you sleep at night, whereas Labor's budget will keep you awake at night in pure terror in terms of what they will do to Australia's economy. This is a budget that should relax Australians in knowing that there are adults in charge of the Australian economy, that there are adults in charge of the Australian government and that we are going to get the economy back on track.

As night follows day, Labor get into power and they go a little bit crazy, like drunken teenagers with their parents' credit card, and destroy the economy.

Senator Polley interjecting—

Senator McGrath: Goodbye, Senator—a devastating analysis in your contribution. Labor get in and destroy the Australian economy at a state or federal level, and then what happens? We get the coalition in, we get the Liberal and National parties in, to clean up Labor' mess. This is what Tony Abbott, Joe Hockey and the cabinet have been doing since they were elected, with a strong and fantastic mandate, in September 2013. This budget is the next step in the coalition's responsible, long-term economic plan to build a strong, safe and prosperous future for all Australians.

We all know there are economic challenges. We know that China's economy has slowed and that the iron ore price has almost halved since the last budget. But it is important to stabilise the nation's finances and reduce debt. Debt is a word that Labor are uncomfortable with. They are probably too comfortable with debt because they love debt. There is debt in Labor's DNA. On this side of the chambers, in the Senate and in the other place, we do not like debt. We think that debt in Australia at the moment is too high and we have a plan to reduce that debt. One of the ways we can reduce debt is by building a stronger economy and a
better future for all Australians. This country is seeing real progress. Our plan is working because growth is up and jobs are up. Labor's projected debt and deficit have already been cut in half.

This year's budget delivers a credible path back to surplus. The coalition government remain committed to returning the budget to surplus as soon as possible. The budget will show that our plan is working, because this budget is going to deliver jobs, growth and opportunity in a way that is responsible, measured and fair. We want to help Australians get ahead and provide them with greater capacity to make their own decisions about their future. That is why this year's budget has been focused on families and small businesses. Later on in my contribution I will talk about what the budget is doing specifically for families and small businesses. This is a jobs and small business package that includes the biggest small business tax cut in Australian history which is going to boost investment and boost jobs. And the budget delivers a better childcare system that is simpler, more affordable, more flexible and more accessible. It will provide parents with greater choice when it comes to balancing work and family.

Addressing Labor's debt and deficit will make Australia stronger and will allow the government to invest more in the services Australian's need. So we are taking decisions in the long-term interest of this country, not in long-term sectional interest and not in the interest of the next election. We are making decisions on what is best for Australia in five, 10, 15 or 20 years' time. So, let's talk about the deficit. We inherited a deficit of $48 billion. The deficit for the budget year is now estimated to be $35 billion and is forecast to reduce each and every year to below $7 billion over the next four years. Over four years this means we will have reduced the $123 billion worth of deficit inherited from Labor by over $40 billion, and we have a credible path back to surplus. Because of our efforts the deficit reduces each and every year, on average, by around half a percentage point of GDP per year. This is despite over $90 billion of tax receipts having been written off since we came into government.

Iron ore prices have halved since the last budget from US$90 a tonne to US$48 a tonne in this budget. This has contributed to the largest fall in the terms of trade in over 50 years. The government have decided not to proceed with our fully funded PPL package as provisioned. The funding was put aside in the budget and the scheme has being redirected to fund other important budget priorities. As we promised, the size of government will reduce over the next four years. We have kept real payments growth in check at 1.5 per cent, on average, over the five years to 2018-19. While Labor promised real spending growth at two per cent per annum, they delivered 3.6 per cent per annum. Gross debt in a decade will be more than $110 billion lower than what we inherited from Labor where it was provisioned to go towards $667 billion. Net debt is projected to peak at 18 per cent of GDP in 2016-17 before falling considerably, because of the decisions we made in last year's budget and the decisions made in this year's budget, to 7.1 per cent of GDP in 2025-26.

Our action on the budget has allowed us, each year, to lower taxes. In 2014 we removed the carbon and mining taxes, which was a key pledge of the coalition that we took to the 2013 election. We said that we would get rid of the mining tax; we abolished it. We said that we would get rid of the carbon tax; we abolished it. In 2015 we are reducing taxes for 96 per cent of all Australian businesses. I will repeat that—we are reducing taxes for 96 per cent of all Australian businesses. Taken together all of our decisions since coming to government have
reduced the overall burden of tax by $5.4 billion. The government's economic stewardship has seen nearly a quarter of a million new jobs created since we came to office. In the lead-up to the budget Labor were standing in the way of fixing the budget by blocking $30 billion worth of savings including $5 billion of their own savings that they had promised.

Senator Cameron: Boring!

Senator McGrath: This is very interesting. Senator Cameron said it is boring, because Senator Cameron and the Labor Party do not care about the debt and deficit position of Australia. They do not care about making sure that we get Australia back on track. To them it is boring, because on that side of the chamber we have a culture of union and Labor barons who do not understand the business world. They do not understand that you have to have money coming in in order to have money coming out. Every day for Labor is TattsLotto or Gold Lotto Saturday. It is a jackpot for them, because the money is coming in and they do not care where it comes from, but eventually, as Mrs Thatcher said, the trouble with socialism is that you eventually run out of other people's money.

Let's go back to talking about the $4.4 billion Jobs for Families package that is going to deliver a childcare system that is simpler, more affordable, more flexible and more accessible. Our objective is to help parents who want to work and parents who want to work more. This package will provide parents with greater choice when it comes to balancing work and the family. Families using child care in 2017 on family incomes of between $65,000 and $170,000 will be around $30 a week better off. Those on higher incomes will on average continue to receive the same level of support. We know families face costs when parents want to return to the workforce. Having two parents in paid employment has become a necessity for most families because of changes taking place in our society and the economy over many years. All mothers work hard and many are also in paid employment. Changing the way we make child care more accessible and more affordable is necessary to help families adjust to these changes and set them up for the future.

These new measures will encourage more than 240,000 families to increase their involvement in paid employment, including almost 38,000 jobless families. We are putting downward pressure on childcare costs. The inflationary system in place under Labor saw childcare fees increase by more than 50 per cent between 2007 and 2013. Through the nanny trial, the government is also providing more flexibility for Australian families. The two-year in-home care nanny pilot will support 10,000 children in families who find it difficult to access mainstream childcare services, such as shift workers, nurses, police, and families in remote and rural areas. This is a cost of over $246 million. The government has also established a new childcare safety net to support families who are vulnerable and disadvantaged with $327 million in additional funding for three new programs, supporting up to 95,000 children and up to 18,000 individual services and centres. The government in this budget has also announced $843 million over two years for preschool programs across Australia by extending funding to the states and territories under the National Partnership Agreement on Universal Access to Early Childhood Education. This will ensure Australian families can continue to access 15 hours a week of preschool education a year in 2016-17.

What should really excite Australians is what this government is doing for small business in terms of helping small businesses and helping people get jobs. In 18 months since this government came to power, over a quarter of a million new jobs have been created, but we
know there is more work to do. We have a lot more work to do. As our economy changes, the role of small businesses will be even more important. With the economy in transition, we are freeing up small businesses to create new jobs for you and for your children—to those people who might be listening or are reading this later. That is why the $5.5 billion Growing Jobs and Small Business package will provide major incentives for businesses to invest, hire and grow. In addition, the package includes $375 million aimed particularly at improving opportunities for Australians to get a job and reaching out to disengaged youth. It is a package that is good news for big business, which is already enjoying direct benefit. Every big business started out as a small business—except under Labor, because under Labor every small business starts as a big business.

Senator Cameron interjecting—

Senator McGrath: Senator Cameron—through you, Mr Acting Deputy President Williams—I welcome your interjections any time. I would love Labor to stand up and say they are supporting what we want to do for small businesses in Australia. What we will hear now is Labor saying that. No, I cannot hear Senator Cameron saying he supports small businesses in Australia. So, from 1 July 2015, a mere few weeks away, all small businesses, whether they are incorporated or not, will receive a tax cut. From 1 July 2015, the government will cut the company tax rate for incorporated businesses with an annual turnover of up to $2 million by 1½ percentage points, and that is reducing it down to 28½ per cent. From 1 July 2015, the government will also provide a five per cent tax discount to unincorporated businesses with an annual turnover of up to $2 million. Here we have a budget that delivers a tax cut to small businesses across Australia—a coalition government that is delivering on reducing the tax burden on businesses across Australia. From 7.30pm on budget night—a couple of days ago—until 30 June 2015, small businesses will be able to immediately deduct every asset they acquire that is valued up to $20,000 for tax purposes. Currently, the threshold sits at $1,000. This is a massive boon for small businesses in terms of what they can do with their tax liability, but it is also a massive boon for the small businesses where people are going to spend money and buy the goods and products that they need to run their businesses.

The budget will also help everyday Australians to access new jobs, particularly young jobseekers and the long-term unemployed. New measures will focus on making jobseekers more employable, reducing the costs of taking on new staff and bringing jobseekers and job providers together. A $1.2 billion national wage subsidy pool will target long-term unemployment. Employers will receive the subsidy from the time they start in a job, when hiring and training costs are the greatest, rather than waiting for six months or more. This will ensure wage subsidies are more effective. This includes reforms to Restart that will make it easier for small businesses to receive government support sooner when they employ older workers. And we are delivering a private sector work-for-the dole program—$18 million over four years for around 6,000 jobseekers annually to undertake valuable work experience. This will allow, in particular, young job seekers the chance to develop practical skills and gain workplace experience, and will better connect them with real jobs. There will also be a $311 million youth employment strategy, including a new $212 million transition to work program, to support disengaged young people to develop the basic skills that employers want and need; $106 million of intensive support to young people who are vulnerable, migrants or parents, or
those who have experienced mental illness; and $14 million to assist job seekers who have not completed high school.

I would also like to talk this evening in terms of what this budget does for Queensland. Over the next four years, total annual Commonwealth funding to Queensland is increasing by around $6.7 billion. Despite the tight budget conditions, the Commonwealth is increasing annual funding for Queensland hospitals by 27 per cent over the next four years on top of growth of nine per cent in 2014-15. We are also increasing funding to Queensland schools by 29 per cent over the next four years on top of growth of around 10 per cent in 2014-15. Perhaps the Queensland Treasurer and the Queensland Premier, before they go out and make outrageous statements about the Commonwealth government cutting funding to Queensland, should read the budget papers to see the increased expenditure that we are providing to benefit education in my home state in Queensland.

In addition to these large funding increases, the government is investing $13.4 billion to build the infrastructure of the 21st century for Queensland. The Prime Minister has said he wants to be the infrastructure Prime Minister of this country. For Queensland, he is certainly delivering in terms of the infrastructure that we need to make sure that Queensland can proudly march into the 21st century. This infrastructure package, this $13.4 billion, includes $6.7 billion towards fixing the Bruce Highway. I spend a lot of my time on the Bruce Highway. My office is in Nambour on the Sunshine Coast, just off the Bruce Highway. The Bruce Highway is the coastal spine of Queensland. As someone who spends a lot of time bouncing along that road, I can tell you that it needs a lot of work done on it.

The promises and commitments this government has made to making the Bruce Highway four lanes in places and fixing up some of the black spots are welcome indeed. Lots of people in Queensland are very happy with the money that is going towards the Bruce Highway. Construction is already underway. This will upgrade safety, improve congestion, especially for the Sunshine Coast-Brisbane route that many people take, commuting between the coast and Brisbane, and it will also make sure that the Bruce Highway is not impacted by floods. One of the things that people, especially people from overseas, find a little bit strange is that every time it rains in Australia, and especially around Ingham, comes to a complete standstill. This government is a government that is certainly going to make sure that over the coming years we flood-proof the Bruce Highway.

We are also committing $1.3 billion to the Toowoomba Second Range Crossing. This is a commitment that the member for Groom and the member for Maranoa have taken to the last few elections since, I think, 2007. This is another coalition promise that we are delivering on. Anyone who has ever driven from Brisbane to Toowoomba and knows what the current range crossing is like will be aware that, if a truck rolls over or if there is a car accident, the highway between western Queensland and Brisbane comes to a complete standstill. So the Second Range Crossing is welcome indeed for Toowoomba and for the Darling Downs in western Queensland. It will ensure a safer road and, also, it will ensure that we get those trucks onto a road on which they can deliver their goods.

We have also committed $1 billion towards the upgrade of the Gateway Motorway North. This is underway already. It is being widened from four lanes to six lanes, improving access and providing better connection between the Bruce Highway, North Brisbane and the port of
Brisbane. This means there will be less time spent in peak hour traffic. As someone who drives from the Sunshine Coast down to the airport and goes through this particular part of the Gateway, this is worthwhile indeed. Sometimes, if I need to get an 8 am flight I need to ensure that I leave home at four o'clock in the morning to make sure I do not miss that flight just in case of congestion on the Gateway. The Queensland government is also benefiting from the abolition of the carbon tax.

In closing, this is a budget that will allow people to sleep at night rather than the raw terror of Labor's proposals which will keep people awake at night. (Time expired)

Senator LEYONHJELM (New South Wales) (16:43): Last night, we saw the final episode of Struggle Street. Let me tell you about someone I know on struggle street. He earns $40,000 a year. He finds it tough to live on this income and ends up spending $43,000 a year. This adds to his debts. He is now in debt to the tune of $28,000, and his interest bill is in the thousands. One night he comes home from work, opens his mail, and looks over a pile of bills and account statements. It is depressing reading, and he pushes the pile away. To take his mind off his worries, he hops online and ends up booking a weekend getaway which costs a couple of hundred bucks. Looking at this scene from afar, as if we are watching a documentary, most of us can see that this guy has a problem. Anyone who cannot see that needs their head read. Anyone who thinks the solution is simply for the guy to ask his boss for a pay rise needs their head read. We can empathise with him all we like, but he needs to cancel his weekend getaway, rein in all of his spending and start paying off his debts. He needs to start living within his means before the credit runs out.

This guy is called Joe. He is the federal Treasurer, and if you add seven zeros to each of the numbers I mentioned you have got the federal budget for the coming year. His revenue will be around $400 billion, his spending around $430 billion, and despite this parlous imbalance he added a couple of billion dollars in new spending on Tuesday night. The Treasurer's net debt next year will be around $285 billion and his interest bill will be $12 billion. Anyone who does not think this is a problem needs their head read, and they need their head read if they think that the Treasurer should just ask his boss, the taxpayers of Australia, for more money. The taxpayers of Australia are already paying the government more than it is worth, and they should not pay any more. The Treasurer should not have announced additional billions of spending on Tuesday night. He needs to rein in government spending, start paying off his debts and start living within his means.

Senator CAMERON (New South Wales) (16:46): I was taken a bit by surprise—I thought Senator Leyonhjelm was just getting into his stride there. This budget has been described as a mishmash with no coherent strategy. I think that does describe a budget that tries to do a political fix for what was one of the worst budgets this country has ever seen: the first Abbott government budget. The first Abbott government budget, we should never forget, attacked pensioners, attacked the education system, attacked the health system and attacked working people in a way that we have never been attacked before, and this was done on the basis of ideology. We should never forget that this was about ideology. You only have to go back to the speech by the now Treasurer of this country called 'The end of the age of entitlement'. That speech was made on 17 April 2012, when the Treasurer was in opposition. He made it in London to a group of Thatcherite supporters who would have been clapping the house down with what he was saying. This is what he said:
I wish to thank my friends at the Institute of Economic Affairs for the opportunity to discuss an issue that has been the source of much debate in this forum for sometime….that is, the end of an era of popular universal entitlement.

You have heard Senator Leyonhjelm coming in here talking about how everyone must live within their means and talking about how the government should not spend any more money helping families in this country. I do not agree with that proposition, because I believe that all Australians think that we should help families put food on the table, help families be able to put their kids into decent school clothes and help families get them into a decent education, and if the kids get sick or the parents get sick they should have access to a decent health system. That is what taxation does. That is why everyone puts in: to help in a collective manner those that can least afford to help themselves.

The coalition do not agree with that fundamental proposition because their argument is that if you are not big enough and tough enough and strong enough to look after yourself or your family do not look after you then governments should get out of the way. Labor does not agree with that proposition because Labor understands that from time to time families can do it tough and need some support and from time to time individuals do it tough. For ordinary working class people in this country, it does not take very long, if you suffer a serious illness, not to be able to pay your mortgage, not to be able to put food on the table, and that is what the welfare system is about.

Senator Birmingham: And we support it.

Senator CAMERON: The government have clearly established their ideology in this speech, in which the current Treasurer said:

As a community we need to redefine the responsibility of government and its citizens to provide for themselves, both during their working lives and into retirement.

What the coalition simply forget is that some people cannot find jobs. Some people will never have access to a job to allow them to live in decent conditions in this country. That is just the sad fact, and they certainly will not be able to find jobs under this coalition government. The government go on about supporting small business, and we support the small business package. This Labor opposition, during the global financial crisis, saved over 212,000 jobs in this country because we believed that we had to stimulate the economy to make sure that communities could operate effectively, to make sure that families could operate effectively, to make sure that small business kept an income coming in. When the banks were not lending to them, we, as a government, stepped in to the system. That is what governments are about, and that is why we were one of the few advanced countries in the world to escape a recession during the global financial crisis.

We were so good at it that some of the senators on the other side refused to accept that there was a financial crisis. They called it the North American financial crisis. That is how dopey some of them are over there. They did not understand what was happening to the global economy. They did not understand what could have happened to this economy. When we stimulated the economy, they decried that stimulus on the basis of their ideology. That really goes back to what the Treasurer said before he became Treasurer: you really have to provide for yourself.

Mr Hockey, in his speech in London, went on to say:
You will remember it was Margaret Thatcher who interpreted community entitlements as the right for our children to ‘grow tall and some taller than others if they have the ability in them to do so’.

Basically, if you are strong, if you are tough, if you are gifted, it is fine, but for the rest of you who do not have those attributes you can just please yourself. This was a speech that really outlined what the coalition have been about and certainly outlined what they were about in that first budget. Mr Hockey continued in his speech:

A weak government tends to give its citizens everything they wish for. A strong government has the will to say no.

This is a government that has had to backflip on a range of its policy positions, including on paid parental leave of $150,000 for those who were earning significant amounts of money. Now they say to women in this country: if you want to access both the government scheme that was approved by the Productivity Commission and you want to access your enterprise bargain scheme, then you are rorting the system. That is not how these schemes operated—and it is not a rorting of the system.

The Treasurer started talking about Hong Kong in his London speech. He said that Hong Kong is a city of seven million and it is without a social safety net. He said that if you do not have a social safety net then your top personal income tax rate is 17 per cent, your corporate tax rate is 16½ per cent, unemployment is low, inflation is 4.5 per cent and the growth rate is still a respectable four per cent. He said:

… the family unit is very much intact and social welfare is largely unknown.

The problem for the Treasurer is that that is only one side of the coin in Hong Kong. If you do not have a social safety net and you do not have a family that can look after you and you do not have enough money in the bank, like the top 10 per cent in this country, then you have a problem. What he did not say, but what the South China Morning Post—one of the newspapers there—has said, is that there are 1.3 million people in Hong Kong living below the poverty line. That is 1.3 million! One in three of the elderly in Hong Kong are living below the poverty line. Two hundred and eighty thousand youngsters in Hong Kong are living below the poverty line. There are no poverty lines for ethnic minorities in Hong Kong, because they are in an even worse position. In Hong Kong 15.2 per cent of the population are living below the poverty line—second only to the United States. I have newspaper reports here from a couple of weeks ago about the ‘caged dogs’ in Hong Kong. The caged dogs are not dogs; they are human beings living in six-foot by three-foot by three-foot cages, because that is all they can afford in Hong Kong. Yet we have a Treasurer of this country who would say that Hong Kong is what we should be looking at for the basis of going forward in this country. Well, Labor says no to that! Labor says that is not the way forward.

What did we get after that speech? We moved to a Commission of Audit—which was dominated by big business—to have big business determine how everything should work in this country. The Commission of Audit basically said to slash and burn across the economy, put an austerity system in and everything will be okay. The same philosophy underpins the Treasurer’s ideas that if you do not have family to look after you and if you do not get a decent living then you should just be left without a welfare system. This is a nonsense! I have never heard such nonsense! When you go back and read the speech again in the context of the two budgets that we have had, you understand why that first budget set about to rip away at funding for health and rip away at funding for education and rip away at pensions in this
country. Remember that first budget was about taking $80 a week off pensioners! Where did the coalition and the Treasurer get that idea? They got it from Hong Kong and that speech. Someone will look after pensioners; somebody in your family will look after you. Then we can reduce income tax rates. Then we can reduce corporate tax rates. We will just get you out of the welfare system in this country. Labor understands the importance of ensuring that when families are in trouble they have access to government help and government support. You cannot trust this government. If you want to know what they are all about, go back to the Treasurer's speech when he was in opposition, when he was in London, and when I think he let his guard down, so that you can see exactly what this government is all about.

But do not take my word about the government. You only have to look at what their ex-friends in the Murdoch press are saying about them and about this budget. You cannot look at this budget on its own. You have to look at this budget in the context of the first Abbott-Hockey budget and the second budget. And this second budget is about panic; this second budget is about populism; this second budget is about saving two jobs in this country—not anyone else's job but the jobs of Tony Abbott and Joe Hockey, the Prime Minister and the Treasurer. That is what it is about.

You have Peter van Onselen writing in *The Australian*; the headline is: 'This is surrender, not leadership'. These are their friends in the Murdoch press: 'This is surrender.' Peter van Onselen goes on to say:

This budget represents a complete surrender: to the Senate, the opposition, nervous backbenchers and perhaps a public unwilling to accept tough fiscal restraint.

Well, they have surrendered, because what they wanted to do was to make sure that those in the top 10 per cent enjoyed $150,000 a year in paid parental leave. They have abandoned that because the public has recoiled in horror at that approach.

Paul Kelly, the doyen of the right in this country—what does he say? 'The real aim' of the budget 'is to save the Coalition'; that is what it is about. He says:

This budget aims to revive the Abbott government's political fortunes, entrench the Coalition base vote with small business, families and farmers and give priority to growth and jobs over budget repair.

The second Hockey budget is driven by two forces: the need to counter the onslaught on the 2014 budget that almost destroyed the government and the $52 billion revenue downgrade since last year.

Let me tell you what is still in this budget—what has not been removed from this budget. That is the attacks on the health system and the attacks on the education system—worth about $80 billion.

In my state, the Premier, a Liberal Premier, Mike Baird, has said that the budget was 'a kick in the guts' for New South Wales. The New South Wales Treasury has estimated that $1.2 billion will come out of the health system every year under this budget.

