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the Senate and committee hearings are available at

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SITTING DAYS—2019

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

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

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

Senate Office Holders
President—Senator the Hon. Scott Ryan
Deputy President and Chair of Committees—Senator Susan Lines
Temporary Chairs of Committees—Senators Askew, Bernardi, Bilyk, Brockman, Brown, Faruqi, Fawcett, Fieravanti-Wells, Gallacher, Griff, Kitching, Sterle and Stoker
Leader of the Government in the Senate—Senator the Hon. Mathias Cormann
Deputy Leader of the Government in the Senate—Senator the Hon. Simon Birmingham
Leader of the Opposition in the Senate—Senator the Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon. Kristina Keneally
Manager of Government Business in the Senate—Senator the Hon. Anne Ruston
Deputy Manager of Government Business in the Senate—Senator Jonathon Duniam
Manager of Opposition Business in the Senate—Senator Katy Gallagher
Deputy Manager of Opposition Business in the Senate—Senator Kimberley Kitching

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator the Hon. Mathias Cormann
Deputy Leader of the Liberal Party in the Senate—Senator the Hon. Simon Birmingham
Leader of The Nationals in the Senate—Senator the Hon. Bridget McKenzie
Deputy Leader of The Nationals in the Senate—Senator the Hon. Matthew Canavan
Leader of the Labor Party in the Senate—Senator the Hon. Penny Wong
Deputy Leader of the Labor Party in the Senate—Senator the Hon. Don Farrell
Leader of the Australian Greens—Senator Richard Di Natale
Deputy Leader of the Australian Greens in the Senate—Senator Larissa Waters
Chief Government Whip—Senator Dean Anthony Smith
Deputy Government Whips—Senators James McGrath and Slade Brockman
The Nationals Whip—Senator Perin Davey
Chief Opposition Whip—Senator Anne Elizabeth Urquhart
Deputy Opposition Whips—Senators Raff Ciccone and Malarndirri McCarthy
Australian Greens Whip—Senator Rachel Siewert

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

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

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(1) Chosen by the Parliament of Victoria to fill a casual vacancy (vice S Conroy), pursuant to section 15 of the Constitution.

(2) Chosen by the Parliament of South Australia to fill a casual vacancy (vice N Xenophon), pursuant to section 15 of the Constitution.

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

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

(5) Vacancy created by the resignation of Senator David Bushby on 21 January 2019.
PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
CA—Centre Alliance; CLP—Country Liberal Party; IND—Independent;
JLN—Jacqui Lambie Network; LNP—Liberal National Party;
LP—Liberal Party of Australia; NATS—The Nationals;
PHON—Pauline Hanson's One Nation

Heads of Parliamentary Departments
Clerk of the Senate—R Pye
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—J Wilkinson
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<tr>
<td><strong>Prime Minister</strong></td>
<td>The Hon. Scott Morrison MP</td>
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<tr>
<td><strong>Minister for the Public Service</strong></td>
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</tr>
<tr>
<td><strong>Minister for Women</strong></td>
<td>Senator the Hon. Marise Payne</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for the Public Service and Cabinet</strong></td>
<td>The Hon. Greg Hunt MP</td>
</tr>
<tr>
<td><strong>Minister for Indigenous Australians</strong></td>
<td>The Hon. Ken Wyatt AM MP</td>
</tr>
<tr>
<td><strong>Assistant Minister to the Prime Minister and Cabinet</strong></td>
<td>The Hon. Ben Morton MP</td>
</tr>
<tr>
<td><strong>Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development</strong></td>
<td>The Hon. Michael McCormack MP</td>
</tr>
<tr>
<td><strong>Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management</strong></td>
<td>The Hon. David Littleproud MP</td>
</tr>
<tr>
<td><strong>Minister for Population, Cities and Urban Infrastructure</strong></td>
<td>The Hon. Alan Tudge MP</td>
</tr>
<tr>
<td><strong>Minister for Regional Services, Decentralisation and Local Government</strong></td>
<td>The Hon. Mark Coulton MP</td>
</tr>
<tr>
<td><strong>Assistant Minister for Road Safety and Freight Transport</strong></td>
<td>The Hon. Scott Buchholz MP</td>
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<tr>
<td><strong>Assistant Minister to the Deputy Prime Minister</strong></td>
<td>The Hon. Andrew Gee MP</td>
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<tr>
<td><strong>Assistant Minister for Regional Development and Territories</strong></td>
<td>The Hon. Nola Marino MP</td>
</tr>
<tr>
<td><strong>Treasurer</strong></td>
<td>The Hon. Josh Frydenberg MP</td>
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<tr>
<td><strong>Minister for Population, Cities and Urban Infrastructure</strong></td>
<td>The Hon. Alan Tudge MP</td>
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<tr>
<td><strong>Assistant Treasurer</strong></td>
<td>The Hon. Michael Sukkar MP</td>
</tr>
<tr>
<td><strong>Minister for Housing</strong></td>
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<tr>
<td><strong>Assistant Minister for Superannuation, Financial Services and Financial Technology</strong></td>
<td>Senator the Hon. Jane Hume</td>
</tr>
<tr>
<td><strong>Minister for Finance</strong></td>
<td>Senator the Hon. Mathias Cormann</td>
</tr>
<tr>
<td>(Vice-President of the Executive Council)</td>
<td></td>
</tr>
<tr>
<td>(Leader of the Government in the Senate)</td>
<td>Senator the Hon. Zed Seselja</td>
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<td><strong>Assistant Minister for Finance, Charities and Electoral Matters</strong></td>
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<tr>
<td><strong>Minister for Agriculture</strong></td>
<td>Senator the Hon. Bridget McKenzie</td>
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<tr>
<td><strong>Assistant Minister for Forestry and Fisheries</strong></td>
<td>Senator the Hon. Jonathon Duniam</td>
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<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>Senator the Hon. Marise Payne</td>
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<tr>
<td><strong>Minister for Trade, Tourism and Investment</strong></td>
<td>Senator the Hon. Simon Birmingham</td>
</tr>
<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
<td>The Hon. Alex Hawke MP</td>
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<tr>
<td><strong>Minister for International Development and the Pacific</strong></td>
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<tr>
<td><strong>Assistant Trade and Investment Minister</strong></td>
<td>The Hon. Mark Coulton MP</td>
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<td><strong>Assistant Minister for Regional Tourism</strong></td>
<td>Senator the Hon. Jonathon Duniam</td>
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<tr>
<td><strong>Attorney-General</strong></td>
<td>The Hon. Christian Porter MP</td>
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<tr>
<td>Minister for Industrial Relations</td>
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<td>Minister for Health</td>
<td>The Hon. Greg Hunt MP</td>
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<tr>
<td>Minister for Aged Care and Senior Australians</td>
<td>Senator the Hon. Richard Colbeck</td>
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<td>Minister for Youth and Sport</td>
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<tr>
<td>Minister for Home Affairs</td>
<td>The Hon. Peter Dutton MP</td>
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<tr>
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Monday, 29 July 2019

The PRESIDENT (Senator the Hon. Scott Ryan) took the chair at 10:00, read prayers and made an acknowledgement of country.

DOCUMENTS

Tabling

The Clerk: I table documents pursuant to statute as listed on the Dynamic Red.

Full details of the documents are recorded in the Journals of the Senate.

BILLS

Ministers of State (Checks for Security Purposes) Bill 2019

Second Reading

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

Senator PATRICK (South Australia) (10:01): I think most people would be quite surprised to learn that ministers of state do not require a security clearance, that ministers of state get access to the most sensitive of government information, including having access to cabinet information, yet there is no security check. So I'm pleased to have this opportunity to add to the observations I made in my second reading speech when I first introduced the Ministers of State (Checks for Security Purposes) Bill 2019.

On 4 July, the Senate referred the bill to the Finance and Public Administration Legislation Committee for inquiry and report, due by 11 November. That committee will, one hopes, conduct a thorough and overdue examination of the important issue this bill seeks to address, which is security at the highest levels of government.

The exemption of ministers from any mandatory security-checking process is a dangerous anomaly and a significant gap in Australia's protective security framework. The bill establishes a framework for ministers to undergo a security-checking process by ASIO that is equivalent to and as rigorous as that imposed on all other persons with access to our nation's most sensitive and highly classified secrets. The purpose would be to provide security advice to the Prime Minister.

In the event that the security background check reveals an area of security concern, the Prime Minister would be free to determine what steps might be required to resolve the matter. The PM is, and would remain, the absolute decision-maker with regard to who is recommended to the Governor-General to serve in a ministerial office and have access to our nation's innermost decision-making and most sensitive secrets. What this bill will do is ensure that the PM is fully advised of any security issues that may arise from a comprehensive background check—something that is not mandatory now. To be very clear, this security check could not be used for any other purpose other than to inform the Prime Minister, and only the Prime Minister, of the day—and it's so framed in the bill. If the Prime Minister changes, the new Prime Minister cannot have access to previous assessments, only to assessments on ministers who are members of their cabinet.

The necessity for improving security across the board was again highlighted last week by the outgoing Director-General of Security, Duncan Lewis, who, in an interview with The Australian newspaper, warned in blunt terms that Australia faces an 'unprecedented' wave of espionage and foreign interference. Mr Lewis warned that 'the espionage threat showed no sign of abating', while 'unwelcome influence within Australia’s political system is now widespread'. He said:

It is an unprecedented level of activity … it’s not visible to most people.

The government and the parliament have already responded to these national security challenges, notably with the introduction of new laws to deal with foreign espionage and covert political interference and with the establishment of a foreign influence transparency scheme, which is administered by the Attorney-General. This bill supports the objective of the recent legislation by providing the Australian public with greater assurance that security will be maintained at the highest levels of the Australian government.

Regrettably, it cannot be assumed that persons appointed to high political office will always be free of characteristics, activities, associations, connections or obligations that may compromise or risk the compromise of national security within the executive government. Human frailty being what it is, elected parliamentarians and ministers are not immune to weaknesses and temptations that in rare but significant cases may lead to involvement in espionage and, indeed, treason. At the end of the Cold War, the publication of secret Soviet intelligence files
showed that the KGB had enjoyed success in recruiting as agents not just Western government officials but also parliamentarians and ministers in a number of Western countries. In the United Kingdom, for example, at least two former British Labour MPs were identified as agents recruited by the KGB. Two other Labour MPs, including one minister in the Harold Wilson government, have also been confirmed as having been paid agents of the communist Czechoslovakian intelligence service, the StB. Here in Australia, the publication of KGB archives, as well as the release of ASIO files by the National Archives, revealed that a former federal member for Hunter, the late Bert James, was a covert source for the Soviet embassy. Another Labor MP, the late senator John Wheeldon, was involved in a sex espionage scandal involving the chief KGB officer in Canberra and a French embassy official. Wheeldon was later a minister in the Whitlam government.

The Cold War is long over, but, if anything, the counterespionage and challenges that Australia now faces a much greater than ever before. China, the rising regional power, already enjoys considerable access to and influence within the Australian political system, from local governments to state parliaments and here, the national parliament. Security issues involving elected MPs and ministers have always been politically sensitive, and there has long been a reluctance to require ministers who are elected representatives to undergo any security checking processes. I might point out that there are some suggested constitutional concerns because of the separation of powers, but we must remember that members of parliament and senators, who are in a separate pillar in respect of our government, are occasionally ministers, and it is when they are ministers that they fill a role in the executive, so there is no constitutional impediment to this bill proceeding. We don't have security clearances. In the current security environment, this can no longer be acceptable.

Recent experience concerning the noncompliance of MPs and senators with constitutional requirements for election to parliament shows that the party preselection processes and electoral and media scrutiny, as well as selection to serve on the ministry cannot be relied on to identify matters that would be an issue in a security background checking process. Instances of corruption or other embarrassing incidents involving Australian political figures show that ministers may succumb to temptations that may make them vulnerable to compromise. Over the past decades, specific security issues have arisen in relation to ministers and shadow ministers. One case which I have previously discussed in the Senate, in an adjournment speech, is the relationship between member for Hunter and former defence minister Joel Fitzgibbon and Chinese Australian property developer Helen Liu, a person who is directly linked to senior Chinese military intelligence operatives. Senators would also be familiar with matters that lead to the resignation of former senator Sam Dastyari. He was a very buoyant chap, and I'm sure he would have gone on to become a Labor minister. I make no judgement about the member for Hunter, or, indeed, former Senator Dastyari. Suffice to say, these matters are precisely the sorts of issues that would be appropriately addressed by a security checking regime.

As I pointed out in my second reading speech, Canada has taken up the practice of security checking its federal ministers. That process has been adopted by successive Canadian governments and also extends to security checking MPs who serve on Canada's National Security and Intelligence Committee of Parliamentarians, the equivalent of our Parliamentary Joint Committee on Intelligence and Security. Once again, we now see in legislation, slowly creeping in as we introduce more powers, the ability of the PJCIS to examine some elements of what it is that our security services do. Yet, none of the members who are on that committee are required to have a security check of any sort. So, an additional issue which the Finance and Public Administration Legislation Committee might wish to consider is the question of security checks for members of the PJCIS.

This bill is designed to be fully consistent with the Prime Minister's responsibilities in selecting and leading the cabinet and ministry. It would be naive to think that Australian ministers of state will always be immune from failings that may make them vulnerable to compromise or tempt them into behaviour that may harm national security. They should be subject to security checking equivalent to what is done by or that applies to many thousands of public servants and Defence Force personnel who have access to highly classified information.

I'm not suggesting, and the bill does not suggest, that the security services have any vetting role over a minister—to be very, very clear about that. The bill requires that a report be compiled for the Prime Minister and only for the Prime Minister, and what the Prime Minister does to deal with any concerns that may be raised in the report it is at the discretion of the Prime Minister. When he has finished with that report, it returns to the Director-General of Security, where it will be locked away, and the bill explicitly states that report can be used for no other purpose.

I might just reflect on last week when we were discussing the TEO bill, the temporary exclusion order bill. A process has been enacted in law now—unfortunately, in my view, on account of the lack of protections for flawed evidence. In that particular bill, the home affairs minister makes a determination based upon advice from ASIO—presumably classified advice. He or she then passes their decision to a review authority, who is security cleared, to conduct a quick review. But the bill allows for the minister not to pass on the ASIO assessment if it's not in the
public interest to do so. The irony—the dichotomy—of that particular arrangement is that the review authority is required to be security cleared, but the minister who makes the decision, who sees the most sensitive information, is not required to be cleared. That creates an anomaly. I’m not suggesting anything in relation to our current home affairs minister; I’m just using that as an example that most people would say is odd.

At the very start I suggested that most Australians would be unaware and would think it very odd that our ministers who access briefings from all of our intelligence services, see sensitive information from foreign governments, get access to sensitive information from companies, and generate their own sensitive information are not security cleared. This bill will plug a major gap in Australia's protective security framework, and I commend it to the Senate.

Senator PATTERSON (Victoria) (10:14): I rise also to speak on the Ministers of State (Checks for Security Purposes) Bill 2019. As the Chair of the Senate Finance and Public Administration Legislation Committee, I look forward to our forthcoming inquiries into this bill and no doubt considering the evidence and submissions we receive. Although Senator Patrick's well-known interest and concern for national security is laudable, the government does not support this bill. I will briefly outline why this morning.

The government already has extensive vetting processes in place for ministerial staff and public servants which Senator Patrick proposes be effectively extended to also include ministers. Senator Patrick's bill would require the Prime Minister, within 14 days of the appointment of a minister, to direct the Director-General of ASIO to investigate and provide a report on matters relating to security, including the personal background and circumstances of a minister. The director-general must then provide the report to the Prime Minister within 120 days, and it must be returned to ASIO upon the Prime Minister ceasing to hold that office.

The existing process for ministerial staff and public servants is comprehensive and appropriate. Depending on the level of clearance required, it can involve identity and citizenship verification, a police check, statutory declarations, referee checks, a digital footprint check, a financial history check, an ASIO assessment, a security interview and a psychological assessment. However, there are very good reasons why ministers and their staff and public servants should be treated differently when it comes to security vetting. In the Westminster system, the only qualifications for ministerial office are, first, election by the people as a member of parliament and, second, an invitation from the Prime Minister to join their ministry. Along with every other member of parliament, ministers are required to publicly declare any relevant interest that they may have which could influence them in the exercise of their duties. Ministers are also accountable to the parliament and have to front up on a regular basis to question time, estimates and other forums to be questioned on their conduct and performance in their role. Introducing a third qualification, whereby ministers would be required, in effect, to pass a bureaucratic process in order to hold office, undermines the Westminster system.