When I say 'this budget', I am talking about the first budget and the second budget, because you cannot disentangle them; they are the same budget. You just have to look at what is happening in health, not only in the hospital system but also for the doctors. So what did they want to do? They wanted to put on a $7 GP co-payment for everyone who went to see the doctor. I have been on an inquiry into this which has been going around the country, and I was in Tamworth. In Tamworth, there is a doctors business with 15 doctors, and they said that, under the $7 co-payment, they would have to charge those with a concession card $65 to
see the doctor and those without a concession card $100 to go and see a doctor. This is what
this government is all about: shifting costs from the collective of the federal government back
to the individual, because that is the theory that this government has. It is the Hong Kong
theory—the theory that you have really got to have your family look after you for the rest of
your life, that there should be no welfare system, and that if 15 or 16 or 17 or 20 per cent of
the population live in abject poverty then that is okay because you can reduce taxation—you
can reduce business taxation. That is the line that the Treasurer, Joe Hockey, was running, and
that is basically where the first budget was heading: to rip away at the support systems for
families in this country. So health was given a big belting in that first budget, and it is still
there.

On education, they ripped away the Gonski approach, and the Gonski approach was to
make sure that activity funding was there. If you were in a school with a low socioeconomic
background, you got some support. If you had Indigenous children with special needs, you
got special support. But what does this government do? It goes back to a position where you
will see The King’s School and other private schools in Sydney get more money, at the
expense of the poorest schools in the country. So private education will get preference over
public education. That is what this government is about. You have only got to look—

Senator Birmingham: That is rubbish, Doug—complete rubbish.

Senator CAMERON: at what Joe Hockey, the Treasurer, said when he was in Hong
Kong—

Senator Birmingham: You are just lying—lying through your teeth.

Senator CAMERON: to understand what this lot are about. We have got Senator
Birmingham from South Australia interjecting. We talk about jobs. Senator Birmingham had
absolutely no backbone to stand up to the cuts in South Australia, for jobs in the car industry
or against submarine jobs getting thrown out—absolutely no backbone. A jelly-backed, lily-
levered—

The ACTING DEPUTY PRESIDENT (Senator Seselja): Order!

Senator Moore: Mr Acting Deputy President, I rise on a point of order. I am reluctant to
interrupt Senator Cameron in full flight—

The ACTING DEPUTY PRESIDENT: Well, you have now, so please proceed.

Senator Moore: but I will, because Senator Birmingham has been consistently yelling
across the chamber, calling Senator Cameron a liar and saying he is lying. We know that we
have tightened up the rules, Mr Acting Deputy President; we should actually impose them.

The ACTING DEPUTY PRESIDENT: Indeed. Thank you, Senator Moore, for the point
of order. I would ask you, Senator Birmingham, to withdraw.

Senator Birmingham: I withdraw.

Senator CAMERON: Thank you, Senator Birmingham. Thank you for withdrawing. You
know what? They are really, really worried about what is happening in South Australia, where
there will not be a coalition MP safe at the next election, because they have abandoned their
electorate in South Australia. They have abandoned people in South Australia. They will pay
a price for this budget and the last budget. This is a budget that is bad for Australia. It is good
for the big end of town. And that is all this lot want to look after—the big end of town. *(Time expired)*

**Senator BACK** (Western Australia) (17:06): I feel very, very sorry for two people in Parliament House tonight. One of them is Senator Doug Cameron, who has not been correct in anything he has said in the 18 minutes that I have listened to him, and, if he ever goes back to reflect on it—

*Senator Birmingham interjecting—*

**Senator BACK:** Senator Birmingham tells me about the two minutes before. The other person I feel very sorry for is the gentleman who is going to stand up in about 47 minutes time, being Mr Shorten, who is going to have to give an address-in-reply to the budget. One can only ponder what the poor fellow has to say, because there is nothing left for him to say.

This is a brilliant budget. It is a brilliant business budget. It is a brilliant Billson business budget. This is going to set Australia back on the right path. In 2007 Australia was, of course, living high on the hog. We had no debt, a surplus and money in the bank. How did it come about? It was because of the Howard-Costello legacy of many years of prudence and of excellent management. Then we went from 2007 to September 2013, when that surplus was dissipated and we went from $20 billion in cash in the bank to a $200 billion deficit and, in a country unique in the world that had no debt, we went to a debt that is approaching $660 billion. As I have said in this place before, how are we going to address it, when, ladies and gentlemen, every month we are paying $1 billion in interest—$33 million a day. That is not repaying the $660 billion in debt. That is just for repaying the interest. You know what your credit card is like. You have to pay interest every month and if you do not pay it you are in default—and so would Australia be. So in September 2013 the good citizens of this country made a sensible decision because they knew that the country could no longer go the way it was going.

The first Abbott-Hockey budget made an attempt to start to address those issues. But the worst types of fools are not the ones who caused it; they are the ones who stand in the way of it being solved. In this place we have seen again and again the Labor opposition, who caused the debt and deficit problems, and the Greens, who helped them, stand in the way of recovery for this country.

Let me give those who are not in this place all the time one example. There was one circumstance of $5 billion of savings that Labor, in government, had booked, which, of course, we would have continued to support. Do you know what they did in opposition about the $5 billion of their own sayings? They opposed it. So you could actually go on paying more interest on the debt every month. Do you know what $33 million a day interest on the debt is? It is two new primary schools, seven days a week. Senator Bullock and I both know of a wonderful new hospital in Perth, the Fiona Stanley Hospital. Do you know that 11 weeks of interest—of money thrown away that we borrowed overseas—would have built the Fiona Stanley Hospital. Every three months we could have built a major new teaching hospital around Australia. We are just about to open a new childrens hospital. Eight weeks of interest—two lousy months—would have built the new childrens hospitals, and we could have built six of them around Australia if we did not have the debt that Labor gave us. When we pleaded with Labor, the Greens and the crossbenches to work with us to try to reverse that, they ignored it and said no. One of them in particular said, ‘We will oppose everything until
such time as we drive a double-dissolution election.' Is that responsible in a democracy? No, it is not.

Why is this a brilliant budget? Why do I call it the Billson business budget? I will tell you why: it is simply because it is aimed at small business—the engine room of this economy. It is aimed at small business leading us back towards that position of financial responsibility that every Australian wants and that every Australian expected we in this parliament would have protected and preserved.

Why small business? There are three major employment groups in this nation. There are government employers and employees. There are those employed by big business and there are those employed by the two million small businesses in this country. Everybody, whether it was Labor in government or us in government, knows that we will not be seeing an increase in the net number of employees employed by governments around Australia. We are just not going to see it. Like it or not, we are not going to see it. So we go back to big business. We know very well that big business is not employing more people. But we need more people employed. We need to make sure that there is an employment market out there. So, to whom do we turn? We turn to small business. And what have we done in this budget, led by Mr Hockey, Senator Cormann, the Prime Minister and, of course, the Minister for Small Business, Mr Billson? We have done two things. The first is that from 1 July we have decreased the taxation rate they will pay from 30 per cent down to 28.5 per cent. You might ask if that is really much. The taxable income for the average small business in Australia is $80,000 a year. Thirty per cent tax on that is $2,400, as of course the Assistant Minister for Health already knows. At 28.5 per cent, the $2,400 actually drops down to about $1,820, which is not very much of a saving.

But the beauty of it is this. Do you know what happens when you give incentives to small business, when you reduce their tax level, and when you get to the next part, which I will speak about in a moment? We will see taxable incomes increase. We will see small business out there doing more. And what is the down-flow effect of them doing more? First of all, money circulates through the economy. Secondly, their own business activity picks up. And do you know what else happens? They actually employ more employees.

So if in fact the Treasurer was concerned about how much he is likely to lose by reducing the tax rate from 30 per cent to 28.5 per cent, I can allay his fears, because if that small business lifts its taxable income from $80,000 to $84,000, do you know what happens? The Treasurer gets the same level of $2,400 in tax back again. That is where the great benefit is, of course. We know our opponents do not like small business; they do not understand it. Very, very few people involved in the union movement are in small businesses. Why is that? Because we know that small businesses are dominated by the owners, their families and their employees, who are very much like families.

The second element of this wonderful Billson business budget is the fact that, starting today—starting last Tuesday night—anyone can go out and purchase up to $20,000 per item of equipment or an asset to improve the activity of their business. It could be a tradesman—say, Tony's Tradies—who says: 'I can go out and buy another forklift,' or 'I can go out and buy some more equipment in terms of the building industry.' Or if I am a plumber I might need another van; and if I get another van, I can put another apprentice on. That person, as of Tuesday night, can go out there and buy an asset up to $20,000. Since Tuesday night-
Wednesday morning, I have had people call me from WA, the Northern Territory, New South Wales and South Australia, all telling me that that is exactly what they are doing. A business with which I am associated through a member of my family was going to defer a decision about purchasing some equipment to 1 July. What do you think they did yesterday afternoon? They went out and made the purchase. So it is going to be small business that benefits.

Why is it so exciting for the likes of us from rural and regional areas? It is because we know that small business is also the engine room of employment in rural areas, in regional areas, in remote areas, in towns and in cities across this country. It is not big business—it is not big business in central Tasmania. It is small businesses throughout this country. They are the ones who are going to benefit and who are benefiting already. Not only can they purchase those assets of up to $20,000; there is also no limit on the number of assets they can purchase. If a family were considering opening up a cafe or a restaurant, they could purchase every item that sets up that small business up to a maximum of $20,000. Then they could open up that business, employ members of their family and, if and as their expertise and their entrepreneurship works, they could start employing people in that town, in that community, in that district. We will see an on-flow happening. That is why this is such a critically important area.

Again, as Senator Nash knows only too well, the two areas where we all agree across this chamber that the real employment challenges are are with youth and older Australians. I go back to my point about government: is government likely to be picking up youth and older Australians? No. Is big business likely to be picking up youth and older Australians? No, it is not. But I will tell you who it is: it is small business. Hospitality is an example. In this country today there is an urgent need for some 80,000 jobs in the hospitality and tourism areas. If we are to see the stimulus which I believe will happen as a result of these decisions, we are going to see the demand for older people and for young people being picked up by the engine room of our economy—and that, of course, is within small business. How disappointing it was to hear poor old Senator Cameron, who, when he is bereft of any ideas, loses concentration and then starts to attack people. That of itself is disappointing but, nevertheless, I will not be distracted by him. I will simply say again that if there is one standout of this budget it will be to look back in 18 months time and say: 'What was it that really turned the Australian economy around, that really started to see a change in employment and employability and where we saw cash flowing through this economy?' Mark my words: it was on Tuesday evening when Treasurer Hockey made those statements.

There are a couple of other areas that I want to address in the minutes that are available to me, and these are in the childcare safety net area, where again the government has seen where the needs are. The government has seen that we have got to be able to provide support for those who need it the most. We have got to be able to provide support so that people and families can go back into training and back into employment and get the financial support that they need. As a result of the budget the other night, we are seeing additional subsidies in childcare and in childcare support that are focused on those who are most disadvantaged, minimising barriers to participation and providing access to early learning. Those of us who work in the education space know only too well how critically important it is that, from their youngest age, these children have a level of engagement. And we know that that is driven by parents from those very earliest ages.
There is the Community Child Care Fund—another initiative that is financed in this budget. And another one I am very pleased to see is the pilot program to financially support nannies in houses. I think it is going to be a wonderful initiative, and I will look at it very, very carefully over time. It is quite common overseas; so many young Australian girls have gone and worked overseas and do so to this day, working with families in the UK and on the Continent. It has taken a long time for us here in Australia to pull this on as a pilot. We are not talking about the high-socioeconomic sector of our society; we are talking right across it. We are talking about the nanny who can come in and help the children with their breakfast so that husband and wife can get away to work early, if that is what is required, and who can get the children to school and be there to pick them up after school. All of those sorts of advantages mean this is going to be an absolutely wonderful initiative.

Of course, you have seen the initiatives in terms of welfare that were announced in the budget, but I would plead that the best form of welfare is work. The best way to address unemployment and to lift the wellbeing and the thinking of the person who does not have a job is to help them into a job. So I must always come back to these initiatives in the small business area, where I think we will see something absolutely wonderful.

I was interested to learn, when Mr Hockey brought the budget down, of the extension of the income management program. I have mentioned before in this place that I happen to be a member of a philanthropic board in Malaysia which supplies financial support to some 500,000 people—about 100,000 families—on an income support basis in that country, for the mothers only of low socio-economic families. And I have observed, over the last five or six years that I have been on the board of that foundation, the enormous impact there has been when these people have been able to learn about managing money.

In the Australian context—it is happening with this income management program—we have made sure that Centrelink funds that are available to families do not get squandered on alcohol, nicotine, drugs or those other areas of expenditure that take money away from rent, food, clothing and education opportunities for children. Having had the experience of seeing the benefit to low socio-economic families of this type of program, I feel very passionately about this.

I am quite pleased to say that as a result of this program, which is organised around a credit card type of arrangement, I have been able to provide feedback to Mr Tudge, who has responsibility to the Prime Minister for the introduction and maintenance of that program. I certainly hope that this program is going to have a long-lasting effect on those families who simply do not have the capacity to manage their incomes.

From my personal experience let me say to you that one of the biggest benefits is to those Aboriginal communities trying to be dry, but where illegal alcohol sales occur and where drugs and pornography come in. An income management system such as this one, in which money is managed for people in the community, takes cash out of the community. It takes cash away from those who would illegally sell alcohol, drugs and other products, which the community itself has decided to be rid of.

In the few moments available to me I want to reflect briefly on the initiatives in the budget for our agricultural industries. Of course those initiatives are separate from those that have been recently announced by the Prime Minister and by the Minister for Agriculture Mr Joyce, which will assist farmers, pastoralists and graziers affected by drought. But these, again, are...
fantastic measures in the budget. Farmers will now have the capacity to accelerate the
depreciation on their spending on water, water sources, water resources and reticulation. They
will be able to accelerate depreciation on fodder so that they can accumulate fodder—be it
hay, silage or whatever it is—so that they can immunise themselves better against the impacts
of drought in good times because they can conserve fodder.

Finally, all of us who know about agriculture, and the vagaries of the problems, know that
if you are going to get on top of crop control and animal management, and if you are going to
get on top of feral animals and other things, you must be able to fence adequately. Indeed,
from an environmental point of view, you need fencing if you want to make sure that you
minimise the impact of erosion and all of those things.

Some of the small business tax cuts that I mentioned earlier in my contribution will assist
many of the 110,000 farm businesses around Australia who have receipts of $2 million cash
or less. So we have had the $38 million that was pre-announced for drought funding. I say
again how proud I am to be a member of a coalition government that will have small business
leading this country back to a sound economy.

Senator BULLOCK (Western Australia) (17:26): In my comments yesterday, in taking
note of answers to questions regarding the government's unfair and ill-considered budget, I
focused on the government's vain hope of instituting an income-tax-led recovery and how, in
its attempt to support its higher spending, higher debt and higher deficit, the government was
seeking to give the misleading impression of a budget improvement, simply through higher
tax receipts achieved through bracket creep.

I highlighted how the principal burden of these higher taxes would fall disproportionately
on low-income earners as a greater share of their incomes crept above the tax free threshold,
which was commendably raised by the Labor government. This burden will be further
increased on the 1.3 million workers whose incomes sit between $30,000 and $37,000 per
annum as wage increases resulted in their marginal tax rate jumping by 14 per cent.

I shone a light on the government's plan to thrust their hands deeper into workers' pockets
by increasing income tax receipts by seven per cent per annum between now and 2018-19
while workers' wages were forecast to rise by between 2½ per cent and three per cent per
annum. These higher taxes will reduce the disposable income of workers already struggling to
make ends meet, undermine consumer demand and damage the economy.

These concerns are very real to me after 37 years of representing shop assistants—young
workers trying to stand on their own two feet and part-time workers struggling to balance
work and family commitments and hoping for those few extra hours of work to put them in
the $30,000 to $37,000 range, which would, unfortunately, make them subject to the
government's tax grab. And a tax grab is what it is. It is not a considered, fair plan to return to
surplus, but a naked tax grab from workers who can least afford it.

Today, I want to turn to another issue which will affect the overwhelmingly female
membership of my union, the SDA—parental leave. The SDA negotiates tirelessly and
effectively to improve the working lives of our members. The principal focus of these
negotiations is, of course, wages, because workers need a fair rate of pay to support
themselves and their families with dignity.
Shop assistants around the world tend to have wage rates that fall towards the lower end of the spectrum but it is a matter of some pride in the SDA that Australia's retail wage rates are among the highest in the world. Unlike some other unions, however, when the SDA negotiates agreements we often submit over 100 separate claims approved by meetings of delegates for every shop within a business addressing every aspect of working life and addressing the key issue of work/life balance. Many of the claims will go towards rostering: reasonable maximum and minimum shifts; breaks between shifts; rest breaks; access to safe transport home; variation of roster provisions; consecutive days off; and the requirement to have regard for an employee's family and study commitments in establishing and varying rosters. Leave claims will address illness, compassionate leave, natural disaster leave, emergency services leave, carer's leave and, of course, parental leave.

Reflecting the concerns of our members, family provisions in our agreements rank very high on our list of claims. The SDA's success in being the first union to achieve breakthroughs with family-friendly claims has led to the union being heavily relied upon when the ACTU seeks to advance the interests of Australian workers as a whole in these areas. Of course, money and conditions claims need to be balanced; there is no use in achieving the world's best conditions at the cost of having wage rates insufficient to maintain a reasonable living standard. For this reason, in the interests of promoting the family, the union has traditionally seen the government as having a key role in providing universal paid parental leave for all mothers.

Nevertheless, the union has encouraged employers to contribute to the wellbeing of their employees' families through the provision of paid maternity leave as well as paternity leave and adoption leave. These discussions have resulted in some success. Woolworths—including Big W, Dan Murphy and Woolworths petrol—offer six weeks paid leave, including adoption leave for the primary care giver and in cases of stillbirths after 20 weeks. Aldi provides 14 weeks leave at half-pay. Bunnings offers four weeks maternity leave and one week of paid paternity leave. Coles supermarkets, liquor and petrol offer four weeks paid leave. Costco offers 16 weeks leave at half-pay. Dulux offers 12 weeks paid leave for maternity or, for adoption, to the primary care giver and three days paid paternity leave. Freedom tops up government payments for four weeks for maternity and offers five days paid paternity leave. Sanity offers two to six weeks paid maternity leave depending on length of service and two to five days paid paternity leave. Super Retail offers four weeks paid paternity leave. Target provides 12 weeks leave at half-pay to the primary care giver.

These payments to SDA members are highly valued and an important contribution towards families meeting the cost and time commitments required by a growing family. In some cases, benefits provided by companies are included in certified enterprise agreements and, as a result, are legally enforceable employee entitlements for the term of those agreements. In some cases, however, the union has been able only to achieve the entitlement to these benefits through their inclusion in company policies. The union has always regarded such entitlements as second-class entitlements because the company is capable of unilaterally withdrawing them simply by changing its policies. The reason most commonly given by companies for insisting on addressing issues such as this by means of policy rather than an agreement enforceable for a term is that they are in areas covered by legislation which is likely to be subject to change.
and such changes are more easily accommodated through changes to policy rather than changes to agreements.

While the union accepts that, where community standards are changing, arrangements need to be sufficiently flexible to facilitate improvements, the changes to parental leave payment arrangements proposed in the budget are such that employers are likely to take the first opportunity to change their employees' agreed company funded entitlements for the worse. By deducting any benefit provided by employers from the benefit payable by the government, the government is providing an absolute and undeniable incentive to employers to cut back the benefits they afford to their employees and pass those costs onto the taxpayer. The safest bet in industrial relations is that employers who provide paid parental leave benefits as a consequence of company policy provisions will move to change their company policies and companies which provide those benefits as a consequence of agreement provisions will seek to renegotiate those agreements as soon as they expire.

And why wouldn't they—the money taken out of employer funded schemes will be made up by the government. How crazy is that! Surely a government looking to limit its expenditure should be turning its mind to how it can encourage employers to pick up a bigger share of the costs for employees meeting their family responsibilities. Instead of this, they are telling good employers like the ones I mentioned earlier to pull back, to save the money they had been contributing to their employees' family welfare and transfer it straight to their bottom line while the taxpayer picks up the tab. The Prime Minister has been attempting to woo the vote of Australia's women through his plans for paid parental leave since before the 2010 election. All that has happened since is that his proposal has been cut back further and further; and when the issue is addressed in this budget the government achieves nothing other than a perverse incentive to employers to wind back the parental leave arrangements to which they had already agreed.

Another significant budget measure affecting SDA members is the proposal with respect to child care. Child care is an important service for working families. While I do not personally believe—as the government apparently does—that lifting the workforce participation rate is the highest goal to which to aspire, or that the only work of value performed by a mother is in the paid workforce, I nevertheless applaud measures to improve the availability of child care. Many SDA members cannot afford formal childcare arrangements and rely on the support of family and friends. What they cannot afford to be without, however, is family tax benefit B. This benefit is critical to a large number of families struggling to get by where mum is a second income earner with a part-time job in retail. Linking the provision of additional childcare funding to cuts to family tax benefit B is an extraordinarily callous move by the government which shows an utter disregard for families who place a priority on one parent spending as much time as possible at home with the children. I, for one, will stand up for the unpaid work of mothers. I will stand up for working women struggling to balance family commitments with part-time work. Higher taxes for low-income workers, incentives for employers to cut paid parental leave schemes and cuts to the family tax benefit show this big-spending, high-taxing government for what it is: a government with no regard for ordinary workers or for Australian families.

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (17:37): I am pleased to contribute to this debate on the budget. This year's budget is a desperate and failing
attempt by the government to pull the wool over the eyes of all Australians. After the ongoing
debacle of his first disastrous budget, Prime Minister Abbott has added a glossy sheen to this
budget. The one and only reason for that is to secure his own job. It only takes one look past
the glossy sheen of the sweetener incentives to realise that this budget is no better than the last
one. It is short-sighted, it is unfair and it is spending far more money than it is actually saving.

The 2015-16 federal budget shows that the coalition government is spending more than it is
saving in every year of the forward estimates, totalling over $9 billion. The alleged budget
crisis that those on the other side have banged on about for the last 20 months is nothing but
propaganda. This budget has government spending at a hefty 25.9 per cent of GDP. Even at
the end of the forward estimates in 2018-19 government spending is expected to remain as
high as 25.3 per cent of GDP. In the final full year of the former Labor government, 2012-13,
the ratio was 24.1 per cent and the average for the Labor government as a whole was 24.9 per
cent of GDP. In no year, including the end of the forward estimates, will the Abbott
government spend below the average of the previous Labor government. This makes their
claims of a budget emergency laughable. I did laugh earlier on when Senator McGrath
claimed that this budget is just the next step in the long-term economic plan for the country.

While those on that side might try to promote their alleged superior economic credentials,
there is no hiding from the fact that the Abbott government is indeed one of the biggest
spending governments of recent times.

While they are spending up big, the government has no qualms about ripping money from
health and education across the nation. Despite the Prime Minister's 2013 election promise of
no cuts to health, this week's budget saw a further $2 billion ripped from the sector. In just 20
months the man who promised no cuts to health has delivered a reduction of a total of almost
$60 billion. This budget is short-sighted, it threatens the future of Australia's health system
and it entrenches the fundamental unfairness of the government's first disastrous budget.
Rather than contributing to Australia's health system, the Prime Minister is cutting close to $1
billion from programs that fund measures such as preventative health care, drug and alcohol
rehabilitation, mental health and other crucial health programs. Thousands of organisations
around the country that do vital work caring for Australia's most at risk and vulnerable people
will be left reeling from this assault on their core funding. This year's budget has also cut
$125 million from the Child Dental Benefits Schedule, $144.6 million from the MBS
including halving the amount paid for child health assessments, $69.6 million from
Department of Veterans' Affairs dental and allied health payments, $214 million from eHealth
and with not a single dollar allocated beyond 2018, $252.2 million from PBS-listed drugs and
$72.5 million from health workforce scholarships.

In addition to these new cuts the budget does nothing to reverse the $1.3 billion increase to
the price of medicines, the millions of dollars being added to out-of-pocket costs through
unfair changes to the Medicare safety nets or the indexation freeze on GP fees that will attack
Medicare and will have an even greater impact than the initial proposal for a GP tax. In my
home state of South Australia, this year's budget confirms that almost $300 million in cuts to
the state's hospitals will come into play. South Australia's federal government hospital
funding will be inadequate to meet the demand for hospital services and will inevitably lead
to a blow-out in emergency department waiting times and elective surgery waiting times,
contributing to poorer health outcomes for Australians. The Abbott government has also
gutted Medicare since coming to office and this budget only inflicts further damage. If the
government gets its way Medicare will be nothing more than a residual safety net and not the
universal health insurance scheme that it was intended to be when it was established by the
Whitlam Labor government.

The health sector was not the only victim in the budget this week. Prime Minister Abbott
and the Liberal-National coalition have failed Australian students, universities and researchers
by recommitting to the unfair and discriminatory plan for $100,000 degrees. The budget
confirms the Prime Minister's intention to cut funding for undergraduate student places by 20
per cent, costing universities about $3 billion over the current forward estimates. The budget
also slashes $263 million from university research above and beyond the $430 million that
was ripped out from research, equity and reward funding last year. Labor senators want to
encourage our young people to be the best that they can be and if they choose to further their
tertiary studies we would like them to be able to do so. With the government's fee
deregulation and $100,000 degrees, students are going to have less opportunity than ever to
further their education. My constituents, particularly those living in regional South Australia,
overwhelmingly oppose university deregulation and university cuts but this year's budget
proves that the Abbott government has not listened and has not learned. Unfortunately the
budget also proved that under the Prime Minister's watch students that graduate are
increasingly struggling to find any type of full-time employment. Under this government,
according to its own figures, one in every three university graduates by 2016-17 will be
unable to find full-time work four months after graduating. That is an appalling prospect for a
wealthy nation such as Australia.

While I am talking about cuts and the damaging effects of the government's second budget,
I cannot go past the impact of the cuts the Abbott government has made to the foreign aid
sector. The coalition government has repeatedly cut overseas development aid from its budget
since it came to office in 2013, with a $1 billion reduction announced in the overall aid budget
late last year. Overseas development aid contributions will be reduced by a further $3.7
billion over the next three years, severing Australia's proven foreign aid programs and
reducing our capacity to alleviate poverty and to build prosperity, stability and security in our
region. Additionally, the government budget cuts include dropping our aid for sub-Saharan
Africa from $186.9 million to $93.9 million and almost halving our Indonesian aid budget,
which will lead to damaged relations with our neighbouring country. Mr Abbott's government
has inflicted the single biggest cut to aid spending since our overseas development aid
program began. With a further $2.7 billion of cuts forecast for the next two years, women and
children in particular will continue to suffer. In a year where natural disasters have been so
prevalent, I am appalled that the government continues to inflict such cuts on poorer nations
in our region.

Closer to home, I was horrified to note that this year's budget entirely fails the fairness test
and the future test for Australian women. This year's budget cuts paid parental leave for
80,000 women, childcare support for mums and family payments for families. Significantly,
in the fiasco that has been Mr Abbott's paid parental leave scheme, he first ruled it out
entirely, then he devised his signature gold-plated plan, only to backflip again to now
labelling expectant and new mothers as 'rorters' of the system. This budget will reduce access
to paid parental leave from July 2016. It is estimated that this will affect up to 46 per cent of
new mothers. So many people in this nation fought so hard to ensure that women had access to paid parental leave from their employer—I acknowledge the work of Senator Bullock's union, the SDA, and of all the trade unions in Australia in the fight for paid parental leave—and now, if the Prime Minister gets his way, women may no longer be able to access the government parental leave scheme. These changes are effectively limiting paid parental leave to 18 weeks for many people. If this government gets its way, 80,000 women will lose up to $11½ thousand from paid parental leave because of the government cuts. What this means in real life, for mothers and their babies, is that those new mums will have less time to spend with their newborn babies at home. That is what this government's new policy is. That is exactly what this Prime Minister has done, in the most extraordinary of political and policy backflips that I have seen.

Rather than prioritising the advancement and empowerment of women in today's society, Mr Abbott and the coalition have reiterated their total disregard for women. This budget has shown that Tony Abbott's interest in addressing gender inequality is directly correlated to its political benefit for him. Australian women deserve better than a self-serving government desperate to save its own skin and a minister for women who is most definitely not desperate to improve or address gender inequality.

In a year where, shockingly, 36 women have been killed in domestic violence incidents already, this year's budget does absolutely nothing to address violence against women. Domestic violence is the leading preventable cause of death for women under 45. The budget has failed to reverse cuts to legal services and community support services that assist women suffering domestic violence and has failed to implement any new initiatives to assist in stemming the growing epidemic that is domestic violence.

I ask: how can this Prime Minister be believed by anyone in this country ever again? He has no shred of credibility when it comes to supporting women, students, pensioners or Australian families. He has not been transparent and he has again broken his promises to Australians. Spending is up, taxes are up, deficits are up and unemployment is up. This is yet another bad budget for Australia and the Prime Minister needs to stop focusing on his own job and start focusing on what is best for the people of Australia.

Senator SINGH (Tasmania) (17:50): This is not a budget for Australia's future; this is not an economic plan for Australia's future; this is an election strategy—let's make that really clear. This is a strategy for the Abbott government to win an election. It is not a plan for Australia's future; it is a strategy for short-term political survival, particularly the political survival of the Prime Minister. You can see clearly why that is the case when you cut through all the spin that has been provided by the Treasurer and the Prime Minister over the last couple of days. You see that we are still left with so many of the budget measures from last year's budget, when you would think that the government would have learnt a very, very strong lesson from the people of Australia, who resoundingly rejected their budget last year—but no. They decided to rehash all of those cruel elements of their budget and put them, underneath a bit of gloss and a bit of glamour, into this year's budget. There are things such as $80 billion worth of cuts to schools and hospitals that we are still left with, which will, as Senator McEwen said, inadequately meet the demand of hospital services and lead to poorer health outcomes for all Australians. On top of that, we are still left with the $100,000...
university degrees that Christopher Pyne wants to bring back into this place, and, of course, huge cuts to family payments.

When you go through these budget documents, you see very clearly that this government is predicting higher unemployment for much longer, more debt, more deficit and a bigger and growing tax burden in this country. This budget has failed the future test and it has failed the fairness test. Somewhere in their lexicon they think that if they use the word 'fairness' it somehow makes it all right, it somehow makes this budget fair. You cannot just use the word 'fairness', you have to believe in the word 'fairness', and you have to show that in your actions as a government by delivering a fair budget. There is nothing fair about this budget. There is nothing fair about making young job seekers go from waiting for six months if they lose their job to, now, waiting for one month. That is still unfair, just as it is still unfair to make such huge cuts to family payments.

Of course, we know that the government think, 'If we just put in some new policies it'll be okay and the Australian public will buy our new budget.' When you look at some of those new policies you soon realise that they are only there for two years. They are only there to get this government re-elected, such as the universal access to preschool, the small business accelerated depreciation and the nanny's program. They are only there for two years. Clearly, that is because this is not a budget for the next decade; this is a budget for the next election. In the meantime we know that on top of that, despite really low interest rates in this country right now, the government are contributing to an increase in debt, a fall of consumer confidence and a rise in unemployment.

My Senate colleagues have added to this debate, and Senator McEwen talked about the attack on working mums, the gender attack that this government has contributed to. I think it is worth noting that the government has gone so far as to use language by saying that new mums are 'rorting' or 'frauding' the paid parental leave scheme. I think those new mums are owed an apology by this government. The government should really consider what it has said out there in the last couple of days and give an apology to all those new mums. The government's cuts to family payments that remain in this budget, some $6,000 cut to the family budget,—whether it is cuts to family payments to fund their childcare policy, or whether it is the attack on the paid parental leave scheme—are things that are going to hurt working women and families in this country. To then, on top of that, say that the mums are somehow rorting and frauding the paid parental leave scheme is absolutely unconscionable. The Liberals, of course, in doing so have shown very much what we all probably knew all along and that is where their ideology is set. They have shown their true colours when it comes to supporting working mums to spend time at home with their new baby.

Unfortunately, although it may be seen through the media that somehow this government is palpable, that it is something that the Australian public can live with, I asked the Australian public. I asked the Australian public to think deeply and look deeply at what is underneath the gloss, because underneath it is the same-old, same-old ideological attack on the working class of this country. You only have to look at the cuts to health and education and the attack on working mums to see that. At the end of the day this budget is not an economic plan for this country, it is not a budget for Australia's future. It is an election strategy to get this government through to the next election, to try to win it with a couple of sweeteners on top of a lot of rehashed budget from last year underneath.
That is why Labor do not support the unfair measures of this budget because, unlike the government, we actually live and believe in fairness and we act out fairness. We do not just add it as a word in our lexicon, or as a slogan, as Tony Abbott is so frequent in using and then thinks that somehow the Australian public are going to buy it. They simply will not. This budget is unfair.

Question agreed to.

**DOCUMENTS**

**Consideration**

The following orders of the day relating to documents were considered:

Health—Access to mental health services—Letter to the President of the Senate from the Minister for Health (Ms Ley) responding to the resolution of the Senate of 3 March 2015. Motion of Senator Wright to take note of document agreed to.

Productivity Commission—Report No. 74—Natural disaster funding arrangements (2 volumes). Motion of Senator McLucas to take note of document agreed to.

**Sitting suspended from 17:58 to 20:00**

**BUDGET**

**Statement and Documents**

Debate resumed on the motion:

That the Senate take note of the statement and documents.

**Senator DI NATALE** (Victoria—Leader of the Australian Greens) (20:00): The real test of a budget is not just in the numbers but in whether the decisions that underpin it make Australia a better nation. Does it reflect and promote a more caring society and relieve pressure from those who are feeling it most? Are benefits and opportunities shared among many or an elite few? Does it recognise that a healthy economy depends on ensuring a clean environment? Does it set out a long-term vision for our country? The answer, when it comes to this budget—and, indeed, the one that preceded it—is a resounding no.

When you do not have a destination, you cannot know where you are going. If you do not have a plan for where you want to be in 10 or 20 or 50 years, you will never get there. Budgets should reflect the values of our community—what we want for our lives and the lives of our families, our workplaces and the role we want Australia to play on the global stage. Can I go to the doctor, and how much will it cost? What type of education can I afford for my children? What happens to me if I become unemployed? Will I have enough for my retirement? And what sort of future will my kids inherit?

Instead of the small-minded, visionless budget that the Liberal government handed down this week, the Greens want to see a budget that tackles climate change and protects investment and jobs in the renewable sector; one that invests in health and mental health services; one that funds public transport; a budget that helps advance the health of Aboriginal and Torres Strait Islander peoples; a budget that supports those who need it most. We need a budget that puts the interests of the community ahead of those of a privileged few.

The budget that was announced this week cannot be separated from the budget that preceded it. The 2014 budget laid the foundations for a cruel and uncertain future, and this week the Abbott government cemented those foundations, maintaining cuts that hurt
vulnerable Australians. It is a budget that further entrenches the Abbott government's cruel and brutal attack on the Australian community.

Tertiary education remains on the chopping block, with university fee deregulation still part of the government's agenda, despite being rejected by students and, indeed, by the Senate. Changes to the family tax benefit system remain, putting even more financial pressure on parents right around the country. The $80 billion slashed from health and education last year continues to take effect, with no indication that these cuts, that have caused tremendous stress and hardship in our public hospitals and public schools, will be reversed. Science and innovation continue to be under attack, with last year's cuts made even deeper through further slashing of funding to cooperative research centres, science funding and innovation. Investment in Australia right now in research and development is at record lows. Legal aid organisations that help care for the most vulnerable still face great uncertainty around their long-term funding.

Australia's foreign aid budget remains at record lows, with this budget doubling down on the massive cuts from 2014, with the contribution to Indonesia nearly halved, and foreign aid to Africa now cut by 70 per cent. Having witnessed the devastation of the Ebola outbreak, I know that this can only mean further misery and suffering for some of the most vulnerable people on earth. Foreign aid will be cut by a further $3.7 billion over the next three years, making it a total of $11 billion since the Abbott government came to office.

Attacks on young Australians continue, with young Australians who are trying to find work having to confront 'earn or learn' as the centrepiece of this government's budget. Tony Abbott fails to understand that, whether it is for one month or six months, young people cannot pay the rent or feed themselves if they do not have an income.

Landcare funding was slashed again in the budget, with the government going even further, ripping out another $12 million on top of the $483 million it has already cut. I know what this means to people in my own Landcare network who are doing such a great job in helping to rehabilitate our natural environment.

And where is climate change in the budget? Where is it? How can you hand down a budget with no mention of the very thing that poses the major threat to our economy, to our health and, indeed, the very planet that sustains us? We welcome the drought assistance to farmers, but the most effective form of drought assistance is tackling the very thing that will make drought a regular feature of the Australian landscape. We have to start tackling climate change. Instead, we are going in the opposite direction.

We have the introduction of a $5 billion infrastructure slush fund for Northern Australia, to hand out taxpayer dollars to fund coal projects in Queensland's Galilee Basin. With the planet burning and coal prices tanking, this government has chosen to prop up the polluting industries of the last century.

The irony is that, on budget morning, in the seaside town of Anglesea, not far from my home in the foothills of the Otway ranges, we received news of the dirty, polluting brown-coal-fired power station situated just one kilometre from a local school; we learnt that it would close. The town would now have clean air, and a healthier future: fewer kids would have asthma, and there would be less heart disease and fewer cancers. That announcement was made because, after a year and a half of searching, the owners of that plant, Alcoa, could
not find anyone to buy the power station. They could not find anyone to buy it despite huge public subsidies and an extension of the mine lease for another 50 years.

The Anglesea mine's closure is just another expression of the clear transition that is happening in the global energy marketplace. There is now more global investment in clean energy than in fossil fuels. Coal has lost its advantage as the cheapest source of power, because, once built, clean energy costs nothing to run. The sun, the wind, the waves—they do the work for us.

This budget is not preparing us for this inevitable transition. Those workers who lost their job on Tuesday deserve better, because it seems that every one but this government can see the change coming. Australia has more power stations than we need, so we know there will be more closures of coal mines and coal plants. It will not be long before Hazelwood in Victoria, the Gladstone power station in Queensland and many others go the same way. If we do not support these workers right now to prepare for a new future we are throwing them to the wolves when they lose their jobs without warning.

After assuming the leadership of the Greens I said that I wanted to be a champion for the health of ordinary people. If we are to make real progress in health we need to address those factors that lie outside the health system. That means ensuring that we have clean air and water, on which we all depend. It means having a roof over our head, a decent education, meaningful employment and access to health care. We have to address all of these things if we are going to improve people's health.

Australians do deserve a world-class health system, but this budget takes us further away from that aim. Since taking office the Abbott government has argued that health care spending is unsustainable. But sustainability in health is a question of priorities and not just accounting. Don't be fooled into thinking that we cannot continue to invest in health care. Don't be fooled. We have a choice. We can either invest in primary care, in better hospitals, in providing dental care and mental health, or we can head down the American two-tiered route where your access to health care depends on the size of your wallet.

While Australia's health spending is projected to increase marginally as a proportion of GDP over coming decades, the major driver of increased costs is the development of new and improved health technology. It is not the ageing population or the frequency of GP visits, as this government would have you believe. Far from being a crisis, providing people with access to new, life-saving medicines, high-tech diagnostic procedures, and minimally invasive surgery is the sign of an advanced and prosperous economy. It is something we should be striving for. And good health means that we are more productive. So health spending is as much an investment as it is an expenditure.

It is encouraging that the health minister has embarked on some of the reforms I proposed to her soon after taking office. But this budget locks in some of the most damaging cuts that were introduced in last year's budget—changes that ripped $50 billion from our hospitals. These cuts can only mean longer waiting times in emergency departments, longer waiting times on elective surgery waiting lists, and difficulty accessing the care that people need. The budget also dismantles the National Partnership Agreement, which means less support for dental health, which is something we worked very hard to achieve under the previous government. It means cuts to health promotion programs and other frontline services. Worse still, there is absolutely no plan and no funding for mental health.
It is a budget that comprehensively fails to address the issue of affordable housing and homelessness. Housing affordability in Australia has reached a crisis point. One in 200 Australians is experiencing homelessness. There are over 240,000 families languishing, who are stuck on housing waiting lists. Last year Hockey’s razor gangs cut over half a billion dollars for homelessness and affordable housing programs. This budget locks in those changes. The cuts included $235 million from the National Rental Affordability Scheme, which would have seen 12,000 new affordable rental homes delivered, and it ripped $44 million from the National Partnership on Homelessness. That partnership would have built new homelessness shelters and emergency accommodation for people fleeing domestic violence. The Prime Minister proudly trumpets his national security credentials, but he has done nothing at all to address the security of women right across the country who are victims of domestic violence.

The government's first year in office was dominated by talk of debts and deficits and the ongoing budget emergency. There was no claim that was too outrageous. When in opposition, they claimed that the country was headed for a disaster that compared with the Great Depression, or even Greece. We were on track to default with our debt. We were an international pariah. We had a Third World economy. Only a couple of years ago the Treasurer went so far as to say, 'The cupboard is bare. There is no money left in the till.' He effectively declared the nation bankrupt. The strategy was crystal clear. This is a government that believes small government is the only government, that public assets need to be privatised, and that lower taxes and cuts to government services are the only pathway to prosperity. For the coalition these are articles of faith. In an attempt to bring the Australian community on board with its brutal agenda, it talked up the structural budget deficit. It was trying to create public support for its deep cuts to government expenditure. It made a commitment that it would keep tax-to-GDP fixed at a particular level, and then it prosecuted the argument that we had no choice but to tighten our belts and make deep cuts. This was a strategy that was always motivated by politics rather than sound economic policy, and the Australian community just did not buy it.

Australia's debt crisis is a fabrication. Our level of public debt is amongst the lowest in the OECD. Far from being a crisis, we are the envy of most governments across the world. This takes in the opposite direction to where we need to be heading. Making deep cuts at a time when unemployment is rising, when commodity prices are falling, simply in order to reach some artificial timetable for a surplus is motivated by politics, not by evidence. Borrowing money makes good sense when the job market is softening, when interest rates are low and it allows us to invest in productivity-enhancing infrastructure. The real picture of Australia's economy is totally at odds with this government's narrow agenda.

We can no longer ignore the issue of government revenue, and what better place to start than with the billions of dollars in subsidies that go to big business each year? If the government is serious about the age of entitlement being over, then let us abolish those huge handouts that go to mining corporations each year in fuel rebates and depreciation benefits. Rather than cutting Medicare, let us invest the $7 billion that goes as a handout to the private health insurance industry directly into health services. Let us have a real debate about the benefits of those huge concessions that go towards superannuation and negative gearing. Although they might not appear on the annual budget figures, these enormous tax concessions
divert huge sums of money away from government services and vital infrastructure into the hands of largely wealthy Australians. They cost us billions of dollars each year and they strip money away from those services that Australians want, need and deserve. If we are serious about removing the inequity within the taxation system from one that looks after the big end of town to one where the wealthy pay their fair share, then we need to make sure that governments are willing to make the hard decisions and stand up to vested interests. The Greens believe that the big miners, big polluters and big banks should all pay their fair share; that is why we asked the Parliamentary Budget Office to fully cost our election platform. It raises almost $80 billion over the forward estimates and proves that we can raise the revenue we need to pay for the Australian society that we want, need and deserve—one that is more caring, one that is more innovative, one that is healthier and one where our children are not condemned to experiencing the impacts of global warming.

It is my firm belief that Australians want to live in a caring nation where you can afford to go to the doctor, where quality child care is available and where public transport is world-class. Taxing super contributions on a progressive scale will help us to get there. It would mean the end of the use of superannuation as a tax haven for the wealthy and it would help people on lower incomes to continue to save more for their retirement. The Greens proposal would see the current flat superannuation tax rate of 15 per cent replaced with a progressive system closely based on people's marginal income tax rate. And it would bring in $10 billion over the forward estimates. No need to cut health, no need to cut education.

If we move to the issue of multinational tax avoidance measures announced in the budget, let me first say that it is the Greens who have been at the forefront of calls for the government to act; we referred this issue to an inquiry of the Senate. While the measures that were announced in Tuesday's budget look good on paper—and I acknowledge that for the first time the government is talking about this publicly—there is still not one cent of revenue allocated to this in the budget. And there is absolutely no plan for enforcing the laws that were announced—the laws that would ensure the big multinationals pay their fair share of tax. And how can the ATO prosecute corporate tax dodgers when their staffing numbers have been slashed? We need to see the reversal to those damaging cuts if we are to achieve any progress on that measure.

I have said that, as the new leader of the Greens, I do want to achieve outcomes. I want to achieve good outcomes for people, for our kids and for our grandkids. I want good outcomes for the environment, for nature and for the land which feeds and clothes us. Where we can find common ground in the service of the Australian people, we will work with all sides to deliver those outcomes. That is our job as legislators, and I take that responsibility very seriously. But I remain sceptical of this Prime Minister and this government. We will run a fine toothcomb over whatever they propose. We are not going to get a deal just for the sake of getting a deal. I have already said that we would look at the assets test on pensions, but we also need a comprehensive review of the sustainability of the retirement system as a whole. When you consider that superannuation concessions will cost from $32 billion right now to a massive $50 billion a year—I will say that again: $50 billion—in 2018, it is clear that something is not working.