It is entirely appropriate for ministerial staff and public servants to undergo security vetting because they are entering into an employment relationship. But ministers are not employees; they are public officials. With that status comes the public scrutiny and accountability that cannot and should not be equally applied to staff or public servants. Public servants and ministerial staff do not stand for election and, therefore, do not expose themselves to the public and media scrutiny that comes with that. The burden for ensuring that ministers are qualified and appropriate for their role rightly falls squarely with the Prime Minister. Any Prime Minister knows that their appointment will be scrutinised through the democratic parliamentary and political processes that we have in place.

Of course, party leaders must exercise good judgement in choosing their frontbench teams, and I acknowledge, as Senator Patrick has pointed out, that has not always been the case. Senator Patrick raises the case of Senator Dastyari, and I was also planning to raise it in my remarks because I think it is a salutary lesson, although for different reasons than Senator Patrick does. I think it is, in the last parliament at least, the most infamous example of an inclusion of an inappropriate person in, in this case, an opposition shadow ministry. Yet, even in this instance, the best protection that our political system has against an unsuitable appointment remains public scrutiny. After adverse media coverage and parliamentary scrutiny, Senator Dastyari first stepped down from the Labor front bench in September 2016, then again stepped down from the Labor front bench in November 2017 following further revelations, and ultimately resigned from the Senate entirely in December 2017. This is a good example of how the public and parliamentary scrutiny processes that we already have in place are the best and most effective mechanism for ensuring that an unsuitable person is not appointed, in this instance, to a shadow ministry; it would equally apply had the Labor Party been successful at the last election and won government and had Senator Dastyari aspired to serve in the ministry in government.

A confidential security vetting process as proposed by Senator Patrick is no substitute for this robust process of public and parliamentary scrutiny and the Westminster principles of ministerial accountability. It is for these reasons that the government will not be supporting the bill.
Senator FARRELL (South Australia) (10:19): I rise to speak on the Ministers of State (Checks for Security Purposes) Bill 2019 on behalf of the opposition. I notice Senator Patrick's rather cowardly attack on the member for Hunter once again in this place. Can I suggest, Senator, that, if you are going to make these allegations, at least do them outside of parliament where people can at least have the opportunity to defend themselves from these allegations.

Senator Patrick interjecting—

Senator FARRELL: I know, Senator Patrick, that you're trying to push yourself up on the Centre Alliance ticket in South Australia for the next election. I've seen the poor performance of your party at the last election, so I understand why you're doing it, Senator Patrick, but, again, can I offer you a little bit of advice? Try to focus on issues that affect South Australians, like the River Murray and like defence contracts. Stick to something that might try to improve the status of people in South Australia.

This bill seeks to impose security checks and processes on members of the executive and to allow the Prime Minister to receive this information confidentially in the form of reports from the Director-General of Security. As highlighted in the bill's explanatory memorandum, ministers occupy a position of both authority and trust in our democratic framework. Cabinet ministers are privy to the highest levels of sensitive material, including involving matters of national security and classified information. In the view of the opposition, the bill proposed by Senator Patrick does not achieve any of the substantial improvements to the ministerial or cabinet processes.

The bill highlights the contrast between public servants and ministerial staff acquiring security clearances and procedures while elected members and appointed ministers are exempt from this process. This ignores the obvious conventions in our democratic system that all elected members are placed under significant public scrutiny while seeking public office and in any subsequent election or re-election.

Senator Patrick interjecting—

Senator FARRELL: I sat quietly and listened to Senator Patrick, Deputy President; could you please ask him to provide the same courtesy?

The DEPUTY PRESIDENT: Thank you, Senator Farrell. Yes, I remind senators not to interject when other senators are speaking. Thank you.

Senator FARRELL: Thank you, Deputy President. Our system deliberately differs from, for example, the United States, where members of the executive branch are not drawn from the legislature and, therefore, are spared the scrutiny of the electoral process. As the bill references, Australia's constitutional framework ensures a minister shall not hold office for more than three months unless he or she becomes a senator or member of the House of Representatives and, therefore, subject to the scrutiny of the electoral process. Additionally, there exists a clear conflict with the role and the supremacy of the elected legislature and the appointed executive by the government of the day.

Although the bill does not seek to impose any real or practical obligation on members on the executive as a result of the checks for security purposes, there still exists a conflict on what basis an independent ministerial appointment should be made by the Prime Minister of the day. For these reasons, the opposition will not be supporting the bill proposed by Senator Patrick. Labor remains committed to further consideration of our security processes and democratic integrity measures. However, these changes must be considered carefully and take into consideration the democratic principles on which our system of government is founded.

Senator DEAN SMITH (Western Australia—Chief Government Whip in the Senate) (10:24): I rise to add some comments to Senator Patrick's bill, to reiterate some of the very wise remarks that Senator Paterson made in his contribution and to put the government's position clearly with regard to this.

I think we'd all agree that Senator Patrick's interest in national security matters is laudable. In the previous parliament, he and I sat together on the Joint Committee of Public Accounts and Audit, which, interestingly, in the course of the last parliament, conducted a number of inquiries into the Auditor-General's work around security matters and the security framework that operates in our country. While I don't doubt or dismiss Senator Patrick's forensic approach to issues like this, I think on this matter he's wrong and the bill doesn't deserve to be supported.

I think it is worth reiterating some of the comments Senator Paterson made in his contribution. The first of those, of course, was that the government already does have extensive vetting processes in place for ministerial staff and for public servants which Senator Patrick proposes to, effectively, be extended to include ministers. Senator Patrick's bill would require the Prime Minister, within 14 days of the appointment of a minister, to direct the director-general of ASIO to investigate and provide a report on 'matters relating to security'—which is a direct quote from his proposed legislation—including the personal background and circumstances of ministers. The director-general must then provide the report to the Prime Minister within 120 days, which must be returned to
ASIO upon the Prime Minister ceasing to hold that office. The existing process for ministerial staff and public servants is comprehensive and appropriate, we on the government side would argue. Depending on the level of clearance required, it can involve identity and citizenship verification, a police check, statutory declarations, referee checks, a digital footprint check, financial history check, an ASIO assessment, a security interview and a psychological assessment, so there is a very extensive list of tests that need to be applied.

However, there are very good reasons why ministers and their staff and public servants should be treated differently when it comes to security vetting. In the Westminster system, the only qualification for ministerial office is, first, election by the people to be a member of parliament and, second, an invitation by the Prime Minister to join the ministry. Along with every other member of parliament, ministers are required to publicly declare any relevant interests they may have which could influence them in the exercise of their duties. Ministers are accountable to this parliament and have to front up on a regular basis in question time, estimates and other forums to be questioned on their conduct and performance in the role. So there is already in our country a high level of transparency and with that transparency, I would argue, comes a high level of public and private accountability. Introducing a third qualification whereby ministers would be required, in effect, to pass a bureaucratic process in order to hold office undermines the Westminster system of government, and I think that was a point that Senator Farrell was trying to make in his contribution.

It is entirely appropriate, we argue, for ministerial staff and public servants to undergo security vetting because they are entering into an employment relationship. But ministers are not employees; they are public officials. With that status comes public scrutiny and accountability that cannot be equally applied to staff. I am someone, like Senator Paterson, who would argue that that public scrutiny and accountability is at a higher level and is more intense than is applied to staff. Public servants and ministerial staff do not stand for election and expose themselves to public and media scrutiny. And I think it's fair to say that, in our country, that public and media scrutiny is robust, is intense and serves the public interest well.

The burden for ensuring that ministers are qualified and appropriate for their role rightly falls to the Prime Minister. Any prime minister knows their appointments will be scrutinised through the democratic parliamentary and political processes we have in place. Of course, party leaders also must exercise good judgement in choosing their front-bench teams, and that has not always been the case. And, while I don't want to reflect too much on some of the high personalities and high stakes, this chamber has seen some people become very real and very public casualties as a result of what were private matters that were subsequently properly exposed through the media in appropriate public scrutiny. Of course, Senator Dastyari's name is one that comes to mind most immediately when we think about that set of circumstances. Yet, even in that instance, the best protection our political system has against unsuitable appointments remains public scrutiny.

To your credit, Senator Patrick, I don't mind saying that you are, have been and will continue to be a very strong advocate for increased levels of public scrutiny and increased levels of transparency. But, like I said, on this particular point I think that your concern is unwarranted and that this legislative proposal is unnecessary. A confidential security vetting process as proposed by Senator Patrick is no substitution for a robust process of public and parliamentary scrutiny and the Westminster principles of ministerial accountability.

I think this is a very critical point: some people have the false belief that, by putting something into law or regulation, you somehow improve the transparency processes in our country. I caution that. Often I hear people say, 'Oh, because it's in the law or because it's in regulation, we don't have to have the same level of intensity around our other scrutiny processes,' like the media process, like the public process or, indeed, like parliamentary scrutiny and adhering to the principles of the Westminster system of government. So I think sometimes we can find false comfort, false sanctuary in more regulations and more legislation because people then take their eye off the existing mechanisms for high levels of public scrutiny, like our Senate processes and our parliamentary processes more generally. For these reasons the government's not inclined to support this particular piece of legislation.

Although it is worth reminding the Senate that Senator Patrick's bill is before a committee. That committee process is ongoing, and, through that process, the onus will be on Senator Patrick and those people in the community who support his proposition to bring forward information that might allow people in this Senate to review their position. If the evidence is more conclusive than it currently is—I doubt that will be the outcome of the committee process but it's not my place to predict what the final outcome will be—but let's see that and let's put that evidence through the proper lens of public scrutiny as well.

With regard to that, I'll leave my comments there. The bill will, no doubt, come back to the Senate after the committee has concluded its deliberations and then we'll see what the committee process has revealed.
Senator PATRICK (South Australia) (10:32): I see that both the government and the alternative government don't, under any circumstances, want ministers to be subject to any particular security checking. However, I thank the contributors to this debate on the Ministers of State (Checks for Security Purposes) Bill 2019 because it does enliven me to questions and nooks and crannies that will need to be explored in the context of the committee. I do want to address a couple of the points that were raised in the chamber, and I thank people for making their contribution and raising these issues.

Firstly, I do appreciate that the Westminster system is a good system of government. However, to suggest that security checking ministers breaks that down is to just ignore what is happening in Canada. Canada does check its ministers from a security perspective and, indeed, operates under the Westminster system. So I think we can put any concerns in that regard to one side.

The point made by all contributors that ministers are subject to public scrutiny, media scrutiny and parliamentary scrutiny ignores the fact that, when people are being influenced by foreign officials or conducting activities that are not proper, they tend to do that covertly. They don't come into the chamber, they don't do that in sight of the media and they don't do that in the face of public scrutiny. They actually try to do that in secret. Senators would be aware that's especially problematic as our police forces and our intelligence forces are very aware of their responsibilities and the difficulties in watching what a minister may or may not be doing because it causes a considerable difficulty in respect of parliamentary privilege. We have a situation where these activities will not be done in the daylight. To the extent that they are done in secret, for good reasons, we already tie our security forces hands behind their backs. I reject some of the propositions that have been made but appreciate the early notice of the issues that will no doubt be raised in the committee. Thank you.

Debate adjourned.

Plebiscite (Future Migration Level) Bill 2018

Second Reading

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

Senator HANSON (Queensland) (10:35): I ask the question: do you think the current rate of immigration to Australia is too high? Our rate of net immigration is a topic that has regularly made an appearance at the forefront of public debate in recent years and so it should. Immigration impacts considerably on Australia's overall population growth, which in turn impacts on the lifestyles we are all able to experience. It makes common sense to understand that more people means more demand for services. If those services are not established at a pace that keeps up with the growth then lifestyles will go backwards. With the stagnant lifestyles ordinary Australians have been experiencing in the past decade we certainly don't want things to get any worse.

Raising an issue like immigration, in particular the idea of an immigration slow down, also seems to attract those who want to drag the racism tag into the discussions. It's already happened with this bill and I really expect nothing less from those who have already tossed this issue into the too-hard basket and don't have the fortitude to tackle the difficult matters that affect the lives of all citizens and residents of Australia.

As I have said previously, this bill is not about where people originate when they come to live in our great nation or why. It is strictly about the numbers and the impact those numbers—significant numbers on a global scale, mind you—are having on our lives here.

Australia's considerable population growth has been linked quite publicly in recent years to various social issues: infrastructure being unable to keep up with the population growth in our suburbs and services being unable to keep up with the increased demand that results from the collective needs of more people.

Infrastructure Australia, an Australian government body, also notes these two concerns. It says:

Lags in infrastructure provision cost the economy, but they also affect people's quality of life. If we don't get the timing of new housing and infrastructure right, our growth centres risk being characterised by congested roads, overcrowded trains and buses, over-enrolment in schools, hospital bed shortages and constraints on community infrastructure.

My next point: our considerable population growth has been linked to higher demand for housing and subsequently ever rising house prices, which for many Australians now puts owning their own home further out of reach. And it's not just population growth generally. One OECD study notes very clearly that evidence suggests that, 'changes in population growth stemming from increases in net migration tend to have a greater influence on real house prices in the medium-term than natural increases.'

The great and dedicated Australian Dick Smith has spoken about this is. Regarding the housing affordability crisis he very simply said:
... when you consider the scale of its impact on the problem, population growth gets very little scrutiny or debate relative to the other causes involved.

In fact, it is rarely acknowledged at all.

Let me say it up-front: Australia's immigration-fuelled population growth is a major cause of our country's housing affordability crisis. Mr Smith has also noted the number of years that it now takes to save up for a house deposit by saying 10 per cent of an average wage in 1975 was six years but in 2016 it is 25 years. They are all factors that highlight the impact of our high population growth on the ordinary Australian. The aspiration of owning a home is more and more at risk.

My final dot point is: population growth has also been linked to concerns about increased demands for jobs, stagnant wages growth, and subsequent unemployment and underemployment. An ABC analysis noted that Australia currently has a population growth rate of around 1.6 per cent, which is more than double the rate of the United Kingdom and of the USA and is driven, largely, by immigration. Other sources suggest a similar figure of 1.7 per cent growth. The ABC analysis also noted the subsequent impacts on wages and jobs. It said:

... in the short term an increase of the supply of labour through high migration should mean lower wages growth.

It also said:

... there are about 680,000 unemployed Australians and an additional 1 million Australians who have a job, but would like—to work—more hours.

It's also been acknowledged that many of the jobs created in Australia these days are going to immigrants, further adding to the pressures on jobseekers and their families everywhere.

The Sydney Morning Herald recently noted that in recent years many additional full-time jobs have been created, but it's equally true that many of those jobs have gone to immigrants and other new entrants to the labour force, meaning the rate of unemployment hasn't fallen below five per cent. Despite these facts about our high population growth, there remains the belief in the Australian political and business sphere that high population growth is necessary to achieve high economic growth.

Big business also loves high immigration. Big retailers like Harvey Norman love high immigration because it means there are more customers to buy their products. But the influence of Mr Harvey and other corporate leaders in the debate should be lessered because the focus should be more on the quality of life of Australian residents and citizens, rather than the hip pockets of big businesses.

In the period from 1995 to 2011, the UK experience was that mass migration had made the country significantly poorer. There was a considerable difference between the value of the services they claimed and the amount of taxation they paid. The figure was initially estimated at a shortfall of 95 billion pounds but was later revised upwards to 114 billion pounds, before being raised further to 159 billion pounds.

The dot points I outlined suggest that the ordinary Australian, including Mr Morrison's 'quiet Australians', may not necessarily be seeing the supposed benefits of having more and more people coming here who are all seeking to be somehow satisfied in all these specific criteria. It is worth looking at the UK situation with regard to immigration, which has already been mirrored in some areas in Australia. The UK's population is some 2½ times that of Australia, and their net migration numbers are around the same as ours. Concern among citizens in the UK over this figure and the impact it was having on life in the UK can be attributed considerably to the result of the Brexit vote in 2016. Australia's current net migration, according to the latest budget papers, is around 271,000 people. It's not the figure of 190,000 that was bandied around in March just prior to the election, but why let the facts get in the way of a good story when an election is coming?

New migrants to the UK have almost seen it as arriving in heaven. They have often arrived from nations where living conditions are poorer, so the conditions of their new home, even though they might be poor by UK standards, are wonderful in comparison. Jobs are potentially more readily available because they are often prepared to work for wages that are much lower than those in their previous country of origin. In the book The Strange Death of Europe: Immigration, Identity, Islam, author Douglas Murray notes that:

High among the reasons why people flock to Europe are the knowledge that its welfare states will look after migrants who arrive, and the knowledge that however long it takes or however poorly migrants may be looked after they will still enjoy a better standard of living and a better roster of rights than anywhere else, let alone in their home countries.

New migrant workers are an attractive option for businesses. Because of this mindset, there is a demise of opportunities for existing citizens and residents.

We need to ensure the UK situation does not take hold more strongly here, so it's important that this issue is debated properly and that the facts and figures are clear for all to see. To use the terminology of Mr Murray, the
situation 'will see people at the lower end of that market edged out of jobs by people from countries where wages and living standards are far lower and who are therefore willing to work for lower pay.'

We have seen elements of that emerging in Australia, with some migrants and overseas students workers being exploited because they either accept lower wages or they are oblivious to our legal wage minimums. Either way, they are filling jobs at a lower rate than that of other Australians and residents. It is not good for those looking for work, and it's not good for our economy. To add further to this situation, a high number of the migrants who are now experiencing and benefitting from the better living conditions of the UK, as they also do in Australia, are sending money back to family members still living back in poorer conditions in their former homelands. Murray, again:

The reality is that whatever its other benefits, the economic benefits of immigration accrue almost solely to the migrant. It is migrants who are able to access public facilities that have not been previously paid for. It is migrants who benefit from a wage higher than they could earn in their home country, and very often the money that they earn, or much of it, is sent to family outside the United Kingdom rather than being put back into the local economy. It is clear that economies of the host nation are impacted negatively by high rates of immigration.

As I touched on earlier, the Australian Prime Minister recently spoke of the aspirations of Australians: aspirations for a job; perhaps an apprenticeship; or to start their own business; to own a home and save for a comfortable retirement. These are typical traditional Australian aspirations. They are actually quite modest. But let's be honest: for many people they are slipping out of reach. In the past, they were almost a given. They were life's achievements, and they were quite reachable if you had a stable job and lived a sensible life. However, high immigration levels, among other things, are very much the cause of putting the barriers up that prevent these simple aspirations from being achieved.

Since 2007 Australia's population grew by five million, an overall increase of 25 per cent. There are predictions that our population will grow further in the next 50 years to 50 million people. I believe it will be more if we keep going at the rate we're going. Quite alarmingly, 60 per cent of Australia's population growth from 2006 to 2016 came from immigration. The impacts of immigration on areas of provision of services, employment, homeownership and the like also had noticeable impacts on other aspects of life, that is starting and building a family. Mr Murray notes that 'In the UK the majority of new births are from immigrants rather than existing citizens and residents.' If it is agreed that a particular country wishes to maintain a stable or slowly growing population, then before importing people from other states surely it would be more sensible to determine whether there are reasons why people in your own country are not at present having enough children. He adds, 'Only three types of people now have three children or more: the very rich, the very poor and recent immigrants.'

Is the high rate of growth by immigration good or bad? With all these facts and figures on the table I think it is a legitimate topic to debate. So I come back to my original question: do you think the current rate of immigration to Australia is too high? I believe I know the answer, but I think all Australians, those who live and breathe the consequences of our population growth every day, those who drive the congested roads and are on the crowded buses and trains and are stuck in the rental roundabout because house prices just keep rising while wages levels remain stagnant—it is those people who should be given the chance to vote on this issue so we can find out, once and for all, what the people really think.

In my previous speech on this topic I noted that the Lowy Institute survey reported a sharp spike in anti-immigration sentiment in 2018, causing its annual sentiment measure to change from positive to negative. The 2017 Scanlon survey reported 37 per cent of respondents see the current immigration intake as too high, but when respondents remained anonymous, 74 per cent that Australia did not need any more people. In the same year, the Australian Population Research Institute found that 54 per cent of respondents who were Australian voters wanted the number of immigrants reduced. So let's do a proper vote. Let every voter have a say and find out what all the people think together.

That's what I'm proposing in this bill, the Plebiscite (Future Migration Level) Bill 2018. I am proposing that a plebiscite be held, coinciding with the next federal election to ensure better convenience and to reduce costs, to ask all Australians their views on this high-impact issue. Let Australians be allowed to cast a vote, yes or no, and so collectively reveal if they believe our immigration rates are in fact too high. From there, we can determine what needs to be done to our immigration processes to make any changes that will have the flow-on effect that will improve general liveability in Australia, employment, housing affordability, less crowding in schools and hospitals, and similar issues.

The Prime Minister has previously raised the issue of an immigration cap to keep net migration to Australia at 160,000. A suggestion by former Prime Minister Tony Abbott, following my lead, was that the figure should be cut further, perhaps as low as 110,000—I have even commented as low as 75,000—until we can get infrastructure and services for the Australian people and clean up our own backyard. We're met by concern as to whether it
would blow out Australia’s deficit further. The comments all add to the many mixed opinions and viewpoints that have contributed to this debate on this issue in the past.

Is the current rate of immigration to Australia too high? Let’s put this simple question to the people, if the people in this parliament or this government have got the guts to do it. Let’s hold the plebiscite, and hold it to coincide with the next federal election so we keep the cost down. Let’s not sit on our hands on this issue any longer. Let’s take steps to understand exactly what the people think, and then act with confidence on the resulting useful information. Yesterday I put a post on my Facebook page, Pauline Hanson’s Please Explain, flagging this plebiscite, and in less than 24 hours it received more than 7,100 comments. That is quite staggering. It shows very clearly that people want to have their say on this matter. With all the politicians having their input, big businesses and researchers having their say, and academics putting in their two cents’ worth about immigration, don’t you think it’s time for everyday Australians to also be heard? That, after all, is what democracy is all about.

Senator STOKER (Queensland) (10:53): I rise to speak against the private senators’ bill put forward by Senator Hanson. There’s nothing noble about this bill. It’s long on alarmism and short on realism. No surprise, perhaps, given it has come from the party that has tried to push their anti-immigration agenda by moving a motion that praised the North Sentinel tribe’s strict zero-immigration policy—yes, the same tribe that killed American missionary John Chow last year.

I’m not here to question the motives behind the bill; they pale in comparison to the weak arguments on which the bill is built. Senator Hanson has said:

Our immigration policy is like a rider-less horse. It is dangerous. What we need is a rider, a population policy to safely guide the immigration horse.

Can I tell you that everything, and I mean everything, the government does in this space it does with the Australian people in mind. The Treasurer has an entire department. There is a tax office which looks at how many people we have, who is working, who isn’t, how long we’ll have those workers doing so or how long until we get some more, where those workers are and what they’re earning to guide tax collection and spending. And, they’re not working in the dark. The Australian Bureau of Statistics falls under the auspices of the Treasurer too. Likewise, the health minister looks at the population: where are the older people, where are the unvaccinated children, where do we need more doctors? I think you get the idea.

To help Senator Hanson understand just how much the health minister can read these things in real time, the Health Insurance Commission also collects statistics on the matter. If a person gets the flu and goes to the doctor before they go to bed for a week, we’ll know about it. When that person becomes a number in the Australian Influenza Surveillance Report, it helps to inform our decision-making. In case you’re wondering, there have been 153,272 cases of influenza this year up to 14 July.

Indeed, many people are probably uncomfortable with the amount of data that’s being collected about Australians with a view to managing population and service delivery, but all of this shows that it isn’t the government’s first rodeo on this stuff. We understand the flow-on effects of population growth on the economy, on services, on Australians’ day-to-day lives. Every day members of the team in cabinet, the ministry and our backbench are looking at population and adjusting policy and spending to deal with population changes. And, to top it all off, we have the population centre of excellence gathering all that data, comparing it against Australians’ needs, now and in the future, and against other international options.

We have a clear immigration policy. It’s called a plan for Australia’s future population—creative, that one—and it manages Australia’s immigration program in the short, medium and long term. Our plan reduces the permanent migration program cap by 15 per cent from 190,000 places to 160,000 places per year. That will make 120,000 fewer permanent visas available over the next four years.

Senator Hanson is concerned, it seems, that certain regions of our major cities have higher percentages of people who are born overseas. The government recognises that 75 per cent of Australia’s entire population growth occurs, at this point in time, in our major cities. That’s why our population plan encourages more new migrants to settle outside of our big cities and in smaller cities and regional areas. We’re incentivising regional migration with two new regional visas for skilled workers: the skilled employer sponsored regional visa; and the skilled work regional visa. Migrants on these visas will need to demonstrate that they have lived and worked in regional Australia for three years before they can apply for permanent residency and 23,000 places have been set aside from the total for these regional visas. The hope and the expectation is that they will fall in love with all the wonderful things that rural and regional Australia has to offer. We have set up new $15,000 scholarships to be made available to over 1,000 international and domestic students to study in regional Australia—again, knowing that they will find it irresistible. And international students studying at regional universities will have access to an extra year in Australia on a post-study work visa.
Senator Hanson has argued that one of the biggest drawbacks of higher immigration is greater congestion and loss of amenity in our main cities, and I acknowledge that that's something that many people are concerned about. That's part of the reason why the government is investing a record $100 billion—not million, billion—in infrastructure over the next 10 years. Some examples of projects where funding that will cut congestion in Australia's cities include: $3.5 billion for the Western Sydney rail; $2 billion for fast rail to be built between Geelong and Melbourne; and $1 billion to upgrade the M1 in Queensland as well as exploration of fast rail heading to the Sunshine Coast also in my home state. We've quadrupled funds for further road congestion-busting projects through the Urban Congestion Fund, from $1 billion to $4 billion, and we're working with the states and territories to deliver vital infrastructure projects that match local population needs. We've made population management a fixture of COAG discussions, and I think that's a significant cultural change in the way people are approaching this issue.

The Centre for Population, which I referred to earlier in my address, has been established inside Treasury, and $23.4 million had been provided to establish that centre. There are about 20 people working in there doing nothing but looking at population. They will provide detailed analysis and advice on population issues now and in the future to help make sure that we have an informed debate on these subjects.

All of these elements of our plan will help to ease population pressures in our major capitals while helping to fill employment gaps in our smaller cities and regions and to grow their economies. That's what a sensible rate of immigration does—it helps to build our economic prosperity. But not once does Senator Hanson's bill address the need to ensure that we have economic prosperity and the role that immigration plays in ensuring that, both in our past and in our future. At this point in time there is necessity for immigration at some level to ensure our high economic performance and Australians' high expectations of living standards are met.

Senator Hanson says that the majority of Australians would say that the immigration rate is too high if they were told that 62 per cent of the population increase in the decade to 2016 was the result of immigration. Well, that may be so, but what would Australians say about our immigration level if they were told more honestly that, overwhelmingly, migrants have added to our nation by stimulating stronger growth, by creating jobs in our economy, by oftentimes doing jobs that Australians don't seem to want to do and by helping to slow the overall ageing of the Australian population?

A comprehensive research paper released by Treasury and the Department of Home Affairs last year found exactly this. It cites International Monetary Fund research showing our immigration program in its current state will add up to one percentage point to GDP growth each year from 2022 to 2050. The report found that our immigration programs' focus on skilled migrants of working age—that's important; we do need to be developing the skills base in this country—helped to limit the economic impact of Australia's ageing population. The contribution of these skilled migrants has lifted the standard of living here by 0.1 per cent of GDP per capita, increased productivity by 10 per cent—quite disproportionately, I'd suggest—and raised the workforce participation rate. Skilled migrants granted permanent visas in 2014-15 alone are estimated to make a combined lifetime tax contribution of almost $7 billion.

But here's the kicker. The Treasury paper warns that, if the current rate of migration is not maintained, we risk significantly lower economic growth and a substantial drop in Australians' living standards. You have to wonder whether those from One Nation plan to put that research before the Australian people if this mooted plebiscite were to go ahead. But, of course, they won't. The government understands and those opposite understand—and Senator Hanson should understand—that the fundamentals of this bill are flawed. I acknowledge that there are those in the community who hold concerns about our immigration levels—and I hear from them often. It's no wonder that they're scared when there is divisive rhetoric put forward by some in this chamber.

Now I've got concerns about plebiscites—fundamentally because it's our job to make the call on these things: to do the research, to gather the data, to make the fair and balanced case and ultimately to make decisions, and rise and fall on whether we get them right. I'm not a fan of a sustained practice of farming out to a plebiscite anything that's in the too-hard basket. But, putting that aside, it's not necessary, because this government has a plan for responsible levels of immigration. To reduce immigration as far as Senator Hanson proposes—down to just 70,000 people a year—would pose a major risk to our economy. It risks our AAA credit rating. It risks our record economic growth at a time when there is global uncertainty. It risks the headway that we have made to boost our economy with the passage of our personal income tax cuts package.

Over 320,000 jobs were created under this government over the last year. Employment has grown for 11 straight months, with unemployment down to 5.1 per cent. The participation rate is at a record high of 65.8 per cent. Last quarter the economy grew by 0.4 per cent, bringing the yearly growth rate to 1.8 per cent. We are in our 28th year of uninterrupted annual economic growth. Are there challenges ahead? Sure, but that's all the more reason we shouldn't jeopardise that steady, positive performance. And until all Australians experience the benefits
of that growing economy, until Australians are feeling the benefits of rising wages as well as more job opportunities, we cannot rest.

This bill seeks to affirm a policy that would put all this economic improvement at risk. Why would we ask the Australian people to support a policy that is so plainly against their own economic interests? This country can attribute much of its economic success to our immigration program—in combination with other activities, of course—and our growing numbers are being managed successfully through the government's population plan. This bill endorses a solution that would have catastrophic consequences for our economy, for a problem that is already being addressed by this government in a sensible, measured and long-sighted way. For that reason, I cannot support it.

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (11:06): I rise also today to speak against Senator Hanson's private member's bill, the Plebiscite (Future Migration Level) Bill 2018. As senators will remember, when this bill was initially introduced in the last parliament, Labor opposed it vigorously. Our position has not changed. The plebiscite does not do anything other than provide a question. There is no definitive outcome on immigration rates or levels, regardless of what the outcome of the vote is. We recognise that the story of our country, the story of us, is tied to our heritage as a migration nation. Migrants come to Australia—a lot do—but they come here in search of a better life, not just for themselves but for their families. And why wouldn't they? After all, we live in the greatest country on earth.

Today nearly half of all Australians either were born overseas or have at least one parent who was. In my own case, my parents came here in the late 1960s because they knew that Australia was a country where they could work hard, get ahead and create a future for their children. They're not alone. They join roughly 7½ million others since the end of World War II. We owe much of our prosperity as a nation to those who made this journey. Indeed, the Australia that we all know and enjoy today simply would not have been possible were it not for the contribution of people who were born overseas and their children and grandchildren.

Senator Hanson has ignored the benefits of migration, particularly the economic benefits. Migrants have helped to drive our economy. One in three small businesses in Australia are run by migrants, and migrant owners employ around 1.4 million workers right across Australia. As outlined by Treasury in the April 2018 report Shaping a nation, the contribution to our economy by migrant intake alone was worth $10 billion over five years. That report stated:

… migration improves the Commonwealth's fiscal position, since migrants are likely to contribute more to tax revenue than they claim in social services or other government support.

In my home state of Victoria, one can barely walk down a mall or shopping strip without seeing the value that migrants make to our economy. But central to the defence against the kind of divisiveness proposed in this bill is not merely the important role that migration plays in our economy; rather, it is advancing the vision that we all have for this great nation. In Melbourne, what would Lygon Street be without the coffee machines brought over the seas by migrants from Italy? What would Box Hill be without its numerous dumpling restaurants opened by Chinese migrants who wanted to make something for themselves? What would Oakleigh be without the smell of roasting meat cooked in the traditional Greek way gently wafting down Eaton Mall?