When it comes to child care, we do want to see people have access to quality and affordable child care, and I welcome the renewed focus on helping families. But why are we
being held hostage by a government that refuses to understand the negative impacts that cutting family tax benefit changes will have on sole parents and their children? Why are we being asked to pick favourites? Why are we being asked to choose one family over another? Surely if we value the importance of early childhood education, as well as encouraging women to get back into the workforce and supporting low-income parents and families, we just would not be asked to choose between them. We would not. The government's backflip on small business is welcome; it is something the Greens have championed for a long time. It is a cynical move, though, when you consider that it was only a year or so ago that the government axed small business support, ripping out $5.4 billion in support and then a year later tell us that they are the champions of small business. The tax deduction for asset purchases is only going to last for two years, and it is going to be a big sugar hit for the sector and for the broader economy, but there is no long-term, ongoing structural support for small business. We will look at that measure—we will examine it closely—and we will make sure that this package is genuine and that it brings in the change that is so desperately needed.

What fundamentally separates this government from the Australian people is that Australians do believe that their government has a role in building a fairer and more caring society. Australians do want high quality health care, they do want well-funded schools and they take comfort from the knowledge that their government will help people from falling through the cracks.

Paul Keating said, 'When you change the government you change the country.' A year and half into the first term of the Abbott government his words have never been more relevant. Through two successive budgets the Abbott government has made its mark or, in its own words, 'stamped its authority' on nearly every aspect of Australian life: on winding back action on climate change and on attacking the poor, the sick and the vulnerable.

In a short time this government have shown no reluctance to use their power to reshape Australia according to their narrow and uncaring ideology. Like most Australians, the Greens want a society where everyone can afford quality health care and education, where there is not a vast gulf between rich and poor, and where our natural environment is protected.

We do not subscribe to the dog-eat-dog agenda of this government. We do not want a world where it is everyone for themselves, where if you are lucky enough to be born into privilege and wealth you deserve more of it, and if not, well tough luck. There is another way and tonight, along with my colleagues, I pledge to lead the fight for a more decent, more caring and more compassionate country.

Senator LEYONHJELM (New South Wales) (20:23): I rise to speak for the millions of silent, hardworking Australians who have been taxed up to the eyeballs and have had enough. So much talk in this place is about fairness towards one group or another that claims it has special needs. But there can be few things less fair than taking money off hard working people and then squandering it.

On Tuesday night the government announced that in the coming year, it would take $370 billion in tax—the equivalent of more than $15,000 from every man, woman and child. It does this because it believes it can spend this money more wisely than the people and businesses from whom the money was taken, who would otherwise have kept it in their own pockets and spent it as they saw fit.
In most cases, the government is wrong. Australians who pay tax have worked to make themselves employable. They get out of their beds early every day, or they work shifts, and many of them commute for many hours every week. At this time of the year, a lot leave home in the dark and return in the dark. They work using their wits, their energy and their ingenuity.

While it is true that work provides dignity and many other benefits, for most people it is also exhausting. The vast majority of people do not work for the fun of it, or for the joy of being told where to be and what to do. They do it so they can have money to provide for themselves and their families, and to enjoy life outside of work.

But they also work because they believe their productivity will be justly rewarded, and in the hope their superannuation will provide them with a comfortable retirement. It seems to me that nearly everybody in this parliament is working, in one way or another, to make it harder for them. Every dollar the government takes from people should be spent in a way that matches, as far as possible, how those people would choose to spend it themselves if they were handing it out.

But their money is not spent like that. It is spent on welfare for people who are not poor and should not get it—like high-income families getting subsidies for up to 85 per cent of their childcare costs. It is spent on pork-barrelling for regions—like funding for a flagpole in Bathurst. It is spent on social engineering—like the continued Commonwealth funding of school chaplains. It is spent on policies that do not help anyone—like paying millions to telcos so they can store our metadata, and paying public servants to tie foreign investors up with red tape.

Ask any public servant and they will tell you stories about waste—about having too many people with too little to do; about ridiculously expensive coffee machines; about walls being built and removed and built again to fulfil budget allocations; about people paid to work from home who do not do any work. Australia has 1.9 million public sector employees. When did we agree that Australia could not function unless its governments employed a rough equivalent of the population of Perth? In fact, the only truly legitimate expectations of governments should be to provide a sound legal system, personal and property security, and a safety net for the genuinely disadvantaged. Instead, we spend millions that we take from people as tax and give back as handouts, and more millions on spin doctors and advertisements to tell us why all of this is a good thing—like $25 million on ads telling us about free trade agreements.

This budget ramps up spending on programs to encourage the long-term unemployed into work, while maintaining minimum wage and unfair dismissal laws that keep them out of jobs. This waste of taxpayers' money is bad enough, but what the government takes from Australians is, apparently, not enough. We are told there is no option but to put us deeper into debt.

This means we are not only taking from hardworking Australians but borrowing money for things they never wanted, and leaving the debt to their kids. Net debt will be higher than it has ever been in the last half century, apart from the last year of Keating's reckless prime-ministership. There will be $11,000 of net liabilities for every Australian: man, woman, and child. Now that is what I call unfair.
If you were to listen to the squawkers and the bleaters, you might believe that at all stages of our life cycle we are dependent on government. You might think that when people have a baby they should be given money; that they should be given money to let someone else look after their child, whether they are staying at home or not; that they should use other people's money to pay for their child's education, from early learning right through to university; that they should not have to pay when they see a doctor, or when they buy medicine; that they should retire at the same age their grandparents did and live out their retirement on other people's money. And if that baby becomes Prime Minister one day, he or she will expect to have a state funeral funded by other people's money, which is then reported on breathlessly by taxpayer funded reporters.

Of course, as history has taught us, all of this will fall in a heap when there is no more wealth to share. Indeed, Margaret Thatcher put it very well when she said: 'The problem with socialism is that eventually you run out of other people's money.' I believe we should stop listening to the tweeters, the rent seekers, the greedy people making claims about 'social justice', and corporate beggars in suits who beat a path to our doors demanding ever larger sums of money. They would have us believe that nearly everybody is a victim. No amount of generosity with other people's money ever stops their complaining. They should be ignored. Far too many politicians of all stripes have become responsive to the squeaky wheels while taking for granted the people who drive the economic engine of this country. I do not believe that the millions of Australians who create wealth are really as outraged by spending restraint as the squawkers would have us believe. Australian taxpayers are generous but they are not stupid.

Anybody who is committed to genuine fairness should be committed to getting off the backs of people who pay for it all. We have the power to do this by reducing spending and then cutting taxes. We should also be committed to protecting superannuation for people who have earned their retirement and not shifting the goal posts, because that is not fair either. By their very nature, people who do the work are not whingers, because they are focused on their jobs. But they desperately need people willing to stand up for them here. On their behalf, I am here to say: enough.

Senator MOORE (Queensland) (20:31): I seek leave to have the opposition's 2015-16 budget reply speech incorporated into Hansard.

Leave granted.

The document read as follows—

A Budget should match the priorities of the nation.

And the priority of our nation has to be a plan for the future – a plan for the decades to come.

A plan to build beyond the mining boom, a plan for confidence.

Our people and our nation are interesting, imaginative, caring, productive and adaptive.

But the 2015 Budget has neither the qualities, nor the priorities of the Australian people.

Australians awaited this Budget in fear, anticipation and hope.

Fear - that the unfairness and cruelty of last year's Budget would be repeated.

Anticipation - that it might not.

Hope - that the Government would, at last, after 613 days get the economy right.
But once again, in every way, this Government let Australia down. The test for this Budget was to plan for the future: to lift productivity, to create jobs, to boost investment, to turbo-charge confidence for the years and decades ahead.

But this Budget fails every test. It is a hoax, a mirage, a smokescreen.

To the extent that the Treasurer pretends this Budget is in any way remedial to the Australian economy, it is a hoax.

Does it return Australia to trend growth this year? No.
Does it smooth the transition in our economy? No.
Does it deal with the challenges of the digital age and the new skills and jobs we need? No
Does it: deepen our engagement with Asia; help older Australians live in comfort; advance equal treatment for women; tackle climate change?
No.
It is nothing but a cosmetic job by a very desperate make-up artist.

And this Budget also missed the main game — the challenge that will define life in the 2020s.

In 2012 – 8 per cent of our GDP was investment, now slumping to as low as 2 per cent.
A fourfold contraction.

In a 1.6 trillion dollar economy – a $96 billion contraction – the biggest Australia has witnessed.
This is the reason we live in a low growth economy, the massive step change, the step down in investment.

But what does this Budget do about it?
A giveaway to start a fire sale at second-hand car yards and Harvey Norman…is good…as far as it goes…but it doesn't go very far.

The sum total of this Government’s stimulus is a $5.1 billion deposit against a $96 billion withdrawal.

Is the Treasurer seriously asking Australians to believe that this is the best he can do in response to a $96 billion withdrawal?

Even the Government knows this is a short-term fix…they must.
They've only booked the measure for two years.
The truth is the 2015 Budget is silent on the big picture, the next decade, the long run.
This Budget records the Government’s lack of vision and the price our economy is paying for it.
This Budget drops the ball on reform, change and fiscal sense.

It is a sorry roll-call: 17 new taxes; tax at its highest levels in a decade; the deficit doubled - up from $17 billion to $35 billion since the last Budget; spending outweighing revenue every year; over 800,000 Australians unemployed; and no plan to tackle the structural deficit.

The only polite description for the forecasts in this Budget is that they are an experiment in hope over experience.

This Budget is built on improving forecasts, preceded by worsening results.

According to the Treasurer, nominal GDP is forecast to jump by a whopping four percentage points in two years.
This year it came in at half what he forecast 12 months ago.
Tuesday's Budget banked wages growth at 2.5 per cent – Wednesday's figures put it at 2.3 and experts predict it will stay low.

The truth is, a trifecta of indecencies underpin this Budget.
One – the repackaging of last year's unfairness: cuts to hospitals, schools, universities and family support.

Two – relying on bracket creep to increase taxation by stealth.

Three – their unconscionable attack upon the States
In every respect this Budget is a hoax - an attempt to pull the wool over the eyes of Australians

Where it counts, this is last year's Budget - rebranded, reheated and repackaged for an opinion poll.

The same broken promises, the same unfair, extreme ideology, wrapped in trickery.

Last year's Budget cut $6000 from families working hard to make ends meet.

Those cuts are still in this Budget – and Labor will never support them.

Last year's Budget cut university funding by 20 per cent and ambushed students with higher fees and bigger debt.

This unfairness is still in this Budget – and we can promise the Minister for Education – Labor will vote against $100,000 degrees, every time he brings them to this Parliament.

And whether it is for one month – or six – Labor will never support leaving young people looking for work to survive on nothing.

We will never sign off on this Prime Minister's plan to push young people into poverty, and worse.

The meanness of spirit in the last Budget lives on in this one, the same spitefulness in all things great and small: $2 billion in cuts to health and aged care, hidden in the fine print; $100 million cut from Indigenous housing; $70 million cut from dental care for Veterans and $130 million from dental care for children; and $1 million cut from a program that puts seatbelts on school buses in our regions – the Coalition has an eye for detail.

And this government's second Budget has one more thing in common with its first - it creates divisions and faultlines in our community.

Remember the lifters against the leaners – they're at it again.

Cutting family support to pay for childcare…pitting Mums and Dads of three and four year olds against Mums and Dads of six and seven year olds.

Forcing nurses, retail workers and police to choose between more at time home with their baby or a cut to their pay.

In just one year, this Prime Minister has gone from the staunchest defender of Paid Parental Leave, to vilifying tens of thousands of women who rely upon it.

From praising 'women of calibre' to demonising 'rorters' and 'frauds' – that's how quickly and viciously this Prime Minister reverts to type on women in the workplace.

And it confirms what we have always known: no employee. no employer. no family…can ever trust this Prime Minister with their rights at work.

Nowhere on Tuesday night did the Treasurer utter the words bracket creep.

He should have – because bracket creep is the biggest driver of revenue in his Budget.

The Treasurer should have told Australians that for every dollar the government keeps in spending cuts, two dollars will be collected through higher taxes.

In a lazy Budget, the Prime Minister and the Treasurer are getting inflation to do their dirty work.
80 cents in every dollar in the rise in revenue comes from bracket creep - the invisible hand in the pocket of every Australian worker.

Along with rehearsing of the manifest unfairness of last year's measures...the abuse of bracket creep...the third cardinal sin of this Budget is the government's unconscionable attacks upon the states of Australia and the people who depend upon the services they provide.

And there is no atonement, not even a trademark, insincere mea culpa from this Prime Minister or a tear from the Treasurer.

Like the last Budget, this Budget cuts $80 billion from Australia's schools and hospitals.

This breaks an old - and new- promise by Mr Abbott.

Not just 'no cuts to health' and 'no cuts to education'.

But a breach of his promise before this Budget, not to hurt families.

Let us tell the Prime Minister something, on behalf of the families of Australia.

When the Prime Minister cuts $30 billion from our schools – he hurts families.

When the Prime Minister cuts $50 billion from our hospitals – he hurt families.

When the Prime Minister closes hospital beds...robs our kids of the resources they need ...when the Prime Minister puts nurses and teachers under more pressure...he hurts families.

Right now, we need the states more than ever, we need a new approach.

For a decade, capital investment in mining has been running at 8 per cent - four times the long-run rate.

Now it is reverting to the long-term average of around 2 per cent of GDP.

And there has been a 17.3 per cent fall in spending on public sector infrastructure in the last year.

The Commonwealth must use its fiscal horsepower to work with the States and private investors to:

provide more affordable housing; and develop our cities and towns.

We will bring certitude and direction.

We will bring confidence, that's what we are doing.

Confidence for new rail and roads and new ports and bridges, better social housing, smart energy grids, efficient irrigation projects and of course, the best digital infrastructure.

New infrastructure projects boost demand in the short term and lift supply over the long term, creating jobs and generating national momentum.

But this Budget does nothing to address the funding cut from important public transport projects like the Melbourne Metro and Brisbane's Cross-River Rail

It continues to overlook high-return, productivity-enhancing projects like Managed Motorways – a series of overdue improvements to Melbourne's south east.

This is the first Budget in recent memory with not one significant infrastructure project funded.

In government, Labor funded all 15 projects on the priority list: the Pacific Highway in New South Wales, Regional Rail Link in Victoria and Gold Coast Light Rail.

This government has not funded a single priority project, in fact they have abolished funding for three and have ripped away half of Infrastructure Australia's budget.

Inaction undermines confidence, and hurts State budgets – and we all pay a price.

More of us spend more time stuck in the car on our way to work.

We need a circuit breaker – for investment and a commitment to put the nation's interest at the heart of nation-building.
Just as the Reserve Bank of Australia is the independent voice at the centre of monetary policy…

We will put Infrastructure Australia at the centre of capital investment, this will bring greater rigour, transparency and authority to give investors greater confidence.

Infrastructure Australia will drive projects that deliver: benefits to our economy and community; commercial viability; and capacity to enhance national productivity.

We want the experts at Infrastructure Australia to play a more active role in getting projects properly financed.

To act as a broker, bringing together construction companies, long-term investors like super funds and most importantly - State Governments - to get projects underway.

Infrastructure Australia Priority projects will receive funding first.

And in Government, we will do what the Prime Minister proved incapable of.

We will consult with the Opposition of the day on every appointment to the Infrastructure Australia Board, to put the national interest first.

Australians are sick of the petty partisanship around appointments – we can do better and we will.

Infrastructure must be at the centre of any plan for Australia's future – and it is too important to be held hostage to short-term politicking or squabbling.

Good infrastructure makes our cities more liveable, our regions more accessible and our economy more productive.

It is essential to the jobs and economy of the future, to where we will live and the life our families will enjoy.

There is a role for the Commonwealth in the future of our cities.

By 2025, an extra 4.5 million people will be living in our cities.

And making our cities more productive, more sustainable and more liveable is a key responsibility of our national government.

When it comes to Small Business - we will offer the Prime Minister another thing he never extended to his opponents.

Co-operation.

There are measures in this Budget Labor will support, in the national interest.

We will co-operate on: national security; overdue drought relief for our farmers; and on small business.

When in government, Labor proposed a tax cut for small business – the Prime Minister opposed it.

When in government, Labor implemented an instant asset write off – the Prime Minister abolished it.

When in government, Labor introduced loss carry back – the Prime Minister unwound it.

But we are not like that.

We want to create jobs and grow the economy – not score political points.

A 1.5 per cent cut for small businesses might be enough to generate a headline – but it is not enough to generate the confidence and long term growth our economy needs.

So tonight we say, let us go further.

Let us give small businesses the sustainable boost to confidence they deserve.

Confidence to create jobs.

We invite the Prime Minister to work with us on a fair and fiscally responsible plan to reduce the tax rate for Australian small business from 30 to 25 per cent.
Not a 1.5 per cent cut, a 5 per cent cut. That's the future. That's real confidence. We understand this will not be easy and may take longer than the life of one Parliament. That's why it must be bipartisan and has to be fair. That's why it must be part of a more comprehensive approach that addresses the key pressures in our taxation system – not only small business, but bracket creep and tax rates for ordinary working Australians. All of these things, and more, need to be addressed together – in a fair and fiscally responsible way. This Parliament, government and opposition, working together to create more jobs, build a stronger economy and a better country. And the Prime Minister is welcome to work with Labor: on our clear, fair plans to improve the Budget bottom line by more than $21 billion dollars in the decade ahead. Making foreign multinationals pay their fair share of tax: a concrete, costed measure, raising over $7 billion dollars. Improving the Budget bottom line by $14 billion, by tightening unsustainably generous superannuation tax concessions, subsidised by Australian taxpayers to those who already have millions in their accounts. Labor created superannuation for the same reason we champion a fair pension: we believe dignity and security in retirement is the birthright of all Australians. And we will take responsibility for making sure superannuation is sustainable and fair…a national retirement savings system for the many, not a tax haven for the few. The Prime Minister's stubborn defence of these unfair loopholes will only cause Australians to pay even more tax and our deficit to rise. Labor will back small business to support jobs today – and we have a plan for jobs tomorrow. A plan to build a new engine for prosperity – and turbocharge it with science, skills, infrastructure and education. Like so many of the Labor team, the Leader of the Opposition, Mr Shorten, spent his adult life standing up for fairness – in the workplace, in the community and in this Parliament. In twenty years of representing working people, he has been there in good times and hard times. When economic change starts to bite, Australians don't reach for a hand out and they don't want charity. But they do expect hope, a sense of confidence. Above all, Australians want to know where the new jobs are coming from…what their kids will do for a living…what the jobs of the next generation will be. Nothing matters more to Labor than securing the jobs of the future. Jobs that help Australians aim high, raise families and lift their standard of living. And the new jobs of the future will require new skills. Designing skills, coding skills – building, refining, adapting and servicing the machines and supply chains of a new age. Three out of every four of the fastest growing occupations will require skills in science, technology, engineering and mathematics. Not just researchers and programmers but technicians, electricians, plumbers and machine mechanics.
Yet right now, in our schools, TAFES and universities not enough people are acquiring these skills. Australia must get smarter – or we will get poorer.

We believe Australia can be the science, start-up and technology capital of our region: attracting the best minds, supporting great institutions and bringing home our great expats.

We should aspire, together: universities, industry, parliament and people to devote 3 per cent of our GDP to research and development by the end of the next decade.

We want more Australians making breakthroughs and adapting technology here in Australia.

And more Australian businesses sharing in the benefits of that technology: in our warehouses, factories, farms and design firms.

Together, let us harness the power of science, technology, engineering and mathematics to prepare for the future.

A future of knowledge and service industries and advanced manufacturing, a nation of ideas and a country that makes things.

Our future prosperity depends on harnessing Australian ideas and defining a new global market for world-leading products.

We want ideas born here, to grow up here and create jobs here.

25 years ago, if a person was looking for work, they bought a newspaper.

Today, all around the world, millions of people search online.

The world's largest online job ads company, seek.com, was created in Australia with the support of the Australian Government.

A $2.5 million investment in 1998, helped grow what is now a $5 billion company, employing 500 Australians.

Labor will create a new, $500 million, Smart Investment Fund, to back-in great Australian ideas like this.

Our Smart Investment Fund, will partner with venture capitalists and fund managers to invest in early stage and high potential companies.

Our model has a definite, proven record of success both here and abroad.

Every global company begins as a local one, every big business starts out small.

And Labor will work with the banks and finance industry to establish a partial guarantee scheme, StartUp, to help more Australians convert their great ideas into good businesses.

We will enable entrepreneurs to access the capital they need to start and grow their enterprises.

So many of our competitors for the jobs of the future already have this kind of scheme in place: the UK, the US, France and Germany and Hong Kong is a leader in our region.

We understand, in the new economy, it’s these businesses that will drive growth and create jobs – and it’s our responsibility to support our next generation of designers, refiners, manufacturers and creators.

Productivity is the most important catalyst for our economy.

And the most important catalyst for productivity is education.

Resource booms come and go - but our future depends on investing in our best natural resource: the creativity and skills of our people.

Digital technologies, computer science and coding – the language of computers and technology - should be taught in every primary and secondary school in Australia.

And a Shorten Labor Government will make this a national priority.
We will work with states, territories and the national curriculum authority to make this happen.

Coding is the literacy of the 21st Century.

And under Labor, every young Australian will have the chance to read, write and work with the global language of the digital age.

All of us who have had our children teach us how to download an app, know how quickly kids adapt to new technology.

But we don't just want Australian kids playing with technology, we want them to have the chance to understand it, create it, and work with it.

We can't do this without great teachers – now and in the future.

We all remember our great teachers, Mr Shorten was raised by one of the best.

His mother lived the value of education: as a young teacher, a mature age student and a university lecturer – she showed him the doors education can open for Australians from every walk of life.

Yet today, two out of every five science and maths teachers for years 7 to 10, don't have a degree in these subjects.

20,000 teachers in our science, maths and IT classes didn't study these subjects at university.

We are asking too much of these teachers, and not doing enough to support them – or pay them properly.

Labor will: boost the skills of 10,000 current primary and secondary teachers; and we will train 25,000 new teachers who are science and technology graduates; and we will write off the HECS debt of 100,000 science technology, engineering and maths students; we will make sure more women study, teach and work in these fields.

We need to offer the most powerful incentive to Australians thinking about studying science and technology: a good job.

A career in science does not only mean a lifetime in a lab coat, it means opening doors in every facet and field of our national commercial life.

Innovation offers opportunities everywhere: smarter farming and safer food, more liveable cities and better transport.

New ways of learning from each other, working and communicating with each other and caring for each other.

It is the key to the jobs of the future, the jobs Labor will deliver.

The Government have nicknamed this the 'have a go' Budget.

But it doesn't have a go at returning to trend growth.

It doesn't have a go at smoothing the transition in our economy from mining to services and cities.

It doesn't have a go at getting us back to surplus – it doesn't have a go at reform.

It doesn't have a go at delivering skills required in the digital age.

It doesn't even have a go at apologizing for the last Budget.

But to be fair, it does have a go at some things.

This Budget has a go at schools and hospitals.