Labor understands Australians are frustrated with stagnant wages, unaffordable housing and clogged infrastructure; however, migrants are not to blame. The truth is that this nation would not be what it is today without the contributions made to it by those who have come here in the hope of making a great contribution to Australia. It is not for us to subject this to a divisive and, perfectly honestly speaking, hurtful plebiscite. Whilst Labor accepts that this is important—that we make sure that we get the balance right in managing our migration program—this is the responsibility of the government with the best advice at hand. There is simply no place in our inclusive and proudly diverse nation for an expensive opinion poll on questions that don't need to be asked.

Senator ROBERTS (Queensland) (11:11): I move:

That the question be now put.

Question agreed to.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): The question is that the bill be read a second time.

The Senate divided. [11:17]

(The Deputy President—Senator Bernardi)

Ayes ......................2
Noes ......................54
Majority.................52
The Human Services Amendment (Photographic Identification and Fraud Prevention) Bill 2019 is intended to achieve exactly what it says: to stop, by including photographic indication, a Medicare card from being used by someone other than the person to whom it is issued. Presently there is nothing to stop someone from sharing their Medicare card with anyone who hasn't been issued with a card or is not eligible for a card, in order to source medical services at a cost to the government. I say this because it was brought to my attention by someone who's cousin was visiting Australia and needed to go to the doctor. He borrowed his cousin's Medicare card, went to the doctor and was then put into hospital. He actually died. The owner of the card, an Australian citizen, had to notify the authorities that the person who had actually died was using his name. He was not fined. He was asked to pay the costs.

What I'm saying is that people travelling to Australia as tourists or illegals in the country can access their friends' and families' cards to use at the doctors', at the hospitals or for any medical service that requires a Medicare card and get the taxpayer to pick up the bill. As a result, health providers have no way of verifying that the name on the card is that of the person they are treating.

Eligibility for a Medicare card is available to Australian and New Zealand citizens as well as visitors from a range of countries with which Australia has reciprocal agreements. These countries include Belgium, Finland, Italy, Malta, the Netherlands, Norway, Ireland, Slovenia, Sweden and the United Kingdom. Why on earth would we have reciprocal agreements with these countries?

The United Kingdom has a population of 65 million. We have a population of 25 million. People who are travelling out from England to Australia can access our health care at a huge cost to the taxpayer. I think this is a big problem—that people who go to our hospitals in the states are not paying for their care if there is a reciprocal agreement. Hence it is a burden on the taxpayers here in Australia.
We all know that when you travel today, if your travel arrangements are done on a credit card, most of the time the credit card covers that health insurance. We know that a lot of people take out their own personal health insurance, which should be the case. We should not have reciprocal agreements with other countries, especially when their population far exceeds that of Australia's. It's about time we started cleaning up our health act, because the cost to the taxpayers is exorbitant, and we can't give the people in this country the decent health care they need.

Anyone who has a permanent resident visa can also get a card if living in Australia. Even if they aren't, they continue to be eligible for Medicare for 12 months after leaving the country. I can't believe that even 12 months after leaving the country we give them Medicare. You may also get a Medicare card if you live in Australia and have applied for a permanent residency visa or permanent protection visa, provided that you are on a visa allowing you to work or you are the parent, spouse or child of an Australian citizen or permanent resident or a New Zealand citizen living here. It makes me ask the question. If we've got people coming into Australia who come in on a three-month visa and then pull the stunt that they want to stay in Australia, that they're a refugee, they go before the administrative tribunal and overturn the administrative decision that they have to leave the country, they are then put on a bridging visa and the decision could take two years to come down, at a cost of near nothing for them to take through the courts. Then they're allowed to work in Australia. Do they also get the Medicare card? Are they provided with health care? And prior to the decision being brought down that they must leave the country, they leave, because they've worked here, they've made the money, they've got everything provided for them, and then they leave because they've made the money they wanted to make.

We're being taken for mugs in this country—absolute mugs—and you don't do anything about it. The fact is that I see here in Canberra people sleeping out on the streets at night who can't get care or homes. I know of people who wait months if not years to have a necessary operation, and we can't provide that. We can't even open up hospital wards or beds because we haven't got the money or the services to provide to the Australian people.

There are additional ways of qualifying for the free or subsidised health benefits a Medicare card provides, depending on the type of visa you have been granted. As it stands, the use of Medicare cards is wide open to rorting, with nothing to stop a person who does not qualify for free or subsidised medical assistance from borrowing a card from a friend, as does happen. That's exactly what I've explained, and I'll go on further to say that it was told to me years ago that our health system, especially drugs—people coming out here and accessing our doctors to get script after script and then get the medications provided—is costing us to the tune of about $1 billion a year. This is a cost to the Australian taxpayer. And that's exactly what they do: they come out, visit our country, go from doctor to doctor. There's no identification on the card whatsoever. These people are doctor shopping. Then they get the scripts, get the scripts filled, take the medications back to their own countries and sell them on the black market. And of course if that card is tied to someone who's on a welfare payment, they don't pay the full price for a script. Usually it's only a couple of dollars, a few dollars. Again, we're being ripped off. I ask anyone here in this chamber, or anyone who's listening to this: when was the last time someone checked your ID card when you used your Medicare card? I can assure you it's never happened to me. But, then again, I'm more well-known than a lot of the other senators in this place.

But the whole fact is that you go somewhere and you're asked for identification. What identification? A card. In 2012 I went over to Thailand with A Current Affair and I did a program on cards. You can buy Medicare cards in the street. You can buy driver's licences in the street. And the problem is that, when we go to some place and they say, 'Show some identification,' and you pull out a card, usually that person behind the counter has no idea what they're looking for. They see the colour of the card; it looks exactly the same. It could be one of these cards that you can pick up over the internet or that you can buy on the streets of Thailand for $50. I've heard you can get them as cheap as $30. So what happens is that, over a period of the time, with these false driver's licences, false credit cards and false Medicare cards, you're building up your 100 points; when you finally do get the legitimate item you can start rorting the system.

Surely people can see how far behind the eight ball we are. We are backwards when it comes to identification. How many times in this chamber have we spoken about security? But we've never really addressed the concerns here to do with the Medicare card. Why is it not possible to have identification on Medicare cards—to have your photograph on it, like we do on our driver's licences, and to have a chip in it which gets swiped so we know that it is you and we have the information that we need? These are important matters that need to be discussed.

The 2018-19 budget for Medicare—or medical benefits, as it is labelled—is $24.1 billion, compared to an estimated total expenditure in 2017-18 of $23.3 billion. It is forecast to grow to $25.5 billion in 2019-20, $26.8 billion in 2020-21 and $28.2 billion in 2021-22. Medicare costs represent a significant part of the country's health budget, and this is growing as the population ages. Possession of a Medicare card has a financial value to whoever uses it, representing free or subsidised health care. Passports and driver's licences are protected, in part, from
fraudulent use by having photographic identification of the person to whom they are issued. I see no reason why
this should not also apply to Medicare cards.

I'd like to hear the response in this chamber from any senator who'll give me a legitimate reason why a
photograph should not be on our Medicare card to protect against fraudulent activity? Is there any sound reason
why it should not be on the card? Surely we have a duty of care to the taxpayers of this nation to ensure that their
tax dollars are not being ripped off. Too often do I hear in this chamber that people are saying, 'We need the
money.' I have charities and different organisations that are crying out for help and assistance. Just to have half a
million dollars or a million dollars would go so far in helping their organisation. If we tackled this problem with
the Medicare card, we could ensure that only Australian citizens or permanent residents—people who are truly
entitled to use it—have the use of that card. If it is true that we have 65,000 or 70,000 people who are in this
country illegally, what are they doing for their health services? Are they paying with cash, or are they using the
cards of their family or friends to go to the doctor? Are they utilising our health services and our hospitals and
taking up beds they are not entitled to?

It would be very easy for us to get on top of this and ensure there is photographic identification of every
Australian, regardless of who they are. Even those people out there who care to wear a burqa should show their
face on their Medicare card, and anyone who does not want to have a photograph taken, like for a drivers licence,
pays full price; they don't get the benefits of it. If you want taxpayer funded services, whether it be Medicare or
anything else, then prove who you are. If it's good enough for drivers licences and if it's good enough for
passports, then it's good enough for Medicare. They must actually prove who they are.

I believe that this bill will stop fraudulent use and the consequent drain on the health budget. It will strengthen
the integrity of the Medicare scheme—surely an outcome which everyone would welcome. I'm sure you
understand that in many other countries around the world there is strain on health care. In the United States and
Britain, there is huge strain on their health care. We have a responsibility to the people here to have the money
going into the future to provide the decent health care that the Australian people should have, but that all comes at
a cost.

The posturing that goes on in this place about stupid bills and other things that we spend so much of our time
on is not dealing with the real issues that the people want us to deal with. It's all about getting things right. I hope
the bloody-minded attitude stops. Make the changes that the people are demanding and crying out for. Stop the
fraudulent activity that's happening in this country, and get photographic identification on our Medicare cards to
stop those people who are abusing our system so that we have Medicare here in the long run.

Senator CAROL BROWN (Tasmania) (11:37): I rise to speak on the Human Services Amendment
(Photographic Identification and Fraud Prevention) Bill 2019. This bill seeks to amend the Human Services
(Medicare) Act 1973 to include a requirement that photographic identification be present on Medicare cards.
Senator Hanson states that this is to militate against fraud; the financial impact of the proposed changes; the impact on individuals, especially as it relates to their
privacy; the impact on providers, especially medical practitioners, psychologists and others who bill to Medicare;
and the government's capacity to implement any proposed changes. The impact on privacy is especially important,
and I will go into this in more detail later. The red-tape impact of the proposed changes must also be considered.
Finally, it is important to consider any unintended consequences of the bill.

There are a huge number of Medicare transactions every day. According to the Australian Medical Association,
there are 45,000 provider interactions with Health Professional Online Services every day, and an estimated
27,000 HPOS confirmations of Medicare details; and, in the last year, 148.8 million GP services claimed against
Medicare. The AMA said in 2017:

There is no evidence of a systemic problem and no evidence that patients' health information has been compromised.

From the outset, it should be noted that there are additional ways that a person's identity can be verified through
the use of their Medicare card. In 2011 Medicare cards were added to the Attorney-General's Department's
Document of Verification Service, DVS. To quote a government report from 2017:
The DVS is a secure, online system that enables user organisations to match information on a range of evidence of identity
documents against the corresponding record of the document issuing agency. In addition to helping to strengthen the integrity
of Medicare cards, the DVS provides a government-endorsed method for their verification, including for private sector
organisations such as banks and telecommunications providers which have legislated customer identification requirements. The DVS operates 24 hours a day and can provide verification of identity documents within seconds.

Medicare cards are now the second most commonly verified document through the DVS: during 2016-17 around 4.6 million or 15 per cent of all DVS transactions were conducted using Medicare card data. More than half (55 per cent) of these checks were conducted by the private sector.

This detail is worth knowing, in the context of the significant changes proposed in this bill.

We also need to consider the practical consequences and, potentially, unintended consequences of what this bill proposes. One obvious implication that must be considered, in the context of the changes this bill proposes, is that for many families it is not just an individual but several members of a family on a Medicare card. The practical consideration of having current photos of children as they age or shifting to individual cards, to avoid having many photographs on the one Medicare card, is something that would need to be explored, in detail, if this proposal were to be given serious consideration. This alone would preclude this bill from being agreed to in its current form. As I said at the outset, Labor will support sensible measures to address Medicare fraud. But there are many actual and, potentially, unintentioned consequences, where this bill would affect that need, to be considered in proper detail.

Accordingly, in considering changes of this magnitude, a process ought to be established that allows all affected stakeholders to provide their input into the proposal and for the government to thoroughly examine all of these issues. We can, therefore, look to what has been considered in the past, when similar questions and proposals have been considered. There has been a significant body of work done quite recently into the proposal raised in this bill. In July 2017 the government commissioned the Independent Review of Health Providers’ Access to Medicare Card Numbers. The purpose of this review was:

… to consider the balance between appropriate access to Medicare card numbers for health professionals and the security of patients’ Medicare card numbers.

It was in response to media reports that Australians’ Medicare data had been breached and was available for sale on the dark web. The review was chaired by former Secretary of the Department of Prime Minister and Cabinet Professor Peter Shergold; the president of the Royal Australian College of General Practitioners, Dr Bastian Seidel; then president of the Australian Medical Association Dr Michael Gannon; and Dr Kean-Seng Lim, deputy chair of the Australian Medical Association Council of General Practice.

This review made 14 representations, informed by presentations and written submissions from professionals and community and consumer organisations. The recommendations covered the specifics in this bill, such as whether photographic ID or some other form of security, like a hologram, should be on a person’s Medicare card. The review panel also considered whether a person should have to provide a secondary form of ID when they first attend a health service. There were a number of significant groups that were opposed to this proposal, which I will come to later.

Of particular relevance to the proposal raised in this bill is the review’s observation that for some groups their Medicare card is their principal source of ID. The National Aboriginal Community Controlled Health Organisation submitted to the review:

Many of our Aboriginal patients use their Medicare card as their only form of identification – many do not have a Drivers’ License or a Proof of Identity card. If this was no longer available for use as a form of identification, this would make access to essential welfare services extremely difficult for our patients.

To also quote the review panel directly in response to this, they say:

It is the Review Panel's view that any measure taken to prevent Medicare cards being used as a recognised form of secondary evidence of identity, as some submissions have suggested, has the potential to disadvantage certain vulnerable members of the community. It would also have significant impacts on a range of government and private sector organisations, and have a flow on effect on consumers, particularly in the telecommunications sector which has legislated customer identification requirements for pre-paid mobile phones. The education sector would also be significantly affected considering the Medicare card is used to support the issuance of a large number of Unique Student Identifiers.

To this point, the first recommendation of the review panel was 'that the Medicare card be retained as a form of secondary evidence for identity purposes'. The review panel also specifically considered whether having a photographic ID on a Medicare card might have the effect of reducing fraud.

The review panel responded to that proposal:

The Review Panel noted that while adding a photograph or other security feature such as a hologram might have a short term beneficial impact on the illegal reproduction of Medicare cards, such changes are not likely to have a lasting effect. A more practical and immediate measure is for organisations that accept Medicare cards as evidence of identity to utilise the DVS to confirm that the card and/or number being presented corresponds with a valid and current record held by the Department of Human Services.
As mentioned, the review also considered whether another source of ID in addition to a Medicare card should be presented when a person presents at a health facility for the first time. The Northern Territory Department of Health said of this proposal:

The NT does not support introducing additional identity requirements for this purpose as this has the potential to put added pressure on remote clinics and impact disproportionately on remote (particularly Aboriginal) people ...

In short, it would be logistically challenging and impractical to require all patients to provide more than one type of identification aligning to their Medicare card. Further, any such requirement must not be able to be used as a reason to deny access to essential health care.

The Australian Medical Association said, 'It would place an additional administrative burden on practices and put in place an unnecessary barrier to care for patients.' The Australian Privacy Foundation said:

At the outset the Foundation emphasises the fundamental importance of trust as a basis of the delivery of health services to all Australians, including in instances where a recipient may not hold a card or other token of entitlement to services. Respect for that trust through a coherent, principled and effective privacy regime is not antithetical to good governance, efficiency and responsiveness to individual needs.

The National Aboriginal Community Controlled Health Organisation said:

It is critically important to remember health services, particularly in remote areas, that they continue to have access to clients Medicare numbers which:

- imposes no additional requirement for identifying people since many clients do not carry identification.

The review panel's finding on this point was as follows:

Existing requirements around patient identification for clinical safety purposes would be consistent with a requirement that health professionals should be confident of the identity of their patients for Medicare billing purposes, and this should not pose a barrier to care. This would provide assurance that patients are using their own identity to access healthcare, and that they are eligible to receive a Medicare benefit.

The committee did also recommend:

as a condition of claiming Medicare benefits on behalf of patients, health professionals should be required to take reasonable steps to confirm the identity of patients when they are first treated.

The government formally responded to the review panel's report in February 2018. I note that it agreed, without qualification, to 13 of the review panel's 14 recommendations and agreed, in principle, to the other recommendation, pending further examination of implementation options. One of the main changes resulting from this is that health providers seek another source of identification in addition to a person's Medicare card when presenting at a health service. Of this change, the government, in response to the review panel's report, said:

This should not be onerous, and should not serve as a barrier to health care. By providing identification, consumers will be playing an essential role in supporting the ongoing integrity of the Medicare system. The Government will also empower consumers to protect their own Medicare card information by building public awareness and supporting consumers to access information about how their Medicare card number is used.

One final point worth noting is that this proposal is likely to have a very significant financial impact well into the hundreds of millions of dollars. This would need to be taken into consideration in formally considering any proposal. Labor believes that the case has not been made to support this bill. Labor encourages the government to look at this issue in more detail, particularly as technology changes, ever mindful of protecting Australians' privacy, reducing red-tape burden on health professionals and organisations and making sure that Medicare fraud is eliminated entirely.

Senator DEAN SMITH (Western Australia—Chief Government Whip in the Senate) (11:52): I thought I would use a few brief moments this morning to put on the record the government's position with regard to the private senator's bill, Human Services Amendment (Photographic Identification and Fraud Prevention) Bill 2019, brought to us by Pauline Hanson's One Nation senators in the Senate. Before doing so, I want to reiterate the government's very, very strong interest, concern and action in dealing with the issue of fraud throughout our public payments system in Australia.

As a starting point, it's worth reading directly from the Department of Human Services's website, which puts into very clear context the commitment and the framework that the government has in making sure that matters of fraud—the inappropriate payment of our welfare benefits to Australians who might seek to make illegitimate claims—is well recognised and is alive and very, very well known to government. Of course, government has a variety of remedies, which I'll come to in a moment.

The website makes it very, very clear. It says:

We—
Monday, 29 July 2019

the government on behalf of Australian taxpayers—
… administer in excess of $165 billion in payments each year. The community and government expect from us—
the Department of Human Services—
the highest standards of integrity, efficiency and effectiveness, including protecting their personal information.
The department says:
Our comprehensive Fraud Control Framework meets these expectations. It includes implementing activities, systems, policies
and procedures to prevent fraud involving customers, service providers, employees and contractors.
Our Fraud Control Framework underpins our Fraud Control Plan. The plan is available to all our employees and contractors
and outlines how we identify and manage fraud risks.
We conduct fraud risk assessments to identify internal and external fraud risks for all projects, policies and programs—
and, of course, payments—
We implement fraud controls and regularly test them to manage these fraud risks.
The department says:
We have advanced fraud detection methods to identify fraud committed by customers, service providers, employees and
contractors. We investigate all suspected fraud and are continually improving our fraud control processes and systems.
The detail of that, of course, can be found regularly in the department's annual reports.
As part of our comprehensive fraud control framework, we have a robust fraud awareness strategy. It promotes an ethical
departmental culture. We require our employees and contractors to:
• complete mandatory fraud awareness training
• report all suspected fraud by customers, service providers, employees and contractors
• complete specialised training if they are involved in fraud control, detection and investigation activities
That's not to undermine or diminish, effectively, the theme of what Senator Hanson and Senator Roberts are
saying—that is, that governments must maintain complete vigilance when it comes to protecting Australian
taxpayers from fraud and in this case with regard to Medicare payments. But, as we heard from Senator Brown
and as I will briefly encapsulate, we believe that the remedies and practices that are currently in place do work and
I think there's substantial evidence for that. But, I think it is important to put on the record and reiterate that this
particular initiative, while it might appear appealing to some in the community, faces some very significant
practical difficulties. Those difficulties, I think, reveal themselves when you examine this proposition more
closely. They were revealed again in the Shergold report of 2017, which the government responded to in 2019.

At a high level, can I just reiterate the government does not support this bill for three of primary reasons. The
first being the likely expense of rolling out the proposed new photo cards would be in the hundreds of millions of
dollars. And, when you're looking at the cost of initiatives like this, it's important to measure that expected cost
against the likely benefit. When you measure it against the likely benefit, you can't ignore the success that fraud
control initiatives are already having in making sure that payments are going to the right people.

Secondly, the government's view is that there is a future potential to skip over photos to an even more secure
form of ID such as biometrics, for example. I think this is a very important point: technology is moving at such an
effective, efficient rate at the moment that, while you might think that photographs might be a suitable
mechanism, it may well be that in future years, in the not-too-distant future, there might be other forms and
mechanisms that can do a similar job but with much greater levels of efficiency, accuracy and preserving and
protecting people's personal information.

Thirdly, the government's view, as I've alluded to already, is that various measures have already been rolled out
to provide similar protections to what the inclusion of a photograph would achieve. So, while Senator Hanson and
Senator Roberts have been correct, like coalition senators have been correct, in sensing the constant appetite and
constant need for government and agencies of government to be on top of issues around fraud control, we're
arguing that things are already being done. We're arguing that the government has a keen eye on these sorts of
issues, but the remedy is not what is being proposed in this particular bill.

Before concluding, I think it is important to put on the record a number of key points with regard to this
particular issue. There are currently over 25 million people registered on 14 million Medicare cards with many
families sharing cards with children listed on their parents' cards. Inclusion of a photo on Medicare cards would
require every individual to have a Medicare card of their own. In addition to that, the Department of Human
Services currently takes all allegations of noncompliance seriously, and all reports relating to the potential
noncompliance and inappropriate claiming are acted upon in accordance with compliance assessment procedures
that are already in place that are constantly being updated. A number of compliance strategies are also in place to
eliminate fraudulent activities, including data sharing with other departments and agencies. The Department of Human Services strongly defends the integrity of the healthcare system as it currently operates.

I want to reflect briefly on the Shergold review, Peter Shergold being the former and very competent and successful Secretary of the Department of Prime Minister and Cabinet. In 2017, Professor Shergold led the Independent Review of Health Providers Access’ to Medicare Card Numbers—the Shergold review, as I've referred to it—which included as part of its work an investigation of the issue of the current and potential use of Medicare cards as a proof of identity. The Shergold review recognised the need to appropriately balance access to health services for individuals, particularly vulnerable patients. And we heard Senator Brown talk about the impact that this would have on Indigenous people living in remote communities across Australia, and the need to balance access to health services for individuals with the security of an individual's information. The final report of the Shergold review states:

The Review Panel noted that while adding a photograph or other security feature such as a hologram might have a short term beneficial impact on the illegal reproduction of Medicare cards, such changes are not likely to have a lasting effect.

That's a very important point, when you balance that against the hundreds of millions of dollars that have been estimated that it would cost to initiate something that is proposed in this particular private senator's bill. The report continues:

A more practical and immediate measure is for organisations that accept Medicare cards as evidence of identity to utilise the DVS to confirm that the card and/or number being presented corresponds with a valid and current record held by the Department of Human Services.

The DVS is the Document Verification Service, which is already in operation.

The Shergold review conducted its activity in 2017. The government responded to that in 2018, and the government's response included four key points. The first was a significant public awareness campaign around the protection of Medicare card details, which was launched in March 2018 and is ongoing, using social media platforms, various front-of-house videos and information on DHS websites, and direct communication with peak sector bodies. The second is that the Department of Health has engaged directly with the sector through peak bodies and sought assurance that providers review their identity guidelines to ensure reasonable steps are taken to confirm the identity of a patient when they are being first treated. The third was that the DHS add additional questions to the phone inquiry line for providers seeking to confirm Medicare card details, and also reduce access to this service for providers so that it's used only in exceptional circumstances, such as when delivering services remotely. Finally, the department is also in the process of transitioning all providers to a more secure, digital authentication process for access to our online Medicare card verification services.

The sentiment of the bill—wanting to combat fraud in our very broad and extensive welfare payments system—is to be applauded. The measures contained in this particular bill don't, on close examination, deliver what is a very, very important issue—that is, that we maintain strong controls to ensure that the payments that Australian governments make on behalf of Australian taxpayers to other people to support a universal health system, like we do with Medicare, are properly resourced, and that we avoid instances of fraud. With that, I will conclude my remarks.

Senator ROBERTS (Queensland) (12:03): As a servant to the people of Queensland and Australia, I rise to discuss the core of this bill, the Human Services Amendment (Photographic Identification and Fraud Prevention) Bill 2019—that is, providing integrity. And that leads to accountability. Accountability in this parliament is so low, and people right around our country know that. Anybody who goes from this parliament as a representative of the people, and listens to the people, will find out that the people can cite instances where the accountability is low. Integrity is what it's all about.

As a One Nation senator for Queensland, I know that our supporters have a moral compass and a strong work ethic. So they're annoyed—because any lapse in accountability, any lapse in security or any lapse in integrity is paid for by the taxpayer, and the taxpayers are on the hook already for $160 billion worth of welfare. Now much of that welfare is necessary: age pensions, Department of Veterans' Affairs pensions and so on. Much of it is necessary, and we are a generous people. We Australians are known for our generosity. We will help mates. We will also help mates around the world who aren't Australians, and that is where the problem comes because of our generosity. We've all heard the saying 'generous to a fault'. We are generous to a fault because we turn a blind eye to the people who are ripping us off. Some of those people, as Senator Hanson mentioned, have come from overseas. They have been here five minutes and are plugging into a system to which they're not entitled.

Through this bill we're looking to provide for the security of taxpayers. That is important. If we don't provide for the security of taxpayers and accountability of government spending of taxpayer money—and that's where it comes from: increasingly burdened taxpayers—it will end up undermining the payment of benefits long term. We
can pay welfare payments only while the taxpayers are able to fund it. Who pays for government failures? The people pay for government failures. One of our many roles here in parliament is to protect the people's money.

We have instances where people have found retribution from Centrelink because Centrelink has made mistakes. Every person, agency and entity makes mistakes. We're not debating that. Centrelink has come back savagely and torn into people. That shows that the system is not working. They don't have the data.

We also see people in this chamber wanting to increase Newstart. That's wonderful, and we support them on many aspects of that. We ourselves want to increase the payment of pensions to married couples—$150 per fortnight. It is one of our policies. That has an impact on many other pensions. We are about maintaining generosity. We are about maintaining fairness—that is fundamental to Australian values and fundamental to One Nation—but we are also about accountability, responsibility and stopping the rorting.

As I said, the key word in this bill is 'integrity'. I see a lack of integrity around this parliament. I mentioned it when I was first in the Senate and I mentioned it again at the start of this parliament, the 46th Parliament. Taxpayers are on the hook here and taxpayers lack protection because there is a lack of accountability. Let's have a look at some of the basic economic management in this country. Let's look at the primacy of energy and see if we can find where the integrity is there. You will find there is a lack of integrity in economic management and a lack of integrity in the management of energy.

In this country we used to have competitive federalism as a foundation stone to our Constitution. That has been blown to the side and completely ignored. We now have centralisation, and with centralisation comes a lack of competition for managing this country's resources. We now find that we have centralised bureaucracy running what they call a market—but it's not a national energy market; it's a national energy racket. It has been so abused. The government itself has admitted that there is now rorting. There is gaming going on. This is just one example of a supposedly transparent scheme where the masses don't benefit directly. The gaming of the national energy market leads to multinationals and large Australian companies rorting the system and driving up the price of electricity. And who pays? The people who use electricity pay. It is now a necessity.

In addition to the national energy market we find that the bureaucracy is now gold plating the networks, so we have people making huge amounts of profit unreasonably, despite the protection that should be there. We have then things like the actual payment rates for retail providers of electricity. In some states they are guaranteed returns of around 26 per cent. Then we have things like the state government in Queensland actually owning the generators on behalf of the taxpayers but privatising them so, instead of it being a department that is accountable to the taxpayers at every election, we now have a corporation with a board of directors. We used to have a system in this country where the focus was on driving down the price of electricity and each state competed with other states to drive down the price of electricity while ensuring reliability. We now have an inherently unreliable system that is mismatched and mismanaged with a hodgepodge of renewables and intermittents coming in. What happens is that in Queensland and in other states, wherever there is a corporatised system—which is the case for the generators in our state—the emphasis of the directors is on maximising productivity. That's how they manage and that's how they're held accountable. So, when they maximise their profit, they drive a maximising of electricity prices—the complete opposite of the old competitive federalism where we drove down the price of electricity. We used to have an actual market between states and any—

The DEPUTY PRESIDENT: Resume your seat, Senator Roberts. Yes, Senator Sterle?

Senator Sterle: On a point of order: I'm trying to get my head around this speech by Senator Roberts and I can't find anywhere where he's relevant to the bill in front of us. Maybe he might be able to help me out?

The DEPUTY PRESIDENT: Thank you, Senator Sterle. It is a broad-ranging debate. I think he is being relevant, but I will continue to listen closely. Thank you, Senator Roberts.

Senator ROBERTS: That's why I started on the concept of integrity because that is what goes to the heart of this bill: integrity of our payments, to protect taxpayers who are on the hook for everything the government spends now and in the future. We want to cut down the rorting of welfare. We've had Senator Brown talk about if, indeed, fraud is occurring. Hello! Go and talk to the people in the street. They will tell you fraud is occurring. They will give you examples of fraud occurring.

Coming back to energy: what we're seeing there is that the fraud and the lack of integrity is due to government policies under both Liberal and Labor Party governments over the last 30 to 40 years. I can give you specific examples, but, at the risk of upsetting the senators, I won't go into that any further.

Let's have a look at PFAS, which is hurting the people in Oakey, the people at Richmond, the people at Williamstown and the people of many defence installations and other airports around the country. We are supposed to be protecting our citizens with defence installations. Yet we find the defence installations, through the use and abuse of PFAS, are now hurting not only the lives but the livelihood of citizens, everyday Australians
around this country. I've been listening to the residents of Oakey and how they're so upset, how they've been affected and how their health is suffering. They've been told not to eat produce grown in their own backyards in a western Queensland town, the rural town of Oakey—grown in a rich soil, but they've been told not to eat it. That affects the health of these people. The Defence department has been given recommendations from a joint committee that looked into this twice and they're ignoring those recommendations, fundamental recommendations about health.

The DEPUTY PRESIDENT: Thank you. Senator Sterle?

Senator Sterle: Once again, a point of order on relevance. I, for the life of me, cannot understand what Senator Roberts is talking about. We are discussing, or are arguing about, the photographic identification. He hasn't even gone to the purpose of the bill.

The DEPUTY PRESIDENT: I do agree. I was just checking my understanding with the Clerk because I've come into this debate while it's current. Senator Roberts, you do need to address the bill in question. I think in the last few minutes you were not doing that. You can have a broad-ranging discussion, but it does need to connect back to the bill.

Senator ROBERTS: As I said, the fundamental intent of our bill is to have a photographic card to ensure integrity. That is it. I am giving examples of how that lack of integrity is pervasive in our centralised form of governance.

The DEPUTY PRESIDENT: Senator Roberts, I remind you that it's not okay to make a statement about what the bill is about and then completely go off topic. You need to connect it up.

Senator ROBERTS: We wish to stop rorting. As Senator Hanson has stated herself, a number of people can give us examples of where people have rorted the system, used the same Medicare card repeatedly for many, many people. Having photographic identification would make sure that that would be minimised. Senator Smith himself, in criticising One Nation's proposal, acknowledged that perhaps they will be going even further into the future by looking at holograms and looking at biometric identification. That's very tight, indeed.

We are pleased to see that we are at least starting the debate to bring accountability back. That's because, as I keep saying, the people who pay for the undoubted fraud and the people who pay for the lack of integrity are the taxpayers. Our supporters, One Nation voters, have a moral compass and a very strong work ethic. I can give you examples of the lack of integrity, but I will just commend this bill to the parliament. I also seek leave to continue my remarks later.

Leave granted; debate adjourned.

Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019
Passenger Movement Charge Amendment (Timor Sea Maritime Boundaries Treaty) Bill 2019
Treasury Laws Amendment (Timor Sea Maritime Boundaries Treaty) Bill 2019
First Reading

Bills received from the House of Representatives.