It does have a go at pensioners and the states.

It does have a go at working women and working families.

It does have a go at students, veterans, carers and jobseekers.

It does have a go at the sick and the vulnerable.
If this is an election budget, so be it.
But be under no illusions.
The failure of last year's Budget was not inevitable.
If Labor had not stood strong...if the government had had its willful way...if the Prime Minister had controlled the Senate – last year's malignant Budget would have passed – with all its social vandalism.
And if he gets another chance, by having this one confirmed, he will, by ricochet, inflict last year’s unfairnesses - this year.
Unfairness which remains at the core of this political document
The Prime Minister has only changed his tactics – he hasn't changed his mind.
Whatever this Budget brings, we are ready.
Ready to offer remedies, rather than reactions.
Ready to fight for equity and for what is reasonable.
Ready to fight for what is good and for what is true.
We see the future.
One defined by science, technology, education and innovation.
A future with good jobs and thriving businesses, productive infrastructure and liveable cities.
An Australia writ large, where opportunity is shared by all.
This is the future Labor believes in.
This is our vision for what we can achieve together, as a people and as a nation.
A smart, modern and fair Australia.
Debate adjourned.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Smith) (20:32): I propose:
That the Senate do now adjourn.

Western Australia: Budget

Senator BACK (Western Australia) (20:32): This afternoon in the Western Australian parliament Treasurer Nahan brought down a budget which confirms a $1.3 billion deficit this year, moving to a $3 billion deficit in the next financial year. It was the first budget deficit in recent memory—certainly the first in more than a decade. It speaks, of course, of the need for selling state assets. I stand in this place this evening to rail against the circumstances that caused my state of Western Australia to go into deficit to the tune of $1.3 billion, moving to $3 billion and, indeed, putting our AAA rating at risk. Every Western Australian man woman and child contributes some $2,370 per year to GST and next financial year they will get back a measly $714. It is not enough, it is not good enough, and it must stop. Western Australia's GST will plummet to historic depths this year, with the state to retain just $1.9 billion of the $6.4 billion paid by Western Australian taxpayers—more than double the state's deficit. South Australia, with less than two-thirds of the population of Western Australia, will receive nearly triple the amount of GST per capita that Western Australia receives. Tasmania, a state with only 20 per cent of Western Australia's population, will receive $300 million more next year than Western Australia will receive. I urge the Senate and the parliament to consider these facts, because they are out of balance and they must be restored.
In 2014, New South Wales will get back 98c in the dollar. Victoria will receive 88c in the dollar. Queensland will receive $1.08, in consideration of past problems with cyclones etcetera. Western Australia will receive 38c in the dollar, reducing to 36c, 35c and even lower. South Australia will receive $1.30. Tasmania will receive $1.63. The Australian Capital Territory will receive $1.24 for every dollar it generates. The Northern Territory will receive $5.66—on a per capita basis, that is 10 times what Western Australians will receive from the GST. The question I ask is: how robust is our federation? The immediate issue is the distortion of the current GST distribution. Unfortunately, it exposes a bad flaw in our federation—and there is not a Western Australian of any persuasion who does not feel this keenly. If the objective of creating a federation of states in the first place was to create a stability that encourages common interests, reduces differences across territorial boundaries and delivers mutual benefits to the community, then we have fallen well short of those worthy principles—and the entire Western Australian community is sick of it.

When I gave my first speech in this place, in 2009, I made the observation that Western Australia produces 40 per cent of the nation's wheat and contributes significantly on minerals and LNG. At that time, Western Australia, with only 10 per cent of Australia's population, produced one-third of Australia's export wealth. At that time, I said that we only received 87 per cent of the GST revenue we generated, reducing to 57 per cent. We now receive 38 per cent, reducing to 30 per cent. At the time, I said that represented a loss of $300 million to the Western Australian economy. It now represents a loss of $6.3 billion to the Western Australian economy—when the Western Australian Treasurer was today forced to bring down a budget in which he reports a $3 billion deficit. Western Australia represents more than 70 per cent of all export income earned for Australia and it gets back a lousy 38c in the dollar. It is not good enough. The Commonwealth Grants Commission, the horizontal fiscal equalisation process, is flawed. It is crooked. It is not equalisation, it is discriminatory. The idea of one state receiving 30c in the dollar when another territory gets $5.66 is unfair. Where in the Grants Commission process is there a clause that rewards performance and penalises waste? I do not see it. Why would one state try hard when another state knows very well that it does not have to do anything to pick up its funding? Where is the incentive for our home state of Western Australia to continue investing heavily in projects that yield results for the entire nation when it looks to the east and sees others demonstrating little if any motivation to maximise their revenue and increase the GST share for everyone? Under the Grants Commission formula it is possible that Western Australia's share of the GST could reduce to zero dollars. If and when that day comes, or looks like coming, I will stand up here and I will say the federation is flawed and it is time that we re-examined it or we departed from that federation. We have had enough of this.

New South Wales, Victoria and Tasmania, all of which appear to have declared moratoriums on gas exploration and development, are advantaged under the GST distribution system. Where will they derive their future energy sources to supply their manufacturing, their commercial and business activity and their residential services if they fail to develop their own resources? What are they looking at, a long pipeline from Western Australia or down from Queensland? Premier Colin Barnett is quite right when he says that Labor and the Greens did their best to turn Tasmania into a national park. When I owned a fuel distributorship in Tasmania in the late 1990s my significant clients included fishing, forestry and mining organisations. All three of these industries in that state have been decimated. Has
it bothered them? Not at all. I will accede that Premier Will Hodgman is having a go, but under the previous Labor governments why would they bother when they knew that there was going to be a state that was coming to so-called equalise things fiscally under the GST distribution?

Victoria currently receive 88c in the dollar. I do remind Victorians what would happen to them if their share looked like going down to 38c or 30c in the dollar. We suffered in the last few days with the absolutely disgusting statements of the Victorian Premier and his mad Treasurer when they spoke about Western Australia being a mendicant state—how disgraceful. They seem to be very ignorant of history. It is the fact that historically Western Australia was a recipient state under the Grants Commission guidelines or those that preceded it. Let me make this point and strongly: Western Australia's receipt was never a subsidy or a handout but it was compensation to acknowledge the scandalously high tariffs that protected non-performing manufacturers in those rustbelt states against competition and the need for energy efficiency improvements. As Senator Cash knows, nobody can lay the allegation that Western Australia was not trying to maximise its revenue base throughout that time when it was a recipient state. Sir David Brand and Sir Charles Court battled obstructionist federal governments to open up the export of iron ore to Japan. Has Australia forgotten the enormous benefits that every citizen of this country has enjoyed as a result of the work of Brand and Court and those who followed them to open up that export industry?

How short-sighted that the eastern-state premiers and first ministers would starve the highest performing state—the state with the capacity to generate most royalty income for the nation. Even their own self-interest you would have thought would have caused them to want to put the cash where the best return was on offer. Offshore LNG royalties from the North-West Shelf projects such as Chevron's Gorgon, Wheatstone and Shell's Prelude will go straight to the Commonwealth because they are in Commonwealth waters. But who needs to create the infrastructure? Who has created a deficit over the last couple of years because of the infrastructure needed to support those projects? You guessed it, it is Western Australia.

If we do not get rid of this Grants Commission formula and if we do not go back to the drawing board the future of Australia's federation, for me, is at risk.

**Western Australia: Budget**

**Housing Affordability**

*Senator LINES (Western Australia) (20:42)*: Thank you, Mr Acting Deputy President, for swapping our chair spots tonight so I could listen to our budget reply. I too rise as a proud Western Australian and before I get onto the issue that I really want to talk about, affordable housing, I think that I need to make some rebuttal of what we just heard from Senator Back. Tonight Colin Barnett delivered the Western Australian budget. WA's budget mess is a result of Colin Barnett's failure to plan for their future. Mr Barnett enjoyed record revenue and has turned it into record deficit and record debt. A competent premier would have kept debt low in order to cope with future declines in revenue. Colin Barnett's descent into WA's worst ever financial management is complete, with the state budget confirming a $2.7 billion deficit in 2015-16 on the back of a $1.3 billion deficit in 2014-15. Mr Barnett has taken the $3.6 billion state debt he inherited from WA Labor in 2008 and turned it into a $31 billion debt in 2015-16. That debt is expected to blow-out to a massive $36 billion in 2017-18. No matter how the
Abbott government and Western Australian senators might want to dress that up, Colin Barnett, Mike Nahan and the rest of the Barnett government must take responsibility for that.

Western Australians have found out this afternoon that all of their state charges have again taken a massive leap. So, if you are poor, on an unemployment benefit or on some other benefit in Western Australia, boy, you are going to cop it tough because Barnett has just made life much, much harder for Western Australians and seems quite unwilling or unable, with his arrogant attitude, to take responsibility for where he finds himself now. There are other stories out there than the one you will hear told in here by some of the Western Australian senators.

Coming off the back of the affordable housing report being released in the Senate—and I certainly thank all of the senators who worked really hard on that very complex task and, obviously, the secretariat, who did a fine job on what is a very comprehensive report, with some 40 recommendations—last Friday, Mark McGowan, the Western Australian Labor opposition leader, Gary Gray, the member for Brand, and I met with three gentlemen in Rockingham: Johnathan, Owen and Derek. Along with others, both Johnathan and Owen presented at the Perth affordable housing inquiry. We learnt at that inquiry that Owen takes people who are homeless into his own home in the Rockingham area. He provides them with a bed or they are able to camp in his backyard; he gives them food and a warm place to stay. He does that every night of the week and he is to be applauded for that. At the time of the inquiry, Johnathan was sleeping rough in his car on the beach at Rockingham and was using the cold showers and the ablution blocks at the Rockingham beachfront to clean himself up. Along with his son, Johnathan had been sleeping rough for 18 months in his car. His son was suffering severe mental illness in a very difficult situation and Johnathan's own health has suffered quite dramatically from living rough for such a long period of time. There was good news for Johnathan, because he now has a Department of Housing home. It is such good news to see that, but that happened not because there are services in the Rockingham area—there are not, unfortunately—but because the Salvation Army took his son in because his son was suffering so badly. Through Labor's Street to Home program, Johnathan was finally able to get housing after a very long time of living rough in his car.

As I said at the outset, Johnathan and Owen were joined by Derek. Derek has experienced homelessness in the Rockingham area for a number of years. Derek has some mental and physical health issues. On the day that we met him, his leg was broken and he required further treatment for that. Derek has been living rough for a couple of years. For periods of time, he has lived on his boat, moored at the local boat club. Despite the council agreeing he could continue to live in his boat, the boat club has asked him to leave. So last Friday night, when I, along with Mark McGowan and Gary Gray, met Derek, he had absolutely nowhere to go. He had nowhere to spend Friday night. I was going back to my nice warm home in Perth and Derek was going I do not know where. The Salvation Army have offices quite near where we were meeting in Rockingham—just across the road. I asked Derek what the Salvos could offer him. The answer was, 'Nothing.' I am certainly not criticising the Salvos; far from it. They do a great job in our community, but in the community of Rockingham there is absolutely nowhere for homeless people to go. The Salvos do a great job putting people in touch with other services, as they did with Johnathan's son through the Street to Home program and Johnathan himself. They offer meals and comfort, but they do not have accommodation.
Another thing that has happened in the Rockingham area is that the rangers, who were quite tolerant of people sleeping rough on the beaches, have suddenly become intolerant. So we have had incidents where rangers have taken blankets and other belongings of the homeless people in the Rockingham area. When you go into Owen’s home, he has a big pile of blankets against the wall. He really is quite an amazing human being who is on a low income himself, but, because he has been homeless in the past, he sees it as his way of giving back.

Returning to Derek, I can tell you, Mr Acting Deputy President, it was very, very difficult to sit there and not be able to offer Derek any alternatives other than to turn him out as I went home to my house. Derek sits at the bottom of Australia’s real housing affordability problem. Whether you rent or whether you want to buy your own home, we have a real problem with housing affordability in this country.

A few weeks ago, before last Friday, I witnessed the Western Australian police and the City of Perth evict the Nyoongar Tent Embassy from Matagarup, Heirisson Island, where a group of homeless people had set up an embassy to protest their plight. During that eviction, which I witnessed, the police issued five move-on orders, largely to Aboriginal people. Two very elderly people copped move-on orders. I tried to negotiate with the police to let the old people out of the van, but they were having none of it. They issued those move-on orders in a 45-minute period, which seems to go completely against the intent of the legislation. Someone who gets a move-on order has to be suspected of either doing something violent—that was not occurring; breaching the peace—they certainly were not doing that; hindering a law-abiding person—they were not doing that; or committing a crime—and they certainly had not committed any crime. Yet the four of them were bundled into a police wagon in front of my eyes, two of them old people, and issued move-on orders and no doubt were taken to the police station to be processed the next day, just because they were homeless and camping on Heirisson Island. Of course, it is an offence if you do not comply with a move-on order, and the maximum penalty is $12,000. Where would someone who is homeless get $12,000 from? They could be imprisoned for 12 months, so I suspect some of them, if they have been issued with other move-on orders in the past, will end up in prison for 12 months.

I commend the inquiry and the 40 recommendations to senators in this place. I say that we do need a bipartisan approach on homelessness and affordable housing. We need long-term structural change so that people like Derek can live in dignity and not have nowhere to go at the end of the day. Homelessness is something we need to act on, and we need to act on it right now, today, in a bipartisan way.

**Forests**

Senator RICE (Victoria) (20:52): I rise tonight to speak about the two biggest threats to our native forests and the communities that rely upon them—Regional Forest Agreements and the burning of native forests for energy. Regional Forest Agreements have failed. They have failed to keep our water catchments full and our water clean. They have failed local communities that could benefit so much from jobs in protecting our land and water, including the management of pest plants and animals, and from jobs in retail, hospitality and accommodation created by nature based tourism. They have failed to keep our unique plants and animals from being trashed and from hurtling towards extinction. As the surest indication that they are not the way to manage our forests into the future, Regional Forest Agreements...
ignore the value of our forests as stores of carbon, which are vital to the world's efforts to
tackle climate change. The government's plans to include the burning of wood from native
forests for energy within the Renewable Energy Target will add to this failure.

Since our last session of parliament I have toured the eastern regions of my home state of
Victoria, talking with locals about the impact of Regional Forest Agreements. I met some
incredible people who are committed to protect their local communities from pollution,
environmental devastation and the impact of climate change. In the Gippsland towns of
Morwell, Bairnsdale and Orbost community members told me of their concerns about the
impact of mining, the leaking tailings dam at the headwaters of the Tambo River, increasing
salinity in the Gippsland Lakes and the prospect of coal seam gas in the area. And residents
talked to me about the impact that logging was having on the region. The message was clear:
for the good of the community we must shift away from clear-fell logging of our precious
native forests as soon as possible.

The benefits of doing so are clear. There are considerable possibilities for tourism. One
Bairnsdale resident, Peter, talked of his work to develop the opportunities of local, nature
based and adventure tourism across Far East Gippsland. Another resident, Robyn, told me of
the concerns the community has about the ongoing burns in forest areas, including after-
logging operations. As well as the impacts on the forests, residents and tourists alike are
discouraged by smoke settling over the area for weeks at a time. At the moment the tall, wet
forests of the mountains of East Gippsland, some of the most magnificent forests in the world,
are not promoted to tourists. Visiting these forests could be at the top of the tourist checklist
for Gippsland, but not if the devastation of clear-felling continues. People do not want to
travel through kilometre after kilometre of clear-felled forests, and they do not want to share
the roads with massive log trucks headed for the chip mill.

I was so impressed with the dedication shown by the young people I met who are
undertaking vital forest ecology survey work as volunteers. One woman, Rena, rediscovered
brown tree frogs that had not been seen for 15 years. Through their citizen science program
they are conducting forest surveys that should, but are not, being undertaken by the
government in areas that are due to be logged, particularly at the moment in the area around
Mount Kuark north of Orbost. They have been rewarded with previously unseen footage of
endangered long-footed potoroos building nests, and sightings and evidence of three rare and
endangered owl species—powerful owls, sooty owls and masked owls. These owls, which
rely on hollows in old trees to sleep and breed, are now sadly absent from many other parts of
Australia where they used to live because of the loss of old forest that they need.

I had the privilege of being shown around the beautiful Rubicon Valley in the Murrindindi
Shire by farmer and tourist operator, Ken Deacon, who has lived in the Rubicon Valley for 40
years. Ken runs horse riding and trail bike riding tours through the forests in the Royston and
Rubicon valleys, but he is struggling to cope with the level of logging. There are fewer and
fewer areas of unlogged forest for his rides to travel through, and it is becoming increasingly
difficult for his business to survive. His is just one of many businesses affected. Camp Jungai
and the Rubicon Outdoor Centre are two other small businesses that are losing customers
because of the loss of forest from logging, the 24-hour noise of log trucks roaring up and
down the valley and concerns about the safety of students whose schools have now decided
that it is too unsafe for them to ride their bikes because of the log trucks. The plans for
logging over the coming years paint a bleak future for these businesses. The maps are covered by planned logging coupes. The loggers' claim that only a few per cent of the forest is logged each year is laughable. Ken made it clear that we must not let the Abbott government renew the Gippsland Regional Forest Agreement. Instead, these forests should be protected in the Great Forest National Park.

As a farmer, the logging carried out under the Regional Forest Agreement over the past 20 years has impacted every aspect of Ken's life. He has to deal with less water in the Rubicon River, with water flows decreasing by 45 per cent over the last 30 years. The drought had its impact, but when the big dry broke and rainfall returned to normal water flows in the Rubicon continued to decline. As the clear-felled forest in the valley has regrown its water use has increased and less water is flowing into the river. It will take well over a hundred years of no logging for water levels to regain their original levels.

Then we hear that the government not only want to continue the destruction of the Regional Forest Agreement but have reached a deal with the Labor Party on the Renewable Energy Target which allows the burning of wood from native forests for energy. Burning native forests for energy is unsustainable, unhealthy and downright destructive. It produces electricity that is neither clean nor green. Not only will we lose the benefits that these forests have as carbon stores but we will also see huge amounts of carbon released into the atmosphere.

If allowed, it would decrease the renewable energy certificates available for real renewable energy sources and undermine the renewable energy target that we have got left. Over a million Australian households are powered by rooftop solar. What message does it send these people and the solar industry if these pseudo-renewables are included in the renewable energy target? The government is arguing that the wood that would be burnt is just 'waste', but the whole logging operation is what creates this so-called waste. Without clear-felling, there is no waste. When an area is clear-felled, the forest is flattened and burnt, but then only two logs out of every 10 that are removed from the forest get used for sawn timber. The other eight logs end up as woodchips. It is a travesty. The push to allow the burning of native forest for energy is only happening because the market for woodchips from Australian forests is gone. Woodchips from eucalypt plantations in South-East Asia and South America are cheaper and better quality than woodchips from our native forests. The sad fact is that this deceptive label of 'waste' comes from an industry in its death throes taking advantage of a government beholden to the interests of big polluters.

If the government were serious about jobs, it would be winding up the logging of our native forests, supporting the ongoing shift of the forestry industry to plantations and encouraging investment in 21st century energy like solar. Over 80 per cent of the Australian timber industry is already based on plantations. Native forest logging is on its way out. We do not need to put up with this destruction any longer. If you want to burn wood for energy, then burn wood from plantations that you have grown as a wood crop. This is already accepted as true green power. Our native forests, in contrast, are worth so much more for clean air and water, for protecting our threatened animals and for their possibilities for tourism and for their ability to keep soaking up carbon from the atmosphere as they grow old. Including the burning of wood from native forests in the RET would just continue the devastation of our native forests and prop up big corporations at taxpayers' expense.
In conclusion, I think back to the Kuark forest I visited a few weeks ago: its giant trees, extraordinary tree ferns, mosses, vines and the birdsong ringing through it. It is hundreds of years old, but can be destroyed so quickly. Decisions we make in this place can decide its future in just an instant. Please, let wisdom, and the forest prevail.

**Climate Change**

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (21:02): Tonight I want to remind the Senate of the ongoing ineptitude of the Abbott coalition government when it comes to the environment and its abysmal failure to address the escalating problem of climate change. If there were any doubt about the facts of climate change, there was yet another report this week from researchers who noted that massive areas of permafrost in that Arctic region of Russia are melting because of a rise in temperatures. As the ice melts, as we know, carbon gasses are released from the permafrost and they contribute even more to global warming, which then accelerates. One researcher, the Nobel Peace Prize winner Professor Oleg Anisimov said that, on the current trajectory, the Arctic could be ice-free in 40 years. That is a truly disturbing prediction.

So, what is Australia doing in the face of all this? Following on from November's international embarrassment of Prime Minister Abbott ignoring the importance of climate change at the G20—while China and the United States were creating a historic deal—climate change is overlooked again not only in this week's federal budget but also in the recent release of the long-awaited energy white paper. The white paper reminded Australians just how little priority the government places on climate change. In fact, it mentions the term 'climate change' just once throughout the entire 74-page document. Again, the government has failed on their climate responsibilities. Rather than releasing a detailed insight into Australia's future energy requirements, the government's farcical white paper reads more like election propaganda and offers absolutely no positive direction to deal with the impact of climate change.

The burning of fossil fuels is the world's single most important contributor to greenhouse gases and therefore to climate change. The energy sector, vital to the prosperity and growth of our nation, should play a crucial part in supporting and protecting our environment by working to reduce its output of greenhouse gases. I am disappointed that the white paper does not embrace the important role of renewable energy in Australia's future energy mix, and I am very disheartened to see a lack of any correlation between electricity generation and climate change policy. Even the coalition's usual supporters in business are at odds with the government on this. In a report published late last year, the Business Council of Australia said:

Energy is a major contributor to Australia's GHG—that is, greenhouse gas—emissions. Energy and climate change policies therefore need to go hand in hand to achieve efficient outcomes.

Not all conservative governments are as lacking in vision as Australia's poor excuse for a government. In 2011, the British conservative government released an equivalent document, entitled the National Environment White Paper. Although the intentions were similar, the outcomes could not have been more different. Unlike the Australian government's energy
white paper, the British document placed energy policy squarely within a framework outlining a transformation to a low-carbon economy and recommended a number of measures to achieve cuts to greenhouse emissions far deeper than Australia's targets. I note that, despite this progressive environment policy the British conservatives were re-elected last weekend. Here was a conservative government that was not afraid to be bold when it comes to addressing climate change, and that has been rewarded. Of course, there is no chance of the conservatives in Australia showing any spine when it comes to addressing climate change. After all, this is the government that is so captive to climate change deniers that it cannot reach a deal on the renewable energy target. Not only is government obstruction and indecision bad for the environment but it is very bad business for the economy.