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (12:16): I move: That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Senator PAYNE: by leave—I move:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Treasury Laws Amendment (Timor Sea Maritime Boundaries Treaty) Bill 2019, allowing it to be considered during this period of sittings.

I table a statement of reasons justifying the need for this bill to be considered during these sittings and seek leave to have the statement incorporated in Hansard.

Leave granted.

The statement read as follows—

Purpose of the Bill
The purpose of the bill is to amend Australia's tax laws to enable the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea, which was signed by Australia and Timor-Leste on 6 March 2018, to enter into force. The legislative amendments will provide that the taxation arrangements of existing oil and gas fields affected by the Treaty continue under conditions equivalent to current arrangements.

Reasons for Urgency
Introduction and passage of legislation in the same sitting is required to enable to Treaty to enter into force. If passage of legislation is delayed this could risk Australia's international reputation, particularly if the Timorese Government ratifies the Treaty and Australia has not done so. The commercial operators of the affected oil and gas fields may also criticise the Australian Government for the delay and uncertainty around the taxation arrangements.

Question agreed to.

Second Reading

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (12:18): I present the revised explanatory memoranda and I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

TIMOR SEA MARITIME BOUNDARIES TREATY CONSEQUENTIAL AMENDMENTS BILL 2019

The Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019 gives effect to the majority of the 2018 Treaty between Australia and the Democratic Republic of Timor-Leste Establishing Their Maritime Boundaries in the Timor Sea. The Treaty is an historic achievement for Australia and Timor-Leste and its implementation is firmly in Australia’s national interest. In introducing this bill, the Government recognises the significance of this year, 2019, to the Timorese people. This year marks the twentieth anniversary of the Popular Consultation that led to Timor-Leste's independence, and the beginning of our close security and development partnership.


Through this Treaty, Australia and Timor-Leste have settled a long-running dispute over our maritime boundaries, agreed upon a pathway for the development of Greater Sunrise and laid the foundation for a new chapter in our bilateral relations. The Treaty also provides for transitional arrangements to deliver stability and certainty for companies with operations in the Timor Sea; the express purpose being to ensure these companies can continue operations under conditions or terms equivalent to existing arrangements. Although additional taxation legislation is required to give effect to the agreed transitional arrangements, the Australian Government wants to progress this Bill now to demonstrate Australia's commitment to implementing the Treaty. The remaining legislation will be introduced as soon as possible.

The Treaty is a landmark for international law and the rules based order. It is the result of the first ever compulsory conciliation under the 1982 United Nations Convention on the Law of the Sea.

Australia and Timor-Leste demonstrated goodwill and preparedness to compromise during negotiations. Both countries, and the independent conciliation commission, recognise the outcome was fair, balanced and consistent with international law.

The Bill proposes to give effect to the Treaty by repealing parts of the Petroleum (Timor Sea Treaty) Act 2003 and transitioning the area of current joint administration known as the Joint Petroleum Development Area in recognition of Timor-Leste's sovereign jurisdiction. The Seas and Submerged Lands Act 1973 is also amended to establish and define the Greater Sunrise Special Regime Area as an area over which Australia will exercise its rights as a coastal state jointly with Timor-Leste.

This Bill also implements the arrangements for the regulation of petroleum pipelines in areas of foreign continental shelf jurisdiction consistent with the terms of the Treaty by providing for two new 'international offshore areas' for the purposes of the Bayu-Undan pipeline corridor and a potential Greater Sunrise pipeline corridor. The Bill further provides for amendments to affected offshore petroleum titles as a consequence of the Treaty. Necessary consequential amendments to give effect to all of these elements are made to other legislation by this Bill.

This Bill repeals provisions that gave effect to the superseded Timor Sea Treaty and International Unitisation Agreement, and amends the scheduled areas for the offshore areas of Western Australia, the Northern Territory, and the Territory of Ashmore and Cartier Islands affected by the maritime boundary.

This Bill alters particular offshore petroleum permits and licences which adjoined the western side of the Joint Petroleum Development Area. The effect is to reflect that portions of Australia's continental shelf under titles held by certain Australian titleholders will transition to the continental shelf of Timor-Leste upon entry into force of the Treaty. A consequence of this transition has also seen elements of exploration permit work programs transferred to new Timor-Leste production sharing contracts as agreed in the parallel transitional arrangements negotiations.

This Bill gives effect to the Greater Sunrise Special Regime Area, established by Annex B of the Treaty. The purpose of the Greater Sunrise Special Regime is to facilitate the joint development, exploitation and management of petroleum activities in the Greater Sunrise gas fields.

This Bill establishes the legal infrastructure required for the regulation of Greater Sunrise to be transitioned to a Designated Authority that will act on behalf of Australia and Timor-Leste.
This Designated Authority will, subject to the approval of the Governance Board for the Greater Sunrise Special Regime, enter into the Greater Sunrise Production Sharing Contract with the Greater Sunrise Contractor. This will be done as soon as practicable following entry into force of the Treaty and under conditions equivalent to the relevant production sharing contracts, and to the legal rights held under the applicable retention leases currently in place in accordance with Article 22 of the Timor Sea Treaty and Article 27 of the International Unitisation Agreement.

This Bill also maintains and incorporates the Eastern Greater Sunrise Offshore Area into the Northern Territory offshore area, to ensure the Australian retention leases in the Eastern Greater Sunrise Offshore Area continue uninterrupted until such time as the Greater Sunrise Production Sharing Contract commences. The Offshore Petroleum and Greenhouse Gas Storage Act 2006 will continue to apply to these retention leases during this period.

Overall, this Bill fundamentally demonstrates Australia's commitment to a robust, mutually beneficial bilateral relationship with Timor-Leste specifically, and to international law and the rules based order more generally. This Bill lays the foundation for a stronger relationship with Timor-Leste and creates a pathway for the development of Greater Sunrise, the economic benefits of which will be significant, particularly for Timor-Leste.

I commend this Bill to the Chamber.

**PASSENGER MOVEMENT CHARGE AMENDMENT (TIMOR SEA MARITIME BOUNDARIES TREATY) BILL 2019**


This Bill amends the Passenger Movement Charge Act 1978 by replicating the imposition of the passenger movement charge in relation to journeys to an installation in the Special Regime Area.

This package of Bills gives partial effect to the 2018 Treaty Between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea.

I commend this Bill to the Chamber.

**TREASURY LAWS AMENDMENT (TIMOR SEA MARITIME BOUNDARIES TREATY) BILL 2019**

This Bill gives effect to the tax arrangements required to support the entry into force of the Treaty Between Australia and the Democratic Republic of Timor-Leste Establishing Their Maritime Boundaries in the Timor Sea (the Treaty).

The Treaty was signed on 6 March 2018 and is a historic agreement for Australia and Timor-Leste. The Treaty establishes permanent maritime boundaries between our two countries and lays the foundation for a new chapter in our relationship with one of our closest neighbours.

The Treaty provides benefits for both countries. The Government recognises its significance for Timor-Leste and as Timor-Leste's leading economic partner we are committed to supporting Timor-Leste's economic development.

Under the Treaty, certain oil and gas fields in the Timor Sea will transition from joint Australian and Timor-Leste jurisdiction or exclusive Australian jurisdiction, to Timor-Leste's exclusive jurisdiction.

This Bill fulfils Australia's taxation-related obligations under the Treaty and provides certainty and security for those affected companies carrying out offshore petroleum operations in the Timor Sea.

This Bill ensures that taxation arrangements applying to these transitioned petroleum activities will continue in accordance with Annex D to the Treaty, which sets out the transitional arrangements for the Treaty coming into force.

This establishes a stable framework for resource development in the Timor Sea and provides Timor-Leste with new opportunities for income and continued resource development. It will also strengthen our bilateral relationship with Timor-Leste into the future.

The tax amendments contained in the Bill have been prepared with substantial consultation with Timor-Leste and the affected companies.

Full details of the amendments are contained in the Explanatory Memorandum.

**Senator STERLE** (Western Australia) (12:18): I rise to make my contribution to the Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019 and associated bills. Just for a bit of background, the Timor Sea Maritime Boundaries Treaty gives effect to a treaty between Australia and our very close neighbour Timor-Leste, recognising extended maritime boundaries for Timor-Leste and making new arrangements for petroleum development and revenues. This one supersedes arrangements made between Timor-Leste and Australia under the Timor Sea Treaty of 2013 and joint arrangements at Timor Gap for the purposes of petroleum development, which is called the JPDA—the joint petroleum development area.

In the new treaty, petroleum rights move from jointly Australia and Timor-Leste to exclusively Timor-Leste, except in the case of the special regime area. The treaty creates a special regime area across the gas fields known as Sunrise and Troubadour. This is with its own governance and regulatory authority that includes the protection of current Australian petroleum activities. The Greater Sunrise special regime area is a joint venture between Timor-Leste and Australia. Two international areas will be implemented for gas pipeline corridors, and the
passenger movement charge amendment bill establishes that there will be no changes to exemptions that apply to the movement of people between our two countries.

The government will also introduce legislation to amend the taxation arrangements for companies that operate projects covered by the treaty. As part of the 2018 treaty, Australia provided that no Australian company will be worse off because of the treaty and the legislation—that commercial operators will continue on conditions or terms equivalent, which is very important. This legislation has not yet been introduced, but the government has shared an exposure draft with us and has provided a departmental briefing. They have indicated that we will need to pass the bill in this sitting period to ratify the treaty, which we're doing now. Currently projects in the Joint Petroleum Development Area are subject to an Australian income tax on 10 per cent of the income and to Timorese tax on the remaining 90 per cent. The Buffalo oilfield project is entirely within Australia's tax jurisdiction. Under the 2018 treaty this income will be entirely within the Timorese jurisdiction, and I think that's good news for the Timorese.

Due to this transition, projects will cease to have Australian assessable income. As such, they may no longer be able to claim deductions for depreciating assets they had invested in. Equivalent deductions are not available under the Timorese income tax system. Similarly, they may not be able to make other deductions or carry forward tax losses. To meet the requirement that these companies would not be worse off, this bill will allow these projects to continue to claim deductions. Any future investments after the entry into force of the 2018 treaty will not be deductible in Australia.

Labor warmly welcomed the signing of the historic treaty in March 2018 between Australia and Timor-Leste, establishing their maritime boundaries in the Timor Sea. The treaty brings to an end more than 40 years of uncertainty over our shared maritime border and vindicates the strong position taken by Labor to take decisive steps to settle our dispute with our neighbour, Timor-Leste. Labor believes that the maritime boundary dispute with Timor-Leste seriously strained our bilateral relations and that it was in the national interests of both Australia and our dear neighbour to resolve this dispute. We are therefore very pleased that this treaty is the first ever to be achieved by conciliation under the United Nations Convention on the Law of the Sea.

Australia and Timor-Leste have agreed that from the date the treaty enters into force—hopefully very soon—Timor-Leste will receive all future upstream revenue derived from petroleum activities from the Kitan oilfield and the Bayu-Undan gas field. Previously both Australia and Timor-Leste received benefits from the revenue derived from petroleum activities in the JPDA, including these two fields. As I said, in addition Australia and Timor-Leste have agreed that the Buffalo oilfield, which previously fell within the continental shelf of Australia, will now fall within the continental shelf of Timor-Leste and that Timor-Leste will receive all future revenue from that oilfield—very good news. The development of the Greater Sunrise fields is expected to yield significant revenue over the life of that project. The divergent revenue estimate of $2 billion to $8 billion is dependent on the terms of the development concept that is still to be agreed, and we're working our way through with Timor-Leste and the Greater Sunrise Joint Venture for the development of the Greater Sunrise fields. The exact financial benefit to Australia will depend upon a range of factors, including this concept as well as the economics of the project and prevailing market prices for oil and gas.

This treaty will give Timor enormous amounts of revenue—probably more than we ever give in foreign aid, and that's no mean statement. It will give them a new source of independence. It is very, very good news for Timor-Leste, and it's very good news for us, because what we are doing today is honouring what we say about our own approach to the international community—our approach to social justice and our approach to fairness and equality. It's exactly where Australia should be, and we can all collectively be proud of where we've landed with the consideration of these bills. The Senate should note that in the previous parliament these bills were referred to committee, and evidence was provided that the length of time required for a treaty, which recognised Timor-Leste's claims to be negotiated and signed, had, in some quarters, seriously undermined Australia's international standing.

It is important that Australia is recognised as a trusted partner with its closest neighbours. The Australian government has had six years to work on the treaty, and now there is timing pressure to pass the bill before the parliament to allow the treaty to come into effect by the 20th anniversary of the Timor-Leste Popular Consultation on 30 August 2019. The treaty enforcement marks 20 years since Popular Consultation, on 30 August 1990, that led to Timor-Leste's independence.

The government has also introduced a tax amendment to the treaty bill that ensures no Australian company will be worse off. That's because that's the best thing that needs to be done with this treaty. The treaty demonstrates Australia's commitment to international law and rules, Australia's intention to have robust bilateral relations with Timor-Leste and, seriously, to get the Greater Sunrise gas field developed.
I commend the legislation to the Senate. It really is a fantastic time for the prosperity of the Timor-Leste people and I wish them all the very best.

**Senator DI NATALE** (Victoria—Leader of the Australian Greens) (12:26): I rise to speak on the Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019 and related bills. The Greens want to see this bill passed as soon as possible. It is our view that the Timor Sea Maritime Boundaries Treaty must be ratified without further delay, and the passage of these bills is critical to that.

The people of Timor-Leste have been waiting long enough to finally settle with Australia the borders of their nation. They have been waiting long enough for justice. I’d like to think that the ratification of the Timor Sea Maritime Boundaries Treaty signals the beginning of a new and positive bilateral relationship between our two countries, but if that is to happen we must also reflect on, acknowledge and apologise for the wrongs of the past. Prior to the negotiation of this treaty, Australia's behaviour in its relationship with Timor-Leste has been a textbook lesson in how to squander the goodwill of a neighbour and good friend.

At the time of Timor-Leste's independence, despite a vexed history, Australia came to Timor's aid. We organised and led the International Force East Timor after their overwhelming vote for independence led to a spiral of violence and the death and displacement of countless Timorese. Ordinary Australians were appalled by the violence that occurred there after the referendum and many contributed financially to humanitarian efforts. Indeed, I was privileged to be able to witness this firsthand.

When thousands of East Timorese were evacuated to Darwin, I flew up to Darwin and helped with the assessment, triage and processing of these East Timorese refugees. I'll never forget the look on some of those people's faces, people who were malnourished, many of them hiding in the hills, scared for their lives, some of them sick, all of them deeply traumatised. They were men, women and children who had been through the most horrific period that that nation has endured.

That experience was just one of many thousands of examples of Australians helping their Timorese neighbours as Timor was born a nation. Sadly, that moment in Australia's history, that support we gave to Timor-Leste as their nation was born, is a bright spot in what has been a very dark and troubled history. We know that in the 1970s Gough Whitlam, then the Prime Minister, assented to Indonesian President Suharto's plan to occupy what was then Portuguese Timor. We failed to investigate and hold anyone to account as Australian journalists, the Balibo Five, were murdered by Indonesian security forces, in Timor, in 1975. Indeed, subsequent to the Whitlam prime ministership, according to author Clinton Fernandes, the governments of Malcolm Fraser, Bob Hawke and Paul Keating all cooperated with the Indonesian military and President Suharto to obscure details about conditions in Timor-Leste and to preserve Indonesian control of the region. It seems that, while we may have had some sympathy for the plight of the East Timorese, the relationship with Indonesia was something that would be maintained at all costs.

Now, if that wasn't bad enough, subsequent to Timor-Leste's independence Australia spent much of the next decade undermining our newest neighbour. For the first two decades of this century, successive Australian governments have behaved in reprehensible way in our maritime boundary dispute with Timor-Leste. These negotiations weren't conducted in good faith. They were more interested in Australia's self-interest than in securing a fair and just outcome. We withdrew recognition of international maritime boundaries, taking billions of dollars of resource revenue that we now agree is not ours and that was taken from Timor in contravention of international legal principles.