In 2013, Australia was seen as one of the four most attractive countries worldwide to invest in renewable energy. As my colleague and shadow environment minister, Mark Butler, said earlier this week, Labor has taken a pragmatic decision to land on the figure of 33,000 gigawatt hours as the revised large-scale renewable energy target that could be the basis of an agreement. That figure would mean Australia could get to a position in the year 2020 where around 25 per cent of Australia's energy would be from renewable sources. Just as importantly, reaching an agreement would breathe life back into the renewables industry. Last year, investment in large-scale renewables, like wind farms and solar arrays, plummeted by 88 per cent all because of indecision by the government about what the RET would be.

We thought there was a glimmer of hope of an agreement last week after more than 18 months of uncertainty for the sector and for the people who care about climate change. The energy minister and environment minister were given directions to make an offer for a new large-scale renewable energy target but instead were distracted by sideline issues like wood waste. The government also reneged on its previous position to remove reviews that are currently required by the Climate Change Authority every two years. This further aggravated the renewable investment sector, which just wants certainty.

Instead of listening to credible business representatives or the renewables sector, it seems the government is enthralled by the lunatic musings of people like Maurice Newman. Last Friday, the Prime Minister's chief business adviser, Mr Newman, came out with an absolute gem, penning a column for The Australian newspaper claiming that the world has 'been subjected to extravagance from climate catastrophists for close to 50 years' and that, really, climate change was nothing but a ploy by the United Nations to create a 'new world order'. I have not heard that kind of sentiment articulated in quite such a direct way since former senator Nick Minchin used to express the same kind of new world order ideology. So, according to the Prime Minister's closest business adviser, climate change is all a hoax. What hope do we have as a nation when these are the people that are supposedly steering this country forward?

As to be expected, the Abbott government's weak stance on climate change is being criticised by our major trading partners who, unlike us, have committed to taking strong action. But, as the biggest polluter per capita in the OECD, Australia has a responsibility to reduce its share of carbon pollution. The current government, the Abbott coalition government, has an obligation to work on abating climate change for the sake of all Australians. It is in our national interest to work with our biggest trading partners, including
China, the US and Europe, to develop a global response to climate change rather than continue to ignore the issue.

On top of all the negative outcomes in this week's budget, prolonged inaction on climate change will continue to affect each and every Australian. Where Australia was once at the forefront of action on climate change and the renewable energy industry, today, as a direct result of the Abbott government's inactivity, we are way behind. On this side of the chamber, we want to secure the future of Australia's climate and our renewable energy industry. The release of the energy white paper, coupled with Maurice Newman's conspiracy theories, the farce of the renewable energy target debate and the lack of any coherent policy about climate change in this week's budget just reinforce that the government does not have the same sense of urgency or commitment to the environment of Australia as those of us in the Labor Party do.

**Budget**

**Senator SINGH** (Tasmania) (21:11): I rise to speak about the Abbott government's unfair budget and its impact on my home state of Tasmania. Tonight, Labor's leader, Bill Shorten, delivered the budget reply speech Australia was waiting for—a speech that articulated Labor's vision for the nation based on our values of fairness and opportunity for all. When we talk about the needs of fairness in the budget, it is not a slogan. It is not just a word. Inequality lives within our communities, and it is our responsibility to better those communities. For Labor, fairness is an idea we believe in. It is our value. It is in our hearts and it is in what we do every day. It is not a slogan we have adopted two weeks before a budget. Despite its newly adopted fairness slogan, this short-sighted budget does nothing to improve the ability of struggling families to better their situation.

The conservative lack of empathy and understanding of how many Australians live has delivered a budget without practical policies for the future. At the core of this budget are the same cuts from last year—a rehashed budget from last year. Eighty billion dollars is still being cut from hospitals and schools, $100,000 university degrees remain as proposed legislation, and there are cuts to family payments as well. In fact, all but two measures from last year's unfair budget remain in this year's unfair budget. So let us not be blindsided—their ideological attack on Australians remains. The vulnerable have been targeted and the onus has been put on those least well off to lift the load for the most privileged. The cuts remain, the impacts remain, and Australians will be worse off under the Abbott government's budget.

Promises without policy guarantees seem to be the norm, as well as the lack of foresight to kick-start our economy. The government's cut to family payments in this budget, a $6,000 cut to the family budget, are indeed unfair. Two million Australian families currently receiving family tax benefit are being squeezed by this government's cuts. Those squeezed the hardest are Australian families on sole incomes who receive family tax benefit part B.

The Grattan Institute estimates that if Australia had the same female workforce participation rate as Canada, Australia's GDP would be about $25 billion greater. Yet, the Abbott government is accusing our female workforce of rorting by using a paid parental leave system exactly as it was designed to be used and which encourages engagement in the workforce.
I believe that the government should apologise to new mums for suggesting negotiating additional paid parental leave is a rort or a fraud. They have demonised women who have children and work by cutting paid parental leave, cutting childcare support and cutting family payments, which will leave families worse off. The Liberals have shown their true colours when it comes to supporting working mums spending time at home with their new baby. The minimal funding commitments they have made in the childcare sector have funding cliffs in two years time, showing yet again that this is just an election budget to save the Prime Minister's job. As our Labor Leader Bill Shorten eloquently put it:

This is a Government who fundamentally in my opinion doesn't appreciate the role and march of women through society.

My home state of Tasmania has been left off the map again. Still reeling from last year's cuts of $2.1 billion to Tasmanian's health and education—which remain in this year's budget—there is a dangerous lack of funding for new projects in this version, as well as the promise of another funding cut. This budget attacks Tasmanians across the board. Prime Minister Abbott still wants seniors to work until they are 70, giving Australia the oldest retirement age in the developed world. With the ageing population in Tasmania, our community will be disproportionately hit by the government's plans. Tasmanian health funding, which took a catastrophic hit last year, will not be reinstated, and funding for the Mersey Community Hospital remains unexplained, despite assurances from the three amigos that this hospital would continue to help the community.

It is time to stop talking and start working on future investment projects that boost Tasmania's productivity and its ability to generate new jobs. That requires new ideas and new investment. This budget contains no new infrastructure investment and, in fact, has reduced previously promised packages. Following the withdrawal of Cadbury's application for Commonwealth funding, tourism minister Andrew Robb promised the funding would be allocated to tourism projects elsewhere in Tasmanian within weeks. Tasmanians have now waited over 20 months for that promised $16 million to be provided to the tourism industry, and still nothing—not even the process by which that money will be allocated to Tasmania—is in this budget. The government has not even bothered to provide funding to finish the already iconic and world famous Three Capes Track in south-east Tasmania, which would have been the least it could do, considering it has so far completely neglected Tasmania's tourism industry.

Investment in Tasmanian infrastructure must be a priority for stimulating our economy. Yet a combined $240 million state and federal freight rail package promised by Labor has been slashed, with the federal government contribution being reduced from $120 million to only $59.9 million, a definitive blow to Tasmania's infrastructure. It is the same story for irrigation, with a $50 million funding shortfall resulting in the Circular Head irrigation scheme completely dropping off the list of priorities.

The budget also contains the dog-tired policy of university deregulation—legislation which has already been voted down twice because it is unfair. The impact of deregulation upon the University of Tasmania has been well documented. Our university offers an opportunity to students, regardless of background, to continue their education in own home state. Tasmanian students want to stay in Tasmania to contribute to the community. Yet this government seems
bent on restricting their ability to do so. In addition, cuts to research, block grants and the Sustainable Research Excellence program will further restrict opportunities for students.

Let us be in no doubt, all this government desires is to be re-elected. If they are, they will continue with their destructive ideology. How we function as a just society is fundamental to our Australian democracy. How we support the socially vulnerable demonstrates the integrity of our policies. The Abbott government's budget contains no trace—none—of this policy integrity. And I will quote from our leader Bill Shorten's address tonight in the House of Representatives in his budget reply speech:

If Labor had not stood strong, if the government had had its wilful way, if Tony Abbott had controlled the Senate, last year's malignant budget would have passed with all its social vandalism.

This government has no vision for the future of Tasmania, for the future of Australia. It has ignored Australia and Tasmania, merely providing short-term placebos to keep safe the Prime Minister's job. The Labor party will always stand for fairness, we will always act accordingly and we will empower the people of Australia and the people of Tasmania with the education and the support so lacking within the short-sighted election budget of this disgraced government.

**New South Wales Central Coast: Women's Issues**

**Senator O'NEILL** (New South Wales) (21:21): It gives me great pleasure to stand in this place this evening, having spent a little bit of the evening over in the green chamber listening to the budget in reply by Mr Shorten, and I concur with the comments that have been put on the record this evening by Senator Singh. I am outraged by the impact that the Abbott budget will have on the people of Tasmania, and I am very, very concerned about what it will do to the people of New South Wales. But I think I might make some more remarks on that on another occasion.

This evening I would like to speak to some of the good things that are happening in the state of New South Wales, particularly with regard to the Central Coast, arising out of the most recent state government election. I put on the record my absolute delight in the return to the benches, sadly still of the opposition, of the new member for Wyong, David Harris, a great member, who is returning to continue his interrupted period of work. I would also like to acknowledge the arrival of David Mehan, the new member for The Entrance. But I would like to particularly focus my remarks this evening on women. I want to celebrate also the arrival in the New South Wales parliament of two fantastic Central Coast women. From the north and the seat of Swansea, of which 40 per cent is in the Central Coast region, is a very talented woman who I am sure will represent the community with a great deal of style and compassion, Yasmin Cattley, and, in the southern part of the Central Coast from the border that goes to the Hawkesbury River, Kathy Smith in the seat of Gosford. These amazing women are there representing the entire community, but they bring a very particular perspective. It is vital that we address issues that relate to women's business, women's issues, women's needs and demands. There is much talk about great success by women. There is also growing mindfulness—and I am pleased to see that this is something that is being discussed by both sides of the house—about the impact of domestic violence, of which many women are the victims. Sadly, that reality is with us, but still there are amazing women doing amazing work on the Central Coast.
I commence by acknowledging Robyn Warburton. In retirement from teaching, Robyn discovered a passion for researching and writing local history. She loves stories, storytelling and storytellers. This combination of talents led to her creating a project for herself to collate and edit over 115 contributions from local 'Coasties' from the peninsula towards the southern end of the Central Coast known as the Bouddi Peninsula. She put them together in a book called 'Bouddi Bites'. Every community around the country needs a Robyn Warburton—someone with passion and understanding about her place, her local community; someone who wants to support and nurture others to share their valuable histories and contributions. Robyn, through her work and her advocacy for her community and her recording of its history, is an agent for action who has worked tirelessly to promote and protect all that she loves and values on her home turf. Her home turf is the Bouddi Peninsula. It is an exceptionally beautiful place on the southern end of the NSW Central Coast, which delights newcomers with its incredible beauty. In my first speech in the other place, I put on the record that the term 'Bouddi' is to reflect the place where the waves beat like a heartbeat. It is indeed a magnificent part of this country.

Some years ago the Bouddi Society held a history day at Wagstaffe Hall. The community response was phenomenal. People flocked to the hall armed with old family photos, memories of their childhoods. It was a great community event. It was at that event that 'Bouddi Bites' was conceived. Robyn Warburton then commenced the enormous task of bringing this idea to fruition. Her research was very thorough and bower-bird like, and her skills in winking out anecdotes and history snippets that illuminate life on the extraordinarily beautiful Bouddi Peninsula have combined to create a wonderful read. She brings us an amusing story of ladylike 'thieves' in the 1920s, who could not resist helping themselves to flannel flowers in the garden of a weekender and found themselves in a bit of a pickle with the local police. Robyn reveals insights into the lives of many of the original families who fostered children, rolled up their sleeves to pitch in and made sacrifices to contribute to their society in very generous ways. That set the path and the tone for the all-embracing spirit that so characterises the Bouddi Peninsula today. I was absolutely thrilled to launch Robyn's 'Bouddi Bites' book. Robyn Warburton and the Bouddi Society worked together to create that. I commend 'Bouddi Bites' to the Senate. I would also like to take time to acknowledge the Hardys Bay author and journalist Susan Kurosawa for her assistance in compiling the information about Robyn for this speech this evening.

Pamela Lemoine is another inspirational Central Coast woman. At 81 years of age, Pamela is a woman who I have been fortunate enough to meet through my membership of the Friends of Ourimbah Campus of the University of Newcastle, now more commonly known as the Central Coast campus, which is indeed in the suburb of Ourimbah. This evening I acknowledge Pamela's ongoing contribution to our community over very many years. She is absolutely passionate about promoting peace and the role of women in government and society. Pamela has worked for a number of NGOs, including the Australian Federation of Graduate Women, United Nations Association of Australia, the Refugee Council of Australia, Amnesty International and the Women's International League for Peace and Freedom. Pamela recently travelled to The Hague for the Women's International League for Peace and Freedom centennial congress at the Peace Palace. The Women's International League for Peace and Freedom aims to achieve a more just and equal world, free from war and violence, where everyone has the full benefit of human rights. I could not think of anybody who represents...
those values in her person more than Pamela Lemoine. She is truly a remarkable woman and a
delight in terms of company. Pamela described the Peace Palace as being a beautiful place,
with lovely grounds. She said: 'There was nothing like being part of this congregation of
women of all nationalities, some from occupied countries in the Middle East, mingling
informally after the sessions, and made very colourful by the people in national dress.’ I am
proud to report that Pamela will be attending the Women's International League for Peace and
Freedom Australian Centenary Celebrations in Canberra in late May and is looking forward to
the awarding of its inaugural peace prizes.

Another critical and brand new event for women on the Central Coast is worthy of
recording tonight as well. Earlier this year I was asked to open the inaugural Central Coast
International Women's Day Expo. The theme was celebrating women on the Central Coast.
Tonight I would like to especially thank and acknowledge the organising committee led by
Chairperson Liz North, Secretary Lyn Davies and Treasurer Ian Everitt. The event was held
on the Central Coast campus of the University of Newcastle at Ourimbah. There were dozens
and dozens of community groups, service clubs and public services represented. They were
all putting their face out there in the community, collected together to engage women and to
reveal to women the sorts of services, support and opportunities that are abundant on the
Central Coast.

Taking advantage of its location and utilising the university campus, there were a series of
seminars held at the expo. Superintendent Daniel Sullivan talked about domestic violence.
Danny Sullivan is a graduate of one of our local high schools, St Edward's College—a
Christian Brothers college at East Gosford at which I had a very happy period of teaching—
and he is an incredible champion in our community. Not only did he lead very capably in our
recent category 2 cyclonic event, but he is a champion for peace and freedom in his own way,
standing up against domestic violence in the most unambiguous terms.

I would also like to acknowledge Rosalie Bunn, who spoke to women returning to
education. There were also seminars on energy and water, on self-esteem and on Indigenous
affairs.

I myself spoke about women and superannuation, and I did reflect on how wonderful it
was, as a Labor woman, to actually be able to be in a situation where we could have a
conversation about superannuation. As I say to many of the students that I talk to at the
schools that I visit and who come to visit this place, I grew up in a family, like very many
Australians, where 'superannuation' was not a word that we had even heard. It was not part of
our life or our reality. It was envisioned by Labor; it was enacted by Labor—against
incredible opposition from those opposite, who said that the country could not afford it. Their
miserly rhetoric was in ascendancy at the time. But our will conquered their lack of vision,
and now we have a $1.8 trillion superannuation industry. Sadly, though, women are not yet
reaping the benefits of that. Much work remains to be done for women, and I am sure that we
will be able to continue to do that work here in this parliament.

**She Matters: 2015 International G7/20 Parliamentarians' Conference**

**Senator MOORE** (Queensland) (21:31): In April this year, the German parliamentary
group on population and development hosted the She Matters conference in Berlin. This
conference was actually stimulated by a request from German Chancellor Merkel, who will be
the leader of the next G7 summit that had determined that the key aspect of this conference,
amongst economic issues, would be the empowerment of women, and she hoped that, at that conference, the G7 would draw attention to the fact that the sexual and reproductive health and rights of women and girls are key prerequisites for their empowerment, as they enable women and girls to lead self-determined, healthy and productive lives.

Dr Sharman Stone from the other place and I, from the Australian parliamentary group, were very lucky to attend, and we joined parliamentarians from over 50 parliaments who gathered together to enforce the idea that, in fact, for the G7 and G20 groups, the concepts of women's empowerment were important. At the end of this period, we actually had what they called 'an appeal'—I have been to conferences before where we had 'statements' and where we had 'processes', but this time the term was 'an appeal'—and the appeal to the leaders around the world was: we have had enough of gender inequality. Specifically, the group gathered called on the leaders of the G7 and the G20 countries to:

– Step up their commitment to SRHR—sexual and reproductive health and rights—

  – Eliminate discrimination without distinction of any kind, incl. SOGI—

    including discrimination based on sexual orientation and gender identity—

    – Ensure full respect for women's bodily autonomy and right to have control over and decide freely and responsibly on matters related to their sexuality

    – … repeal laws that punish women and girls who have or are accused of having undergone illegal abortions, and end imprisonment for such acts

    – Ensure the respect, promotion and protection of sexual and reproductive health and rights for all, including universal access to quality, comprehensive, youth-friendly, integrated and affordable sexual and reproductive health information, education and services …

and, together, to:

– Reaffirm that low- and middle-income countries need external resources for sustainable development, and that, in view of their responsibility, G7 countries and other high-income countries, must re-commit to the 0,7% share of GDP to ODA—overseas development assistance—

and ensure debt sustainability, debt restructuring and debt relief where necessary.

This appeal will be presented to the next G7, which will be on 7 and 8 June 2015, in Germany, and, hopefully, out of that will come an ongoing commitment that will lead not just to the UN conference this September, where the world will gather to ensure that the post Millennium Development Goals agenda will lead to a new series of international commitments to look at the issues of poverty and empowerment and equity across our globe in the new sustainable development goals.

This afternoon, Minister Cash tabled a ministerial statement on a recent session of the Commission on the Status of Women, where she reaffirmed the commitment of Australia to ensuring that, in their sustainable development goals, there will be a stand-alone agenda on women's issues. This is something that will ensure that the kinds of issues that I have spoken about will be prioritised and there will be an overall commitment to make these things happen, to end gender inequality and ensure there will be progress.
When Australia hosted the G20 last year, the government put gender equality in the spotlight—a really strong decision. Assembled leaders endorsed, in the leaders' communique, a commitment to reduce the labour force participation gender gap by 25 per cent by 2025, with a clear goal: to bring 100 million women into the labour force, significantly increase global growth and reduce poverty and inequality. More recently, the G20 has initiated a Women's 20, with a view to achieving that goal.

There is a growing body of research that demonstrates that increasing women's workforce participation drives the economy forward. It is estimated—and I have made this point before, here—that this is not just to make us feel good. We know that, by ensuring that women are involved in an equal way in the workforce, we will have great economic gain. We know that, in the Asia-Pacific region alone, we lose up to US$47 billion because of women's limited access to employment, and that is from the ESCAP figures which are based on UN data. The World Economic Forum has also found that, across 135 countries, greater gender equality improves national competitiveness.

The G20, as we know, has enormous power and reach. It presides over some 65 per cent of the world's population, almost 80 per cent of world trade, 84 per cent of the world economy, and almost 80 per cent of the world's carbon emissions. That is why we need the leaders of the G20 to commit to clear, concrete actions to close the gap on gender equality, and we have to have trust that they are up to that commitment that they have clearly made, only this year in Brisbane.

We do need more women in the workforce, but we also need to address the specific barriers that hinder women's workforce participation and the very insecure and poor work conditions that many women and men face around the world. A recent report by the UN Women highlights the fact that up to 95 per cent of women's employment is informal—that is, in jobs that are unprotected by labour laws and lack social protection. For example, 83 per cent of domestic workers around the world are women and half of them are not even entitled to the minimum wage. In Turkey, which is to host the next G20 summit, women on average earn 75 per cent less than the average man. That is a horrific figure, but then we see that the gender pay gap in our own country, with all the advantages we have, has reached 18.8 per cent, its highest in 20 years. There is widespread appreciation of this fact and also a genuine commitment to ensure that we work to lower this gap, with a goal—and I do not believe this goal is timed as yet—to ensure that there will not be a gap; that in fact our workplaces and our industries value the quality and even the quantity of work, so it does not matter about the gender of the person working. The import things are actually the skills available and the skills demonstrated. In that sense, as we have spoken of many times, we need as a nation to examine our own performance just as much as we need to work internationally to look at those previous examples I have given about the situation internationally.

Sometimes it is extremely tempting in Australia to think about these issues as another world problem that somehow does not belong to us. But indeed they do, and unless we in our own country take action, unless we identify issues that are clear obstacles to workforce participation, and also for equal pay, it seems quite hypocritical to tell people overseas what they should do.

For many people around the world, violence and sexual harassment are a daily reality at work or on the way to work. Many women are not allowed to do jobs considered only for
men. The gender stereotypes and placement of particular work for particular genders continues in our own country as well as internationally. We have to look at the issues around higher pay and status. There has been a particular focus recently at the UN—and also I note it is a particular issue followed up by Minister Cash—around the issue of early marriage, where women and girls are forced into early marriage, which actually limits educational opportunities and creates genuine vulnerability in terms of power and independence at home and in the workplace. Only today I was talking with some people who are raising awareness of issues in Bangladesh, which is a country where up until very recently the Australian aid program had a significant investment. Unfortunately, that investment has been stripped only in the last couple of months. In Bangladesh, where the statutory age for marriage is 18, we know the practice is very strong across the community. Women as young as 14 and 15 go into marriage arrangements simply to escape poverty. People ponder about why people go into forced marriages. Sometimes it is not because they are being forced by family culture. It is because they are poor and the sense of marriage offers some security. What we need to do is identify what the issues are behind the concerns for marriage, particularly early marriage, which is now the subject of an international campaign to identify the dangers of young women being forced into marriage at an early age. It not only increases the dangers of the chance of having an early pregnancy, where there is an incredibly high mortality rate because of the lack of medical support, and also because of the age of the young women, but also we need to see that it is not a cultural issue. Again, there is a presumption that forces this situation in different countries. There will be an element of that. It is certainly not distant from culture. But when you have the evidence in front of you that consistently it is because of ongoing fear of poverty and inability to cope, there is the opportunity for the international community to work effectively to identify the causes of poverty and provide support, which would then open the opportunities for families to provide support to their children, both men and women. Opportunities for training and education and the opportunity to have effective employment will mean that women will have an effective choice—choice rather than force.

It is incredibly important that we see these issues not just as rhetorical statements. We have the opportunity to make real change. But, again, it is one thing to sign up to international agreements, as we did at the G20 only recently. I actually acknowledge the work done by the Prime Minister in making that commitment at the G20. It is also important that we go the CSW, at the UN, and discuss our concerns about what is happening across the world for the empowerment of women.