Perhaps most shockingly, we spied on East Timor during negotiations, under the guise of an AusAID project. That illegal and unethical spying operation was of course exposed by whistleblower Witness K, who, along with his lawyer, Bernard Collaery, is facing ongoing prosecution from the Australian government. Journalist Bernard Keane has referred to the Witness K prosecution as 'the biggest national security story in a generation'. It's hard to argue with that. In his words, it's 'the ongoing cover-up of a crime committed by the Howard government to help a major Australian company, exposed by two patriots with decades of service to Australia'. Just think about that: two brave individuals interested in decency, in supporting transparency and in ensuring that justice is done are now being prosecuted by the Australian government. And it was our foreign minister at the time, Alexander Downer, who ordered this illegal spying operation to the benefit of Australian companies, like the fossil fuel behemoth, Woodside. It should surprise no-one that Mr Downer went to work for Woodside as a consultant after leaving office.

The government's treatment of Witness K and his lawyer is yet another example of Australia inching towards a police state, something that's being enabled by what is a bipartisan consensus that, somehow, if something is called 'national security legislation' it doesn't deserve proper scrutiny. Well, that is failing us. It's failing us big time. We need more transparency. We need to open up national security legislation to all members of this
chamber, not to engage in closed inquiries where evidence is given under the cloak of darkness and where draconian laws are signed off on by both the Liberal Party and the Labor Party without any opportunity to question or scrutinise the evidence that has been provided.

When you live in a democracy that spends years prosecuting a whistleblower who exposed illegal spying activity on a much less powerful neighbour and friend during oil negotiations, you know that something is rotten. Once again the Greens urge and implore the government to drop its prosecution of Witness K and his lawyer, Bernard Collaery.

While we welcome the impending ratification of this treaty, we are disappointed that it includes restrictions that prevent Timor from seeking compensation for its loss of revenue—something that effectively amounts to theft. The Australian government could return this stolen money. As Timor-Leste civil society organisation La'o Hamutuk notes in its submission to the JSCOT inquiry, Australia should follow through on the principles and values that the treaty promotes and inspires, like cooperation and friendship, and give back the revenue that we took. Sadly, I'm not holding my breath.

Let me finish by making a heartfelt apology to the people of Timor-Leste for the behaviour of past and current Australian governments. We have ignored you when you needed us most. We have used our might against a small emerging nation to pressure you into accepting unfair deals, even when the revenue from those resources that are rightly yours would have helped you find your feet and lift you out of poverty. As the Uniting Church points out in its submission, this is funding that could have been used to provide schools, health clinics, age care and support for people with disabilities. Having visited East Timor and seen the urgent health needs in that country, the lack of infrastructure and the lack of basic transport infrastructure, that funding could have been used to help that nation develop much more quickly, to lift people out of poverty, to get access to decent health care and for young people to get access to an education. No, the Australian government came to the negotiating table many years too late, after many of the resources in the contested area—resources that rightly belong to you—had already been drained. So to the people of Timor-Leste: on behalf of the Australian Greens, I say sorry. May the ratification of this treaty open up a new chapter in both of our nations' histories. We can and must do better.

On that note, I move:

At the end of the motion, add:

"but the Senate, in welcoming the ratification of the Timor Sea Maritime Boundaries Treaty, calls upon the Government to apologise to the people of Timor-Leste for the unscrupulous behaviour of successive Australian governments including illegal and unethical spying operations."

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (12:37): I want to speak briefly on the Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019 and related bills, which I'm very pleased has made its way now to the Senate—not before time, but it is good that it has now been finalised.

In March 2018, when this treaty was signed, we warmly welcomed it. I made the point at the time that the treaty brought to an end some 40 years of uncertainty over the shared maritime border. I also wish to make the point today that it is the strong position taken by the Australian Labor Party to take decisive steps to settle our dispute with Timor-Leste. As has previously been said by Senator Sterle in this debate, but does reflect the public comments both I and Tanya Plibersek have made previously, this was a boundary dispute which strained our bilateral relationship. It was also a dispute which I think was handled in a way that, for some time by the coalition, was not consistent with Australia's principled position and interest based position of support for rules based international order. It was in our national interest to resolve this boundary dispute, just as it was in the interest of Timor-Leste.

I understand this is the first treaty to be achieved by conciliation under the UN Convention on the Law of the Sea, so that is an achievement. It is reassuring that, at a time where longstanding international norms are under pressure, Australia and one of our key regional partners have been able to achieve a treaty that both affirms and advances the rules based international system. If Australia wishes to advocate that other nations play by the rules then so too must we.

The date 30 August marks 20 years since the Popular Consultation that led to Timor-Leste's independence. The lead-up to that event, and Australia's involvement in it, is something which Australians are proud of. Many Australians feel a great affection for Timor-Leste and support its aspirations. I welcome the fact that the legislation will enable the ratification of the treaty. It is vital to the economic future of Timor-Leste. And I welcome the fact that we are doing so in time for the important 20-year anniversary. I know that the parliament of Timor-Leste recently passed the enabling legislation to enable that time frame to be met.

I do want to acknowledge everyone whose hard work has got us to this point. I want to acknowledge the many officials, including from the Department of Foreign Affairs and Trade, for their work on this. I want to
acknowledge the work of my predecessor in this portfolio, the member for Sydney, Tanya Plibersek. In February 2016 Ms Plibersek as shadow foreign minister committed Labor to working towards reaching a binding international resolution with Timor-Leste in relation to the maritime boundaries. We were the first party of government to do so. It was very disappointing at the time that that announcement and that position that Labor articulated were met with dismissiveness by some in the coalition, particularly Ms Bishop, and criticism. I'm pleased that that attitude did not continue and that the coalition eventually shifted its position to that which was articulated by the Labor Party.

I'd also make the point that, for Labor people in particular and for many other Australians, the relationship is one of great matter. Both Tanya Plibersek and I visited Timor-Leste over the last two terms in opposition—Ms Plibersek in 2015 and I in 2017. I do remember some very long conversations with Xanana Gusmao about this issue, and I'm pleased that Timor-Leste was able to come to a negotiated agreement on the boundaries. It was disappointing also—and I'm pleased that this has now been resolved—that, for half a decade, the coalition had no government minister visit Timor-Leste. I think Ms Bishop visited in 2018.

Having said all that, Timor-Leste is an important partner in the region. We have a particular relationship because of our role in supporting Timor-Leste through the Popular Consultation leading to independence. We do have a great many Australians who want to continue supporting Timor-Leste, as I do and as Australian Labor does, not only through these arrangements but also in its aspirations to greater economic strength and greater economic development, and we hope that the ratification of this treaty enables a key pathway to that economic independence.

Senator McCarthy (Northern Territory—Deputy Opposition Whip in the Senate) (12:42): I rise to put on the record the importance of the relationship with East Timor and, in particular, the many East Timorese residents that we have across the Northern Territory. One of the first things I had to do with the East Timorese was when many families were evacuated because of the Dili massacre. It was an opportunity, I think, for the people of the Northern Territory—and I just want put this on the record for the Senate—because the relationship that we have in the north is enormously critical to the way we behave as a parliament in terms of our relationship with the East Timorese parliament. So it gives me great pleasure to speak on and support these Timor Sea maritime boundaries bills.

The Northern Territory has a longstanding and close relationship with East Timor. The Territory represents more than 30 per cent of the total Australian trade with Timor-Leste.

The city of Darwin has had an active sister city relationship with Dili since 2003. This is bolstered by strong sporting and cultural links between the Northern Territory and Timor-Leste, with the Northern Territory government consistently supporting mutually beneficial Timorese sporting initiatives.

Australia works with the government and the people of Timor-Leste to support their priorities and their programs. We assist in three strategic areas: the economy; people; and society. Across all programs, we prioritise improving nutrition, empowering women and girls, and supporting disability inclusive development.

The Northern Territory has recently signed a strategic partnership agreement with East Timor. Again, we do this because we acknowledge the wonderful relationship that we have with so many families who call the Northern Territory home.

The Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019 gives effect to a treaty between Australia and Timor-Leste, recognising extended maritime boundaries for Timor-Leste and making new arrangements for petroleum development and revenues.

I've been fortunate to go to Dili on quite a number of occasions to work with the Working Women's Centre Timor-Leste. That's another important relationship, again, highlighting how the growth and maturity of East Timor and the importance of their reserves and resources filter through the economy and the population to the people. I think it was in 2010 or 2011 when I was in Dili—I'll have to correct the record if I've got that date wrong—and I was actually with the then senator of the Northern Territory, Senator Trish Crossin. Part of that relationship in going to Timor-Leste was to ensure that the women of East Timor could have a voice, a very strong voice, about their relationship with their parliament, and with other parliaments around the world, about matters that impact the women of East Timor.

One of the big issues at that time was employment and the need for more resourcing for families, for businesses and for the future of a country that even then was still struggling with the infancy of its own governance and direction. So, I want to put on the record the importance of the bills at hand and the importance of East Timor to the relationship of not only the Northern Territory but Australia.

Senator McKim (Tasmania) (12:48): The Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019 and related bills before the Senate today give effect to the Timor Sea Maritime Boundaries
Treaty which was signed on 26 March 2018, almost a year and five months ago. After an inexplicably and inexcusably long delay, these bills are now being rushed through parliament so the Prime Minister can visit Timor-Leste on 30 August to participate in the 20th anniversary commemorations of that nation's historic vote for self-determination.

In addition, the Leader of the Opposition indicated in the other place that he isn't asking for these bills to go through any committee process. In fact, he said he was looking forward to travelling to Timor-Leste with the Prime Minister—that is apparently what passes for parliamentary scrutiny from the opposition these days. Furthermore, when the Joint Standing Committee on Treaties held its public hearings on this matter, it devoted all of 45 minutes to the Timor treaty from 12.15 to 1.00 pm on 7 May last year.

I'll try and do in the short time available to me the job that should have been done by this parliament and the major parties and provide an analysis of this treaty and what it might mean for our country and for the people of Timor-Leste.

Firstly, it's worth pointing out that Australia delayed agreeing to a maritime boundary until it had gone pretty much all the way down the road to depleting nearly all of the known oil and gas fields, including Kitan, Buffalo, Elang-Kakatua and Laminaria-Coralina. Now that Australia has collected the revenues, we're willing to share near-empty fields with our impoverished neighbour. How absolutely generous we are as a country! Secondly, article 10 of the treaty says that Timor-Leste shall not 'have a claim for compensation' for money collected by Australia under prior treaties and agreements. The inexcusably long delay, since 6 March last year, amounts to, as I said, nearly 18 months. According to credible estimates by La'o Hamutuk, one of Timor-Leste's finest think tanks, Australia has siphoned off about US$4 million, or about A$5.7 million, per month in revenues from the Bayu-Undan fields and it will continue to do so until the treaty is ratified. This means Australia will take about $100 million in revenues that actually should belong to Timor-Leste. Furthermore, according to the same analysis, under this treaty and its predecessors, the Australian government has collected about US$5 billion from oil and gas fields which it now recognises are in Timor-Leste's territory. That's about twice as much as the 'aid' that the Australian government says it has spent on Timor-Leste. The question around aid is: how much of that aid is actually boomerang aid, spent on salaries and other items that ultimately come back to Australia? I'll have a little bit more to say about aid when I get to regaling the Senate, once again, with the story about how one of our intelligence agencies bugged the Timor-Leste Council of Ministers room to get an unfair bargaining advantage in treaty negotiations.

I want to also point out that the delay in ratification is reminiscent of Australia's conduct during the 2002 Timor Sea Treaty when the Howard government withheld ratification for 10 months until Timor-Leste signed an international unitisation agreement giving Australia 82 per cent of revenues from the Sunrise and Troubadour fields, known collectively as Greater Sunrise. There appears to be a particular pattern in the way Australia conducts relations with Timor-Leste and I don't believe it's overstating it to call Australia's tactics bullying. On that occasion, regarding conduct during the 2002 Timor Sea Treaty, my predecessor from Tasmania in the Senate, Dr Bob Brown, condemned then Prime Minister Howard's actions 'to coerce a poor and weak neighbour, through blackmail, into accepting the agreement'. It's a matter of record that another Tasmanian senator, still sitting in this place, Senator Eric Abetz, then alleged that Dr Brown was casting an aspersion on the Prime Minister and insisted he withdrew his statement. When Senator Brown rightly refused to withdraw that statement, Labor, Liberal and National Party senators voted to suspended him from the Senate for the day. As has happened so often during Bob's career, history has proved him absolutely right. If anything, he understated the point. The Howard government not only bullied its weaker neighbour but ordered the Australian Secret Intelligence Service to spy on the Timorese government.

We talk a lot about rules based international order, and this treaty is said to be about our commitment to a rules based international order. So the question needs to be put: how does the Australian government's conduct fit this description? In March 2002, three month before Timor-Leste was to gain formal independent statehood, the Howard government withdrew from the maritime boundary jurisdiction of the International Court of Justice and the International Tribunal for the Law of the Sea. Its internal analysis said that there had been no consultation outside the federal government about the decision to withdraw, because public knowledge could lead other countries to begin legal action against Australia in relation to sea boundary delimitation. In plain English, the Australian government knew it didn't have a leg to stand on and wanted to prevent Timor-Leste hauling it before an independent umpire. How is that for a rules based international order?

Fifth, this new Timor Sea treaty hasn't come about because of this government's newly discovered commitment to a rules based order but because Timor-Leste invoked a compulsory conciliation process under UN auspices. The Australian government mounted six objections to the jurisdiction of the conciliation, all of which were found to be completely groundless. That is why we are where we are today.

CHAMBER
Sixth, neither the government nor the opposition appear in any rush to reverse the March 2002 decision to withdraw from the maritime boundary jurisdiction of the International Court of Justice and the International Tribunal for the Law of the Sea. That is unfortunate because that is, in fact, what we should do immediately. We should reverse the March 2002 decision to withdraw. That would show some commitment, however feeble, to a rules based international order. That would actually put our country's money where its mouth is.

I want to, again, remind the Senate of the fact that the Howard government ordered our external spy agency, ASIS, to obtain clandestine recordings of the Timor-Leste negotiating team's private discussions. The only reason that we know this is because of the bravery and patriotism of two people: Bernard Collaery and someone who is known as Witness K. Many describe Witness K as a whistleblower, but he is a very different kettle of fish to the people who are more commonly described as whistleblowers. Witness K made a protected disclosure to his lawyer, Bernard Collaery, with the approval of the Inspector-General of Intelligence and Security.

As we stand here today, both Mr Collaery and Witness K are being prosecuted. I don't intend to breach or intrude into the doctrine of the separation of powers. But, as it happens, their trial hasn't begun yet. It is a matter of public record that the Commonwealth Director of Public Prosecutions is relying on the National Security Information (Criminal and Civil Proceedings) Act 2004 to hold the trial almost entirely in secret. The use of national security to try these men beggars belief.

The National Security Information (Criminal and Civil Proceedings) Act 2004 was passed during the war on terror as part of the measures said to be needed to prosecute terrorists. At the time, then Attorney-General Philip Ruddock referred specifically to ASIO director-general and the protection of classified and security sensitive information as a critical issue in a terrorism trial. The Commonwealth DPP is handling the case through its organised crime and counterterrorism unit. Are we seriously expected to believe that Witness K and Bernard Collaery are potential terrorists? Give us a break.

However, there is a real national security aspect to this whole sordid affair. When the Howard government ordered ASIS to spy on Timor-Leste in order to defraud it and to steal its oil and natural gas, there was a war on terror going on, exacerbated by the illegal invasion of Iraq the previous year. At the same time as the espionage operation was underway in September 2004, the Australian Embassy in Jakarta was hit by a car bomb. That was on 9 September 2004. About a dozen people were killed, including an embassy security guard, four Indonesian policemen, a gardener and others. A terrorist group, called Jemaah Islamiyah, claimed responsibility.

At the time, the Howard government was assuring the public that it was doing everything it could to protect Australians from terrorism. Its white paper on terrorism, which was over 100 pages long, referred to extremist Muslim terrorism more than 50 times and pointed to the importance of Indonesia around 100 times. Yet, as we now know, the Howard government was diverting precious intelligence resources away from the so-called war on terror and tasking the Australian Secret Intelligence Service to spy on the East Timorese leadership in order to, as I said, defraud them and steal their natural resources.