We are seeing an impact on our current aid budget. The appeal that went out to the G7 and G20 countries from our meeting in April was that we re-commit to a goal of a 0.7 per cent share of GDP to overseas development assistance, on the basis that we are a country that has made those commitments. We are a country that is actually regarded so strongly and so well in the international community, but we now have the situation where our own aid responsibilities are being reduced and we are removing ourselves from any hope of getting towards a 0.7 per cent contribution of our GDP. In fact, as of this year our contribution to overseas aid is at the lowest level that it has ever been. This is difficult for us to understand. We need to make clear that if we are going to work effectively in the international sphere, which we do—Australia has had such a history of doing this—there are commitments we need to continue with. When you see the aid programs that are being cut, many of them relate specifically to support for women and girls, which has always been a strong component of our
aid commitments. We see programs being cut in Bangladesh, across the African area and in the Middle East. Many of these programs were directly related to the empowerment of women and girls, health programs and education. That is something that we as a parliament and we as a community have to consider. In September this year the Australian government, along with many other nations, will gather at the UN and will make extraordinarily valuable commitments to how we see the future of our globe and how we are going to continue to tackle the horrors of poverty and inequality around the world. It is essential that we be able to put an effective plan in place in our own nation to see how we can help and support people across the world to reach the goals they need to attain.

Twenty years ago, world leaders and civil society came together in Beijing and agreed to the most progressive roadmap for women's rights the world has ever seen. To quote—and I will continue to quote these words—Hillary Clinton's powerful speech at that conference in 1995, where I was in the audience:

Human rights are women's rights … and women's rights are human rights.

Unfortunately, as we assess this powerful document 20 years on, rather than taking it forward we have to fight to secure the human rights principles we agreed to last century. The Australian government has been a great champion of women's rights at the United Nations and a great supporter of moving this agenda forward internationally, including by elevating gender equality as a pillar of the aid program. We have a way to go. We have the skills and we have the commitment; we just need to ensure that we can continue to focus on those things that are important not just to us here, but internationally.

When the appeal was handed to the representative of the German government in Berlin in April, they had the commitment there from parliamentarians from 50 countries across the whole world. We were lucky enough to have newly-developed democracies such as Afghanistan sending women parliamentarians to that conference. We heard the experience of a young woman, a member of the Afghani parliament, and the dedication and commitment she has to serving her own community but also accepting that Afghanistan is a nation of the world. She will be working toward ensuring that women's equality will be promoted not just at home with all the difficulties and barriers that exist in that country, but across the world. When we gather with women from Afghanistan, with women from the African continent, with South American parliamentarians and we agree that we can do better and we can meet the goals that we have agreed, we have hope. And we have hope that the sustainable development goals agreed to in September this year will have the genuine commitment of nations across the world.

We in Australia, as we have done before, will work cooperatively to ensure that we take our part in the development that has to go ahead. I feel we can do that. We will have to make some changes to commitments we have made in the past. It does matter. The stats that I have read out this evening indicate there is great need, and if we are going to have the genuine equity that we all hope for, there will have to be movement—and there can be. I would hope that the parliamentary groups on population and development across the nations will continue to talk about these issues in their parliaments and in the community, and then act to ensure that our budgets and our policies will make sure that there will be change.
Australian Public Service

Senator McKENZIE (Victoria) (21:48): Thank you, Senator Moore, for that contribution. I wish to refer to a story published online in this evening's Canberra Times which reports claims by Labor's employment spokesman, Brendan O'Connor, that the public sector wages bill outlined in Tuesday's budget will force a wage freeze or further public sector job cuts:

The public sector wages bill, which is forecast to increase by only 1.49 per cent by 2018-19, suggests a wage freeze or thousands more public sector workers sacked by 2018-19, Mr O'Connor said in a statement.

This is utter nonsense. The budget provides for indexation of departmental funds in the same way that all governments have indexed those funds in previous budgets. There is no secret plan to use indexation as a new tool for job reductions and no 'wage freeze', as Labor alleges. The wages and salaries for agencies are a product of the same indexing methods that were used in previous budgets under successive governments. The wage cost indexes were introduced 20 years ago by the Keating government under the principle that the budget does not fund wage increases that should be met from productivity gains. Under the Commonwealth's wage cost indexes the departmental costs of agencies are inflated each year using the consumer price index as the basis for increasing supplier costs. Wage costs are indexed using decisions by the Fair Pay Commission in the national minimum wage award, expressed as a percentage of the latest estimate of average weekly ordinary time earnings. The wage indexation factor is averaged by taking data from several years so that a low decision by the Fair Pay Commission in any one year will not distort the outcome. That is exactly how Labor indexed agency funding when they were last in government, and it is the same method of indexation as in last year's budget and—no surprise—the same method used in this budget.

Inflation is expected to be lower in the coming year and wages in the broader economy are moderate this year; that is why indexation for the public sector is, very appropriately, moderate this year.

As has been done in previous years, the indexed funding of agencies is discounted by the efficiency dividend. The efficiency dividend being applied this year is identical to what it was last year. The largest part of this efficiency dividend is the increase announced by Labor in their 2013 economic statement, which equated to over 1,600 job cuts that were taken from the budgets of agencies before Labor left office. It is utterly untrue for Labor to claim that this budget includes thousands of new job cuts hidden in the indexing arrangements of agencies. The funding and the job numbers in the general government sector are reconciled, and the budget shows a reduction of only 76 public sector jobs this year. In short, Mr O'Connor's claims are complete and utter rubbish. Once again, Labor is simply scaremongering and doing so on the back of falsehoods, not on the basis of facts. Unfortunately, Mr O'Connor has a long history of this sort of basing public comments on falsehoods rather than fact. He claimed that 1.5 million Australians 'rely' on the minimum wage, which is completely false. According to the ABS, across Australia there were 157,000 employees paid the national minimum wage rate, not 1.5 million. Maybe he just got his decimal point in the wrong place.

Mr O'Connor also claims that 4.5 million Australians 'rely' on penalty rates to 'make their living'. This repeats an ACTU claim in a report which goes on to say: We don't know exactly how many Australians are paid penalty rates each week under their awards and agreements or the total value, as it depends on what hours they work and their rate of pay.
And who could forget Mr O'Connor embarrassing himself by criticising the reporting and disclosure requirements applicable under the government's proposed Fair Work (Registered Organisations) Amendment Bill 2013, but failing to grasp that the requirements of which he complained were in fact legislated by Labor?

I could go on all night, Acting Deputy President Back. I do not need tell you, though; you have been there as chair of the Senate Standing Committee on Education and Employment. You know all too well what I am talking about. But while on the subject of misrepresentations, I turn to some pre-budget speculation about the impact of the budget on Canberra's public servants. On Monday, a joint media release from ACTU President Ged Kearney and CPSU Secretary Nadine Flood, claimed:

Just today the Government has announced even more public sector job cuts to the tune of a further $450 million.

It is a total fabrication—another total fabrication.

Senator Gallagher tweeted a link to a completely erroneous Canberra Times article headlined, 'It's open season on public servants—again,' adding the words, 'Take cover.' I would like to have added '#scaremonger', but obviously I was not the one tweeting.

The shadow minister for employment, Mr O'Connor, accused the government of announcing more cuts to jobs, despite this not being the case, and accused the Prime Minister of 'a bald faced lie' for assuring the ACT Chief Minister the worst job cuts were behind us. But the prize for the most blatant misrepresentation goes to the new senator for the ACT, Senator Gallagher, who was asked in her Tuesday doorstop about 14,000 of those cuts being already implemented under Labor. What was Senator Gallagher's response? She said, 'Well, that figure has never been supported. I mean, that is, the Coalition, I think, did a report and did some research and came up with that figure. It is not a figure that has been accepted.'

Now let's, for a moment, cast our minds back to November 2013, when the finance department secretary confirmed that savings and reductions implicit in Labor's 2013 Pre-election Economic and Fiscal Outlook would reduce the Public Service by 14,500—an estimate which had never previously been released. What did Senator Gallagher say, in her role as then Chief Minister, the following week when she gave an interview to ACT 7.30? She said, 'There were job reductions that were starting under the federal Labor government. There's no doubt about that, and we're seeing some of the figures around that coming through now.' So much for consistency!

The irresponsible and self-serving scaremongering indulged in this week by Senator Gallagher and her Labor and union associates has been truly breathtaking. The coalition will never shy away from improving efficiency in the Australian Public Service, but this budget keeps the government's commitments. In her doorstop on Tuesday, Senator Gallagher also said that Canberra 'has already taken thousands of job cuts, particularly in the last 12 months, and the city is really feeling it.' She said, 'We have put our shoulder to the wheel and we have suffered under the last Abbott budget and it looks like this one is going to hit Canberra again.' But when asked by ACT 7.30 whether Canberrans should hold their nerve in the face of job cuts, back in November 2013, Senator Gallagher said:

I guess the message I'm trying to say is that Canberra is quite a different city to what it was back in 1996. ... I'm trying to send out a message of optimism. While we'll see some impact from the job reductions in the Commonwealth—there's no doubt about it—but the city is different. We have a larger
The role that the universities are playing is quite different now than it was back then. And there are some really good reasons to have confidence in the ACT going forward...

So Senator Gallagher has not only reversed the responsible position she took on job cuts as Chief Minister, but become infected by Mr Shorten's pessimism and opportunism. On this point I note the comments of the Canberra Business Chamber, which issued a press release headlined, 'Budget brings back confidence to Canberra'.

But there is one thing for certain. The greatest threat to public service jobs is if the CPSU were to succeed in its 12.5 per cent pay claim over three years. This would put at least 10,000 more public servants out of work. This is what Labor’s employment spokesman, Brendan O'Connor, should actually be highlighting if he really cares about the workers, and the CPSU would be doing the same. Their excessive wage claim can only be paid for by cutting jobs. So, given the performance of the CPSU, the ACTU and local Labor politicians over the last two days, who could ever trust anything they say on wage bargaining?

As we go forward with public service wage bargaining, the minority of the public servants who are union members should seriously consider whether CPSU is representing their best interests. And the CPSU should stop standing in the way of the vast majority of public servants and the responsible pay rises on offer.

**Environmental Defenders Offices**

Senator WRIGHT (South Australia) (21:58): Tonight I am rising to speak about EDOs—environmental defenders offices. I want to talk about the exceptionally important role they play throughout Australia, which is essentially legal aid for the environment and people who want to stand up for the environment. And I need to talk about the fact that they are seriously under threat, with some—particularly in South Australia, the Northern Territory and the ACT—at risk of not surviving at all.

The situation is urgent and it will be a terrible shame, at a time when we have never faced more serious challenges to the environment which sustains life on this planet, if we allow this to happen. Many people will not know about the important and significant work these nine offices around Australia do, but their many clients—those people who have sought their advice and help on environmental law issues over more than two decades, now—will have no doubt about what the loss of environmental defenders offices would mean.

Since they were established in the 1990s, EDOs have played a crucial role in helping communities to protect their land, air and water. The have provided legal advice and representation, they have worked for environmental law reform and they have had substantial input into policy debates and discussions around Australia with the aim of promoting optimal environmental policy. They have even earned a national and international reputation for professional legal work of the very highest order in quality and integrity.

But what does this actually mean on the ground? Central to what EDOs do is empowering people with the knowledge they need to protect the places they love. So EDO lawyers advise individuals and community groups on their specific situation and help them to understand the laws and the processes involved in using the law to defend their environment. This is what happened when seven residents of Coffin Bay, a small town on the Eyre Peninsula of South Australia, approached the EDO to challenge the development of an 'international health clinic' and a 36-lot residential subdivision on pristine coastal bushland on the outskirts of the popular
tourist town. Issues that worried those residents included the irreversible destruction of important habitat, which had sites of rare plants; the overuse of precarious groundwater resources; increased risk of bushfires; and inappropriate urban development. With the help of the EDO in South Australia they won their case in the Environment Court—and the only thing motivating these everyday Australians in embarking on a stressful and costly process to challenge the planning approval was their love of the unique environment of the town and their desire to see proper processes followed.

Reading the annual staff report of the South Australian EDO for the last year gives a sense of the broad and valuable scope of work they do—with just two lawyers and dozens of volunteers. The volunteers combined—made up senior lawyers, students, graduates and other interested members of the public—contribute almost the equivalent of the paid time of the EDO staff. Over 2013-14 the EDO helped a wide range of individuals—including small business owners, farmers and residents—as well as groups, special interest groups and environment groups. They were from various backgrounds and from all regions of South Australia. Many of the cases were planning issues under the state’s Development Act, but there were also serious pollution issues under the Environment Protection Act and concerns around local government, native vegetation and water resources.

Here is a taste of just some of the particular issues raised with the South Australian EDO in the course of a year—and this would be a sample of the kinds of issues that EDOs around Australia tackle in any given year: water resources on the Eyre Peninsula, which is a significant but arid farming region in South Australia; damaged wetlands in the south-east of South Australia, which is a cropping and winegrowing region; noise pollution from trucks; regulation of the Port Pirie lead smelter, which has been associated with high levels of lead pollution affecting the health of local people and, in particular, young children; waste treatment; abattoir effluent affecting the viability of a small business in a rural area; water licences for mining; oil and gas exploration by BP in the Great Australian Bight; clearance of coastal native vegetation; mining waste; decommissioning of a defective drilling well; groundwater contamination; and regulation of unconventional gas extraction.

So why is it that organisations that do so much good work are at risk? EDOs have received Commonwealth funding for 17 years. But a week before Christmas in 2013—shortly after they were elected—the coalition government cut $10 million in funding to EDOs in the Mid-Year Economic and Fiscal Outlook and announced it was planning to end any further annual payments. As a result, the Commonwealth funding of EDOs—about $100,000 each per year—ceased in July 2014. It was no coincidence that this Commonwealth government announcement followed cuts of state funding to the Queensland EDO by conservative Premier Campbell Newman in 2012 and cuts to the New South Wales EDO by the then New South Wales Premier, Barry O’Farrell, in 2013. The common link was intensive lobbying, especially of conservative governments, by the minerals and coal industries, who are incensed to think that legal services which have been funded by governments are effective in helping their clients to challenge government or private actions which threaten the environment we all share—especially if they are so effective that it gets in the way of what other powerful interests want to do.

FOI documents show that, before Barry O’Farrell made his decision, the New South Wales Minerals Council chief executive had written to him hoping the government would cease
funding the EDO as ‘a matter of urgency’. The Coal Association made similar appeals in March 2012, writing that it was ‘perverse’ that EDO funds were being used to challenge the decisions of elected representatives—and yet the courts were upholding those challenges, which shows that those decisions of elected representatives were not lawful.

At the February 2014 Senate estimates hearings, I questioned the Attorney-General, Senator Brandis, about whether he had been lobbied by anyone to make his cuts to EDO funding several months earlier. At first he had no recollection, but then he was helpfully reminded by his adviser that he had received a letter from the same Minerals Council of New South Wales. Although the Attorney-General would not disclose the contents of that letter, a subsequent freedom of information query revealed that the letter was, again, from the Chief Executive of the New South Wales Minerals Council, Stephen Galilee, who urged Senator Brandis not to fund the New South Wales EDO.

It is no secret that, in the eyes of some, EDOs around Australia have been too successful in protecting the environment. In New South Wales they have helped clients prevent a coalmine expansion by Rio Tinto, they have helped clients force Santos to hand over water data to concerned farmers and they have helped stop bulldozers clearing Maules Creek. In the Northern Territory the EDO has supported traditional owners in remote Borroloola in relation to the McArthur River Mine, which has the potential to cause catastrophic pollution of their land. It was the first agency to raise concerns with the Northern Territory health department about a smoking waste rock pile, triggering an investigation. It is not clear whether, if that alarm had not been raised with the help of the EDO, that investigation would have occurred.

It is important to remember that the kinds of attacks and restrictions on independent, public interest legal services like EDOs that we have been seeing recently are not new. In 1997, soon after he gained office, John Howard’s federal government imposed a condition on environmental defenders offices that they were not to use legal aid funds for litigation. John Howard’s government never gave an adequate rationale for their rule but the timing was very interesting. The year before, a wealthy developer called Keith Williams, who was intent on developing the controversial Port Hinchinbrook resort in northern Queensland, had been publicly and prominently critical of government funding for environmental defenders offices following the effective work by EDO New South Wales in advising and representing a group called the Friends of Hinchinbrook, who challenged his development in the Federal Court. Forbidding a legal service, whose job is to assist its clients to use the law, from using litigation is like ordering them to operate with one arm tied behind their back. If it was not so cynical, it would be laughable.

Last year the Productivity Commission finalised a substantial inquiry into access to justice arrangements in Australia. It specifically considered environmental defenders offices and noted that in the past five years there were no cases in which EDOs were engaged which were dismissed on the basis that the case was frivolous or vexatious. The Productivity Commission stated:

The Commission considers that there are strong grounds for the legal assistance sector to receive funding to undertake strategic advocacy, law reform and public interest litigation including in relation to environmental matters.

Recently the federal government bowed to pressure and reversed some of the funding cuts they had applied to other community legal centres and legal aid in Australia. But they have
steadfastly refused to reinstate funding to environmental defenders offices. This antipathy to EDOs is only understandable if we take into account the powerful interests who are opposed to them. EDOs play a crucial role in a nation that respects the rule of law and the right of its citizens to challenge the government where laws or administration are deficient. Over many years EDOs have a track record of making sure government action is lawful and that the voice of ordinary Australians can be heard when it comes to our shared environment.

In 1999 the South Australian Environmental Defenders Office initiated what became the longest environmental court case in South Australian history. The issue was whether the state's burgeoning aquaculture industry was being properly managed and in particular whether it was 'ecologically sustainable', as required by South Australian law. Forty-two floating feedlots for southern bluefin tuna had been established off the coast at Port Lincoln without a thorough environmental impact assessment. The EDO assisted the SA Conservation Council, which incidentally has now also been defunded by this federal government, to lodge an appeal in the Environment, Resources and Development Court. After a lengthy trial and dozens of witnesses, the full bench of the court found that the feedlots had been approved in contravention of the planning scheme and were not, as was required for development in coastal waters, 'ecologically sustainable'. The court overturned the approvals and the case attracted international interest because it was one of the first times that a court had determined the meaning of the term 'precautionary principle'.

Eventually, because of this EDO case, the South Australian state government realised that the regulatory arrangements for aquaculture were a shambles and was forced to rewrite the aquaculture laws and modernise its practices and processes to reflect modern environmental standards. That was in 1999. Since that time the EDO has changed the landscape in South Australia in many ways. It has been a relentless champion for the public disclosure of pollution and licensing documents held by the Environment Protection Authority. For years they were extremely difficult to access, requiring the payment of an exorbitant fee and a visit to the city. Now the EPA routinely publishes vast amounts of information in an easily accessible online public register, in large part because of the persistent advocacy of the EDO over many years.

At a time when we are facing bigger environmental challenges than we have ever faced before and at a time when we are in a generation which will make decisions that mean that our species and many other species will survive and thrive or not, we have never needed stronger defenders of the environment. Our increasing human population will mean ever-increasing pressure on our environment and our resources. The pressure to develop at any cost will only increase. As senior lecturer at Adelaide University Law School, Peter Burdon, has written:

We are living at a time when the best science in the world is telling us that human beings are on a collision course with ecological collapse. Moreover, the time frame for this collapse is getting shorter and shorter."

Without public support the environmental defenders offices in South Australia, the Northern Territory and the ACT particularly will not survive. Without them individuals and grassroots community groups, who are often fighting David and Goliath battles with wealthy mining companies and wealthy developers, will be left to fight alone. Every EDO has a website, every EDO has a donate button. I urge everyone who cares about protecting our environment
and who has the means to support these important services to visit those websites and to click on those donate buttons. The EDO defends the environment in a way that no other organisation can as the environment's legal team, and I take this opportunity to thank those lawyers, those volunteers, who have worked tirelessly for so long and continue to work against the odds to protect the environment on behalf of all of us. We all benefit from your work.

Budget

Senator LAMBIE (Tasmania) (22:14): When you reflect on the 2015-16 budget, it is timely to remember what Dr Martin Parkinson, former Treasury secretary, was reported as saying in The Australian Financial Review on 2 May 2015:

… there isn't and never was a fiscal crisis, even though … the government faces a decade of deficits. This Abbott-Hockey budget of 2014-15 is proof of a lie about a budget emergency which was told to the Australian community a year ago. You cannot have a budget emergency in 2014-15, under the current constrained economic conditions, for it to suddenly just disappear a year later. The Liberal Party unnecessarily wrecked the economy a year ago. They attacked pensioners, the unemployed, small business, veterans, university students and our diggers and delayed infrastructure spending in an attempt to manipulate the political electoral cycle in their favour. It was because Australia had a hung parliament that we were able to protect our battlers from the Liberals' budget cuts and attacks. The Liberals will run a scare campaign in the lead-up to the next election, but they are wrong. A hung parliament does not bring chaos; a hung parliament brings consultation.

I want this budget to succeed. I want confidence to return to consumers and the small business sector. I want more jobs created and for job security to return to those who are lucky to have employment. However, because of the Liberals' deceptive behaviour, I am going to proceed with caution when I consult with this Treasurer and Prime Minister and do my best to get more for Tasmania. My caution is also shared by many members and leaders of the Tasmanian community, including the Premier, Will Hodgman. He is disappointed the budget did not reverse last year's cuts to education and health but is grateful there were no shocks or surprises. Of course he was referring to last year's horror budget. Premier Hodgman would have liked to see long-term funding returned to the state, as the state has been left with a $2.1 billion shortfall over 10 years.

Today I had a meeting with the Treasurer and I impressed on him how important it is for his government to make a public announcement on the future Commonwealth funding of the Mersey hospital. In the meeting with the Treasurer, he was made aware of how important the Mersey hospital is in delivering healthcare services on the north-west coast of Tasmania. I reminded him of the promise that the Liberal Party made to the north-west Tasmanians about funding the Mersey hospital. I expect good news on the continuing funding of the Mersey hospital to be released soon.

Peter Skillern, the Tasmanian Farmers and Graziers Association chief executive, is happy with the budget. He says it is a solid budget that reconfirms the Tasmanian Freight Equalisation Scheme and the $60 million for five irrigation schemes. Farmers will have a tax deduction for items costing less than $20,000, such as fencing, as part of a small business boost. There is also a tax write-off for whatever is spent on fences and water infrastructure,
effective July 2016. However, the Tasmanian Farmers and Graziers Association do have some concerns. The tax write-off for fencing and water infrastructure starts in July 2016, so effectively the farmers will not receive benefit until 2017, and, apart from the long wait, the Liberal Party may not even be in government at that point, so there is a risk that the farmers will not receive the benefit. In order to address that concern, I would like the Liberal-National government to bring this budget measure forward a year so that our farmers can enjoy this tax write-off in 2016. I also call on the Labor Party to adopt this very good rural initiative as part of their primary industry policy. This will give our farmers some much-needed hope—and, God knows, I can assure you they need it.

Luke Martin from the Tourism Industry Council Tasmania acknowledges that the immediate tax break of $20,000 will stimulate investment and inject retail expenditure in regional areas. It will also allow accommodation operators to improve rooms and could allow tour operators to upgrade buses. But Luke says the budget did not indicate where the $16 million Cadbury grant would be spent. I agree with Mr Martin when he says that he would like to see a transparent process to ensure the funding will be used to help the industry, as the budget only says it will be used to fund other projects in the state. God knows Senator Abetz has had it for long enough; we need that spend in Tasmania now—it would be great.

Joanna Siejka from the Youth Network of Tasmania tentatively welcomes the $330 million Youth Employment Strategy. Joanna says the strategy has not clearly stated how it will address the barriers to young people working and studying, and the start date of 1 January 2016 means the help comes 12 months too late. There is a clear pattern which has emerged in this budget. There are too many budget measures which have been delayed until next year. People want to know what will happen between now and December. To some degree, we are arguing about what will happen in 2017. This government is flat out predicting what will happen in two months, let alone what will happen in two years time. Joanna also notes that the four-week waiting period for income support for unemployed people under 25 is punitive and penalises them through no fault of their own. She is right, and I will use my vote to block any moves to place a four-week waiting period for income support for unemployed people under 25.

The best youth employment strategy is my plan for a national service trade and traineeship scheme in our military. What I am proposing is nothing new. The Australian Defence Force already has courses for administration, warehousing, cooking, catering, clerks and drivers, as well as apprenticeships and trade training for motor mechanics, carpentry, electricians and technicians. All I am proposing is that those courses receive a massive boost and new investment. Our military numbers can be doubled to more than 100,000 through the Jacqui Lambie national service trade and traineeship scheme in our military.

Tony Reidy, the CEO of TasCOSS, notes the fairer approach to pension reform is good, as is the increased investment in child care, but the harsh cuts to education, health, community services and youth payments remain. Mr Reidy notes that the cuts to family benefits will leave low-income families doing the heavy lifting. He really wanted to see a package to stimulate jobs growth. TasCOSS thinks that the families package is overdue and welcome, but there must be adjustments: stop the linkage to the 2014 unfair cuts stalled in the Senate and do not provide overly generous subsidies to high-income families. The budget did not reverse the six-month wait for youth before they go on benefits; it merely reduced it to one month.
I have been meeting with as many stakeholders of peak bodies as possible during this budget week in order to properly inform myself and discover what the devil may be in the detail. My office has received a briefing from Industry Super Australia. They have done some initial analysis of the budget which raises some red flags with regard to the Abbott government's proposed changes to pensions. The director of public affairs for Industry Super wrote to me and said:

As discussed our interest in the impact of these pension changes stems from the fact that the vast majority of members of industry super funds work in industries where wages are very much around the average and below (think nurses, builders, forestry workers, manufacturing, hospitality and tourism etc).

The devil is in the detail and we don't accept that the change in the pension asset test only affects 'well heeled' retirees.

The impact of the measure today understates the effect it will have over time. The reason for this is most retirees today haven't had super for much of their working life and their assets are low. This is changing.

Initial analysis from Industry Super Australia suggests it will mainly affect those on middle incomes and below in the years ahead.

If we take someone aged 50 today and see how this policy will affect them when they retire there is a net negative impact from the third income decile (that is someone who is on about half the average wage—$35,000 a year).

The greatest impacts occur at the 6th decile which is just below average earnings ($65,000 a year).

At this point the loss of income is around $6,000 per year for each member of a couple on average for each year of their retirement—which is a massive amount.

The question must be asked why the Government is urging average earners to be more self reliant but then freeze super contributions and remove the low income super contribution that would help them do just that.

This hits them both ways (they get less in super and less in pension). For many the only option may be for them to work longer—to 70 and beyond. We are a wealthy country and can do much better than this.

Even more extraordinary is why ordinary working Australians will bear the brunt of these changes but Government is saying the massive super tax breaks for the top end of town—what do you know—are off limits.

It is clear by the feedback from the industry experts that we must approach the budget with great caution. There is real devil in the detail for our pensioners.

Figures provided to me by the Tasmanian Council of Social Service note that the National Partnership Agreement on Treating More Public Dental Patients provided an additional $12.3 million to Tasmania's public oral health service, the Oral Health Services Tasmania, or OHST, over three years. During the period of that NPA from, 1 January 2013 to 31 March 2015, TasCOSS understands that Tasmania's OHST met its target by providing 11,762 services. This may mean that number of individuals, however, some may have received more than one service in the period. TasCOSS notes that in this week's federal budget the National Partnership Agreement for adult public dental services, originally intended to be funded
across the forward estimates, has been replaced by a single-year funding agreement of $155 million nationally.

In the 2014 calendar year the Child Dental Benefits Schedule provided 27,417 dental examinations to Tasmanian children. Again, this may not translate to the same number of individual children, but may include individuals who received more than one course of treatment.

The Voluntary Dental Graduate Year Program has funded two full-time dentists in Devonport and provides emergency and general care to low-income earners. The program will finish at the end of this year. TasCOSS estimates that the two dentists would provide about 3,500 appointments in a year—an average of eight appointments per day for 20 working days each month for 11 months x 2. Good oral health is so important, and I call on the Abbott government to continue funding this very valuable program on an ongoing basis.

TasCOSS notes that the 2015-16 federal budget also included information that the Oral Health Therapist Graduate Year Program will finish six months early on 31 December 2015 rather than on 30 June 2016. The children's service in Hobart will therefore lose two oral health therapists who could have been expected to provide 1,750 appointments in that six-month period. Once again I call on the Abbott federal government to reconsider and ensure that this funding for the Oral Health Therapist Graduate Year Program is extended and funded on an ongoing basis.

Last year I had the opportunity to meet with early childhood educators, Kim, Carol, Karenne, Fiona and Phillipa, in Tasmania, and they are some of the hardest working people I have had the opportunity to meet. They said: 'We go to work knowing our kids are in good care and they're learning every day in centres like the Footprints Educational Complex in Burnie.' Because of this I welcome the announcement by the government of an additional $3.5 billion in funding for early childhood education and care. It will go a long way to addressing some of the issues facing families around childcare affordability.

Funding these measures cannot mean cuts to other essential government programs. Linking this funding to savings is holding children to ransom. This cannot be a choice between funding child care and funding paid parental leave or the family tax benefit B. There can be improvements to the policy. There is no point having a benchmark price if it does not reflect the true cost of providing child care. Indexing it to the CPI means higher out-of-pocket costs for parents. Benchmark prices need to be pegged to real market prices, not indexed by the CPI.

The much harsher activity test cuts childcare access for low-income and disadvantaged children. I am really concerned about this because all children should have access to quality early learning like they have access to primary school. They should not be excluded because their parents are struggling to find work. These are the children who need it most. More than one million children and 950,000 families use early childhood education and care across Australia. Research shows that high-quality early childhood education and care heavily influences the opportunities and life chances of young Australians, particularly for disadvantaged and vulnerable children. Children's learning and development must be at the centre of Australia's early childhood education and care.
Over 153,000 people work in the early childhood education and care sector across Australia, making it a substantial industry. Eighty-five per cent of a child's brain development occurs before five years of age, and that is why high-quality education and care is so important for the future of this country. The government knows this, because they have backed the NQF in the families package, and this is great to see. The National Quality Framework makes sure every child has an individually tailored, play based plan which meets their developmental needs in the critical early years. The National Quality Framework also provides a consistent approach to curriculum and staff qualifications and makes sure there are enough educators in the room for children's needs, because ratios are important.

I welcome the commitment of an additional $3.5 billion in funding, but we need to do more. Even with the extra money provided by the package, Australia would not reach the 2009 OECD average spend of 0.6 per cent of GDP on early childhood education and care. For context, countries that are considered best practice spend approximately one per cent of GDP on early childhood education and care. Australia should make this a priority; it should be our goal. For educators, this means we can continue to deliver quality services that give children the best start in life, but we cannot fund these important initiatives by taking money from families. We cannot pay for early childhood education and care by cutting paid parental leave, and we cannot pay for it by cutting Family Tax Benefit Part B. There is no reason to tarnish a good policy by linking it to bad savings.

The proposed changes to FTB would have a significant impact on low-income families and the package should not be conditional on these cuts being passed. The families package has some good and bad policy. The new single means tested payment that will replace the CCR and the CCB is great. This streamlines the system for everyone—children, providers and parents; the lot. It means from July 2017 some families will have up to 85 per cent of their childcare costs subsidised. This will reduce to 50 per cent for higher income families and will make childcare much more affordable for many families.

In addition to my concerns about the activity test and indexing the benchmark price to the CPI, the package does not address accessibility issues to increase the number of childcare places for Australian children. Accessibility, not just affordability, is an issue for parents. There will be an even higher demand for the zero-to-two age group if the government goes through with its changes to paid parental leave. This just makes common sense. The package also ignores educators who are the heart of the sector. It does not consider the low wages endemic in the sector and the high staff turnover that results from that. We need to focus on providing all children with access to high-quality early education and care, not just on increasing workforce participation.

I receive thousands of emails every week from people Australia-wide and I am very grateful for the community feedback, I can assure you. One of the issues to emerge out of the budget which in the last few days has generated a lot of community feedback and discussion is the government's plan to remove Family Tax Benefit Part B. Pauline from north-west Tasmania has written to me to voice her concerns. Pauline wrote:

Jacqui, I heard you speaking today about the removal of FTB part B. I am a recipient of this benefit, and totally agree that small businesses will be the losers if this removal goes ahead.

FTB Part B pays for my hairdresser every 6 weeks for myself and my son, my weight loss programme—
in which she has lost 12 kilos—

and most of my incidental spending. In line with receiving advise from the Family Assistance Office early April that FTB Part B was being taken away, I have already cancelled my weight loss programme, thus saving $20 of the $50 per week I'm about to lose.

We are by no means rich. My husband works two jobs so that I can stay home with my son, do the school run, participate in school activities and provide a stable environment for our son. We do not get the tax benefits that households earning the same income with both parents working already receive, and FTB part B was supposed to address this imbalance.

Without a doubt, when FTB part B stops, our spending will decrease. It has already, in anticipation of this cut.

Just like the Abbott government's failed plan to deregulate university fees and charge $100,000 degrees, I will never support the Abbott government's plan to take away Family Tax Benefit Part B. Nobody will benefit from this measure; no family will benefit from this measure. You are giving tax breaks to small business, which is great, but these people will not spend their money in small business.

Higher Education

Senator RHIANNON (New South Wales) (22:35): In January this year, the Chilean congress passed a landmark law introducing free higher education at Chilean universities. The law marks an end to the country's 30-year market based higher education system. Free higher education in Chile will be phased in over six years. It will be funded through an increase in corporate taxes, tighter regulations on tax evasion and by closing tax loopholes for the rich. For the last decade, the education revolution in Chile has been building. Hundreds of thousands of high school and university students across Chile held strikes, protests and occupations of universities and schools. The students and teachers unions joined together to call for radical reform of the university sector. Public support for free higher education in that country reached 81 per cent.

Free higher education has been adopted also in a number of European countries. In October last year, the last state in Germany to charge student fees, Lower Saxony, officially abolished them. Germany is now entirely tuition-free. Over the past few decades, Germany has offered tuition-free higher education in various states. Because of this, the country has reaped the benefits of a highly educated and highly skilled population. Of this change, Gabriele Heinen-Klijajic of the Greens party and minister for science and culture in Lower Saxony said:

"We got rid of tuition fees because we do not want higher education which depends on the wealth of the parents."

Germany and Chile have joined a whole host of other countries, including Denmark, Scotland, Finland, Ireland, Norway, Sweden, Mexico, Poland, Slovenia, Malta and Turkey currently offering tuition-free higher education. Each of these countries has effectively rejected the concept of education as a commodity. The introduction of free higher education has been based on the notion that education is a social good. Meanwhile, back in Australia, Treasurer Joe Hockey has handed down the coalition's second neoliberal budget. Deregulation of public universities and the associated deep funding cuts and record fees have been brought over from the now notorious 2014 coalition budget. This is not the pathway to secure the future of higher education. Free higher education can bring benefits to all, and it is time we brought this into the public debate.
The Greens acknowledge the contribution Labor made in 1974 when free higher education was introduced. But, in one of the starkest examples of Labor being captured by right-wing ideology, this fine reform was dismantled in 1988 by former Prime Minister Bob Hawke. The first Higher Education Contribution Scheme imposed a flat fee rate on all students. Since HECS was introduced, successive coalition and Labor governments have chipped away at the amount of public funding provided to the tertiary sector in total and as a proportion of GDP. Meanwhile, the cost of higher education borne by students has risen. Differential fees have been introduced and the income threshold on debt repayments has been lowered. Levels of public government funding for higher education continue to drop well below the OECD average. Australia is the only OECD country to go backwards in terms of public expenditure on tertiary education institutions in real terms since 1995. Out of 26 countries, Australia ranked 24th in terms of growth in public higher education investment between 1989 and 2011.

Since Minister Pyne flagged in the 2014 budget government plans to cut billions from higher education and load the cost burden onto students, these students and their parents, as well as researchers and university staff, have agonised over the possibility of fee hikes, funding cuts and deregulated degrees. When Mr Hockey brought down the coalition's second neoliberal budget, we learnt that a coalition priority remains deregulation of public universities. Throwing his full weight behind this deregulation plan, Minister Pyne has been attempting to shepherd it through the Senate from various angles. All of Minister Pyne's propositions, though, are simple variations on the same misguided theme. During the two failed attempts to get their higher education changes through, the minister stubbornly ignored the main beneficiaries of higher education—students—and its main practitioners, academics. In doing so, he turned a blind eye to the needs of two of the biggest stakeholders in this discussion, preferring instead to listen to a group of vice-chancellors from his favoured universities.

In his unwarranted mission to uncap university fees, the minister pleaded with crossbenchers and goaded those who refused to support him. The minister has played up the attitudes of his supporters and played down those of his detractors without showing any willingness to enter into an objective discussion on this. Obsessed with his retrograde model for deregulated education, Minister Pyne has attempted to force these changes through the Senate and has spent millions—I understand it is about $15 million—of public money in trying to convince the public that Australian universities stand to benefit. Those advertisements were unwarranted. To their credit, most have not been fooled by these attempts to sell a bad package. Despite the clear disapproval of the Senate, despite the public's rejection of deregulation and despite the best advice of staff and student unions, Minister Pyne continued to foreshadow surprise cuts in the lead-up to the 2015 budget. At times, he appeared to be quite enjoying himself in being mischievous about this.

The Greens today are calling for a restructuring of university funding. This is antithetical to Minister Pyne's market-based model. The Greens support the phasing in of free universal education from preschool through to higher education. Australia needs world-class higher education. TAFEs and universities should be the nation's engine rooms of cultural and economic innovation. Yet, our system is struggling. Working conditions for university and TAFE staff continue to deteriorate as they face increasing casualisations and job cuts.
Employment is precarious, and the quality of teaching is being compromised. Vocational education and training has been undermined and compromised by the introduction of private for-profit companies to higher education. When the former Labor government included contestability in a new COAG agreement, they opened up the higher education sector to the destructive force on education standards of companies chasing profits. The 2014 budget had a line item of nearly a quarter of a million dollars for the private sector. That has now been brought over into the 2015 budget.

The coalition makes constant reference to Australia's world-class education system. These high-sounding proclamations cannot be achieved, however, while higher education is marooned in the marketplace. The current direction of the sector closes in on the possibility of creating equal access and opportunity for students. The coalition's approach to tertiary education is one that closes the door on the less fortunate, separating our society into the have-s and the have-nots. In the world of the Prime Minister, Tony Abbott, and Minister Christopher Pyne, it appears that opportunities in life are taken for granted. When they talk it sounds like they believe that access to a high-quality education is a given and the promise of a high-paying secure job is a given. But, for most people, life is not so straightforward. Understandably, the issue of costs and payments figures strongly for most. The Greens have identified several sources of revenue to fund the higher education sector and much more.

A wise government would provide the same opportunities for all Australians and work to redistribute wealth. The coalition continues to leave massive sources of revenue with corporate interests while arguing that their hands are tied on university reform. There is an enormous disjunct here. The Greens are calling their bluff on this unrepresentative approach. We are a wealthy country and we can afford to spend money on the things that matter. Public funded higher education is not a social debt but an investment for society and the economy. We want to move towards a system which reflects that and which improves access opportunities for all. This is possible if we restructure our economy.

Abolishing tax breaks for big mining companies would shore up $10.5 billion, the original super profits tax on big mining companies would have brought in $18.6 billion, and a $2 per tonne levy on thermal coal exports would raise $1.7 billion. Imposing a millionaire's tax on the super-rich would generate over $630 million, and a public insurance levy on the big four banks would raise over $16 billion. If we close the superannuation tax loopholes that are commonly rorted by the wealthy and introduce a progressive super tax system we could save up to $10.16 billion.

These measures would generate economic returns to fund so many of the projects the leader of the Australian Greens, Richard Di Natale, outlined tonight, including the phasing in of free higher education. Improving accessibility and equity involves much more than eliminating tuition costs. The exorbitant living expenses that young people face as students are also a huge barrier to social equality. As well as being saddled with crippling debt, so many students also struggle to find affordable housing and struggle to pay for their basic needs while studying. In order to provide all young people with the same opportunities, we also need to look towards improving support for students. The Greens want to see increases to student entitlements like the youth allowance, more generous travel concessions for students, more affordable housing and better support for elected student bodies. All of these measures,
combined with tuition-free universities, will improve opportunities for students, particularly Indigenous, low-SES and rural students.

The Greens believe we need a visionary approach to education. We believe that our education system, from preschool right through to university and TAFEs, needs to be open to people from all backgrounds. We believe that it is the government's responsibility to create education opportunities for all. We need to pursue these goals in ways that also accommodate teachers, academics, researchers and general staff. We must not pursue options which foreclose on the quality of teaching. We need to rebuild job security for staff. For every $1 invested in higher education the Australian economy grows by $26. The economic benefits are massive if the investment is made. But boosting the tertiary education budget can bring even greater returns. Proper investment in higher education will expand education beyond vocational imperatives to meeting the public good. Today's students are tomorrow's leaders, researchers, innovators and problem solvers. Their creativity, energy and innovativeness will help meet the enormous challenges of this century. It is time Australia considered the benefits of free higher education.

On another matter, a great Bougainvillean and a warm, generous friend of Australia, Moses Havini, died on 2 May this year. Moses, chief of the Nakas clan, was the third university graduate from the Bougainville Island. He graduated with a Bachelor of Arts in law and politics in 1972 and a Fulbright scholarship. He also completed his Master of International Studies from Sydney University in 1994. I met Moses in the early 1990s when he was leader of the Bougainville Freedom Movement based in Sydney. At the time, my colleague Carol Sherman and I were setting up AID/WATCH, a watchdog on Australia's aid program, and Moses launched our organisation in the New South Wales parliament. We often spoke about the problems with Australian aid and how that program was managed and how it needed to change considerably.

Moses was also the Bougainville Interim Government representative from 1991 to 1998 at the United Nations and later he became the director of parliamentary committees the parliamentary services for the Autonomous Bougainville Government. As part of his work reporting to the United Nations, Moses issued a number of reports. He set out some of the great tragedies that occurred on that island because of the activities of Conzinc Riotinto, one of the world's leading mining giants. When that company set up with the assistance of the Australian government, not one equity share was offered to the people of Bougainville or to the landholders whose land was taken for the CRA mine. Australian mining legislation was used to give legitimacy to this company that took over so much land of the local people.

In 1995, Moses Havini made a report to the IWGIA International Conference on Indigenous Peoples, Environment and Development. He reported that close to 10,000 Bougainvillians—men, women and children—had died from the lack of medicine and from the war. This was a huge tragedy—a tragedy from a war being waged on Australia's doorstep that was rarely reported in this country. This is where I have to pay great credit to Moses because of his tireless work in this country, knocking on the doors of parliamentarians and working with small community organisations and with unions to speak about what was being done to his people, because there was a complete blockade at one point—land, air and sea. The suffering was extreme. The Papua New Guinea government was working with this giant mining company, Rio Tinto, and the deaths and hardship were enormous. But through the
struggle, through the leadership of people like Moses, life did change. These were Moses Havini's words in 2005, when there was the birth of the autonomous Bougainville again:

It was a very special time; a lot of people had tears in their eyes as the flag went up just as sunrise was breaking through from the Eastern horizon.

He was there with international observers to observe the election and assist with the formation of a new government. The independence struggle was something that was very dear to Moses Havini. He sacrificed much of his life to bringing this story to the world.

I extend my condolences to his four children, Ricka, Torohin, Solomon and Taloi, and his wife, Marilyn. Marilyn Havini was his partner through this struggle, through assisting people to gain some sustenance during the blockade, and also in bringing the story to the people of Australia. I give my special appreciation and my special condolences to Marilyn, who I also got to know in the 1990s. It must be a very sad time for her and her family.

Senate adjourned at 22:53

DOCUMENTS

Tabling

The following documents were tabled by the Clerk pursuant to statute:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]

Defence Act 1903—Defence Force (Superannuation) (Productivity Benefit) Amendment (Interest Factor and Other Measures) Determination 2015 [F2015L00667].

Private Health Insurance Act 2007—
- Private Health Insurance (Data Provision) Rules 2015 [F2015L00665].
- Private Health Insurance (Health Insurance Business) Rules 2015 [F2015L00664].

Public Governance, Performance and Accountability Act 2013—Commonwealth subscribed to shares in ANSTO Nuclear Medicine Pty Ltd.

Radiocommunications Act 1992—
- Radiocommunications (Digital Radio Channels — NSW/ACT) Plan Variation 2015 (No. 1) [F2015L00666].
- Radiocommunications (Digital Radio Channels — Queensland) Plan Variation 2015 (No. 1) [F2015L00668].
- Radiocommunications (Digital Radio Channels — South Australia) Plan Variation 2015 (No. 1) [F2015L00669].
- Radiocommunications (Digital Radio Channels — Tasmania) Plan Variation 2015 (No. 1) [F2015L00670].
- Radiocommunications (Digital Radio Channels — Victoria) Plan Variation 2015 (No. 1) [F2015L00671].

Departmental and Agency Appointments and Vacancies

The following documents were tabled by the Clerk pursuant to order:

Departmental and agency appointments and vacancies—Budget estimates 2015 16—Letter of advice pursuant to the order of the Senate of 24 June 2008—Infrastructure and Regional Development portfolio.
Departmental and agency grants—Budget estimates 2015-16—Letter of advice pursuant to the order of the Senate of 24 June 2008—Environment portfolio.

Estimates hearings—Unanswered questions on notice—Additional estimates 2014-15—Statement pursuant to the order of the Senate of 25 June 2014—Prime Minister and Cabinet portfolio.