Now Witness K and Mr Collaery are being tried under national security laws. In fact, Mr Collaery and Witness K are national heroes. They are the real reason why the new Timor Sea Treaty had to be renegotiated in the first place. We should remember that, when we hear the Prime Minister and the Leader of the Opposition talk about how this new treaty has brought Australia and Timor-Leste together. It is not this treaty that has brought Australia and Timor-Leste together. It's Mr Collaery and Witness K who are more responsible for that than any others.

The espionage operation—the bugging of the Timor-Leste cabinet discussions—occurred under cover of an Australia aid program, thereby jeopardising the security of our aid projects everywhere. This whole episode, including who authorised what and who knew about what, should be the subject of an independent inquiry and, arguably, a royal commission. It's probably Australia's biggest intelligence scandal of the past 30 years. That won't happen, because there are people from both major parties still sitting in this place and the other place who will not allow the disinfectant of sunlight to be shone on this sordid affair.

I also want to draw the Senate's attention to the very reasonable points made, in a submission to the Joint Standing Committee on Treaties, by Professor Andrew Serdy of the Institute of Maritime Law at the University of Southampton in the UK. Professor Serdy is a former DFAT officer and member of the Australian team that negotiated the 2003 Timor Sea Treaty. He criticises what he calls the disingenuous of the national interest analysis that accompanied the treaty. He says it has, and I quote from his submission:

... a number of serious omissions, from which it can be surmised that significant information is being withheld from the document's readership ...

That would include the Joint Standing Committee on Treaties. He cautions that JSCOT:

... should treat with scepticism large parts of the NIA and insist on amendments to the latter that make good the identified omissions, and only then proceed to recommend binding treaty action.
As I said at the start of my remarks, JSCOT devoted a grand total of 45 minutes to its so-called scrutiny of this treaty. Professor Serdy concluded his submission with this prophetic observation:

… it would be a betrayal of the purpose of genuine parliamentary scrutiny of treaties that the Committee was created to serve in 1996 if it were content to leave these omissions unaddressed.

That is precisely what the major parties in this place have done.

I'll conclude by adding to the public record an observation. The compulsory conciliation and the resulting treaty have succeeded only in setting the maritime boundary but not the mode of development for Greater Sunrise. As is the case with Bernard Collaery and Witness K, I suspect we haven't heard the last of that matter either.

Senator MCMAHON (Northern Territory) (13:03): This is not my first speech. I would like to say how important Timor-Leste is to my home territory of the Northern Territory. It is our nearest neighbour; it is only a one-hour flight from Darwin. We have had strong cultural, sporting and economic links, going back decades—in fact, even further back than that, with trading with our Indigenous peoples. I've had the good fortune to travel there on a couple of occasions. It's a wonderful country. It's surrounded by magnificent coral reefs, warm azure waters, rainforests, mountains and fertile farmlands.

The people themselves are great people. They're amazingly resilient. But they've clearly been beaten time and time again by various foreign nations, including, ashamedly, our own. I've heard many accounts and, in fact, been shown around parts of Dili by people that still today carry bullets from the massacre that occurred there. Whilst they don't harbour resentment towards us, there's great suspicion. But they're willing to give us a chance. They're willing to give us a chance to step up and to do the right thing by them.

On 6 March, Australia and Timor-Leste signed an historic treaty, and this is what we are talking about today. It gives clarity on the ownership of maritime resources in the Timor Sea and is important for Timor-Leste's economic future. We need permanent maritime boundaries. It reflects Australia's commitment to their independent sovereignty and economic sustainability. We need to be magnanimous and generous in our dealings with our closest neighbour. Dili is, in fact, a sister city to my home capital of Darwin, and has been since 2003, and shares a special place in our hearts.

The economy of the country is basically subsistence. You will still see fields tilled by ploughs drawn by buffalo, families supported by a few chickens and a couple of goats and coastal communities fishing to feed themselves. There are very rudimentary farming practices. This is their opportunity to reap what's rightly theirs and grow and develop their economy, their lifestyle, their education and is the people's march out of poverty.

The amendments are technical and mostly designed to ensure that existing petroleum operations in the Timor Sea can continue under conditions equivalent, as required by the treaty. This government has consulted closely with the affected companies and with Timor-Leste in drafting the amendments. I commend this to the Senate.

Senator PATRICK (South Australia) (13:07): I'm glad Australia's finally going to ratify the Timor Sea Maritime Boundary Treaty. It has certainly been a long time coming—half a century, in fact. We will finally have a maritime border with one of our closest neighbours. It is not quite the closest; PNG is.

I was in Timor-Leste in October-November last year as part of a parliamentary delegation, the first such visit to Timor-Leste in 15 years. The people we met, both from the Timorese government and the NGO sector, urged us to ratify this treaty without delay. Seven months after our visit and 1½ years after the Timor treaty was signed in March 2018, we are finally going to ratify it. I shall say a few words about this delay shortly.

I took the opportunity whilst in Timor-Leste to meet independently with civil society organisations and others that were outside the scope of the planning of DFAT. For example, I met with members of the grassroots civil society group known as the Movement Against the Occupation of the Timor Sea, known by its Tetum acronym, MKOTT. MKOTT is an important player in the Timor-Leste vibrant civil society scene. Their biggest rallies attract as many as 50,000 people, and there is photographic evidence on social media of their strong grassroots support. They expressed their dismay to me about the prosecution of Australian lawyer Bernard Collaery and his client, the former Australian Secret Intelligence Service officer known as Witness K, for allegedly exposing the 2004 bugging of the Timor-Leste cabinet offices, which Senator McKim has talked about. They said that the new treaty has brought our two countries together, but, as Senator McKim suggested, they question why the two individuals, Bernard Collaery and Witness K, who did more than anyone to bring about this state of affairs, are being prosecuted. They called on the Australian government to drop the proceedings.

This bill, the Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019, and the related bills give effect to the new treaty, and include amendments to Australian tax laws to prevent Australian companies being disadvantaged by changes to the maritime boundaries. The amendments will allow Australian companies to deduct capital expenditure into the future, even though there will be no revenue sources from those areas of investment. The treaty gives recognition to Australian oil and gas company operations in the area. It provides for
the establishment of a Greater Sunrise special regime area to be administered jointly by Australia and Timor-Leste. Depending on commodity prices and the precise details of the special regime area, Australia is expected to gain between $2 billion and $8 billion over the life of the resource.

I want to flag, however, that the mode of development for Greater Sunrise remains unsettled. There remains the potential for tension and disagreement, and we should be alert to that eventuality. In that regard, it's a matter of concern to me that there has been such a long delay between the signing of the treaty and the ratifying of it. But what is of even greater concern is that the treaty and these bills which give effect to it have not been adequately scrutinised. As Senator McKim has said, the Joint Standing Committee on Treaties, JSCOT, spent less than an hour on this more than a year ago, and the taxation bill amending our Treasury laws has not been sent to a committee for scrutiny. Moreover, when this treaty was being discussed in the other place, there was very little acknowledgement of the submissions of people and organisations that had contributed to the JSCOT inquiry. That's not the right way to treat people who have taken the trouble to contribute to the legislative process.

A case in point is Professor Andrew Serdy—and we heard Senator McKim also acknowledge him—a former DFAT officer who is an internationally renowned expert on maritime law. He asked why the treaty's accompanying National Interest Analysis does not acknowledge that the decision of the Conciliation Commission in 2016 went against Australia, and to that extent must be regarded as a defeat for Australian policy. He asked why the National Interest Analysis says that:

… the settlement contained in this Treaty is based on a mutual accommodation between the Parties without prejudice to their respective legal positions.

He points out that Australia can no longer maintain its claim to an entitlement up to the continental shelf, just as Timor-Leste can no longer claim entitlements 'extending south of the new boundary in the area where it runs north of the median line equidistant from the nearest points of land territory for each party'. Indeed, he says, the treaty 'cannot avoid prejudicing these former positions: that is its entire purpose. To insist otherwise would contradict the permanent nature of the settlement, so the committee may wish to ask the government witnesses what the intent behind this phrase is. I'm sorry to say that this matter was not pursued by JSCOT when it held its 45-minute long 'inquiry' into the treaty. It only called five witnesses: none from civil society, all from government departments—Jeremy Bruer, James Larsen, Lisa Schofield, Anne Sheehan and Justin Whyatt. Professor Serdy's point about the disingenuousness of the National Interest Analysis wasn't pursued.

I remind the Senate that, with these seven words, 'without prejudice to their respective legal positions', Australia has qualified its ratification of the treaty in terms that leave its options open on the lateral boundaries. The median line was always effectively mandated by international law anyway. We may not have heard the last about this matter. Why was it in there? That was not explored by the committee. Nor did JSCOT follow up on DFAT Chief Legal Officer Jane Larsen's statement that 'the treaty contemplates that Timor-Leste will receive future upstream revenues from fields that lie within its exclusive jurisdiction, including the Buffalo, Kitan and Bayu-Undan gas fields.' That's a snow job, everyone! The truth is that the Buffalo and Kitan fields are almost completely depleted and Bayu-Undan is on its last legs. The truth is that Timor-Leste's future upstream revenue from those fields is pretty weak tea—the cupboard is bare—but JSCOT simply let that comment, that assertion, pass.

The treaty also stipulates that there will be no compensation for past exploitation. That means Timor-Leste will never see revenues that rightfully belonged to it had we settled on the medium line from the very start. The relevant background to this is that, back in 1969, the Australian government under Prime Minister Gordon issued five petroleum exploration permits over parts of the seabed that lay closer to what was then Portuguese Timor. Australia didn't have a maritime border with Portuguese Timor. We negotiated a border with Indonesia in 1971 but rebuffed Portugal's interest in these negotiations. We worked with the Indonesians but we shunted the Portuguese.

Prime Minister Gough Whitlam sealed East Timor's fate on 6 September 1974 when he met with Indonesian President Suharto in Yogyakarta. The Australian embassy's briefing advised Whitlam that Australia wanted East Timor to join Indonesia but emphasised this could only occur with the agreement of the Timorese people. The embassy briefing also placed the East Timor question halfway down the agenda for the meeting. Instead, Whitlam opened up the meeting by discussing it as the first order of business. In a grand gesture, he told Suharto that he believed that Indonesia should annex the territory but that it had to pay lip-service to self-determination. 'Obeisance has to be made to self-determination', as documents in the National Archives of Australia show. The interpreter for Whitlam was Australian diplomat Geoff Forrester, a fluent Indonesian speaker. When the meeting ended, Forrester was 'white in the face', according to Jan Arriens, first assistant secretary at the Australian embassy.
Indonesia then went on to invade the territory in 1975. During the Indonesian invasion and 24-year occupation, East Timor suffered perhaps the largest loss of life relative to the total population since the Holocaust—204,000 people dead out of a starting population of 648,000. That's 31 per cent of the population killed. Australia, who had encouraged them to invade, was the only Western country to recognise Indonesian sovereignty over East Timor—recognition that culminated in the Timor Gap Treaty. We traded our integrity because we wanted the oil.

This cynical sort of behaviour sat uncomfortably with the Australian public, however. For them, the outrage of old diggers who had had their lives saved by East Timorese in World War Two sounded more credible than the clink of champagne glasses in the flight above the Timor Gap. The deployment of Australian troops to East Timor on 20 September 1999 as part of the International Force East Timor, or INTERFET, was a great opportunity to reset the relationship. I'll say more about INTERFET closer to the 20th anniversary of the deployment in the September sitting period this year. In 1999, when Indonesia withdrew from East Timor, the Howard government took immediate steps to gain an advantage over the country's oil and gas resources. One day before INTERFET arrived, East Timor's leader, Xanana Gusmao, had been released from house arrest in Jakarta and flown to Darwin. In her book Crossing the Line: Australia's Secret History in the Timor Sea, Kim McGrath reports that Australian officials told Gusmao that it was unsafe to return to East Timor. He and the rest of the East Timorese leadership were first required to meet executives from the oil and gas firm ConocoPhillips. She wrote:

They were desperate to return to East Timor.

Under pressure they signed a statement about petroleum resource development in the Timor Sea—the first action of the Australian government. McGrath quotes Xanana Gusmao as follows: 'It was like I had been freed from prison to be a hostage. It was only after I signed that letter they said it was safe to go home.'

Early in 2002, East Timor had sound legal advice from three experts in international maritime law: Professor Vaughan Lowe of Oxford University, Commander Chris Carelton of the UK Hydrographic Office and Australian barrister Christopher Ward. This advice, arranged by the now deceased Australian activist and medical doctor Andrew MacNaughton, showed that Timor-Leste's maritime boundaries and therefore its oil and gas resources were significantly larger than Australia was alleging. Aware of this advice, what did the Australian government do? The Howard government withdrew from the maritime boundaries jurisdiction of the International Court of Justice and the International Tribunal for Law of the Sea in March 2002. We knew we would lose a legal challenge, so we withdrew from the jurisdiction of those courts to deal with us. When Timor-Leste became an independent state three months later it couldn't exercise its rights in international law. For example, it couldn't go to the International Court of Justice. We should remember that when we talk about a rules based international order. I should point out that this withdrawal has yet to be reversed, a fact that undermines our professed commitment to the rules based international order.

Our ruthless treatment of the newly independent state of Timor-Leste had a very serious consequence. It forced the Timorese government to devote enormous energy to securing its economic viability at a time when it had almost no revenue. That robbed it of its ability to focus attention on its myriad of other problems. The country came close to being a failed state in 2006.

As we heard from Senator McKim, the Howard government also ordered the bugging of Timor-Leste's council of minister's meeting room. We now know that that happened, thanks to two Australian heroes Bernard Collaery and a former officer of the Australian Secret Intelligence Service known only as witness K. I might just announce that I have asked that—in fact, I won't do that. They're now being prosecuted in a mostly secret trial. Why is this trial secret? As I argued in the chamber in September last year, some secrecy is needed because ASIS officer identities must be kept secret—I accept that—but witness K can give evidence whilst having his identity concealed. There's no suggestion that intelligence techniques or tactics need to be disclosed. There's ample precedence for such an arrangement, as I explained last September in this chamber.

The Attorney-General, Christian Porter, has issued certificates under the National Security Information Act 2004 over the brief of evidence. I wonder what the government is trying to hide. Is it the possible misuse of Australia's intelligence agencies during the war on terror, as Senator McKim alluded to? These questions cry out for answers.

Senator McKim talked about people who were still in this building or in and around the traps. That reminded me; I wrote some names down. Chris Moraitis was a negotiator during the bugged negotiations and he's now, of course, the Secretary of the Attorney-General's Department. Dave Sharma, now a new MP, was the PM's adviser at the time. The adviser to Downer at the time was one Mr Josh Frydenberg. One of the people involved in the intelligence agency operation was Nick Warner, now the Director-General of National Intelligence. It turns out, if you engage in these unconscionable activities, you kind of make it to the top.
The ACTING DEPUTY PRESIDENT (Senator Kitching): Senator Patrick, I am going to bring your attention to the standing orders about not imputing the reputation of current parliamentarians.

Senator PATRICK: I simply stated that Josh Frydenberg was the adviser—

The ACTING DEPUTY PRESIDENT: I'm just drawing your attention to the standing orders—

Senator PATRICK: of the foreign minister at the time. That was a statement of fact, Madam Acting Deputy Kitching.

The ACTING DEPUTY PRESIDENT: just in case you were going to go beyond unconscionable—

Senator PATRICK: I'll stop. I was talking about the unconscionable conduct of the Australian government. These observations notwithstanding, I think the treaty should be ratified quickly but we should avoid making one mistake that some in other places have already made. We must never say that the additional funds from Greater Sunrise in any way make up for the massive loss of life and human rights violations that the Timorese have suffered.

Some things fall under the category of what are known as sacred values. These things are immune to being traded, discounted or negotiated away as the anthropologist Scott Atran reminds us. The martyrdom and suffering of family members and ancestors cannot be made up for by increasing revenue streams or development plans for Greater Sunrise. To even imply that this is the case would be insulting to many East Timorese. Offering to buy your way around someone's sacred values can result in anger.

I'm concerned by the way we treated the East Timorese. They know what we did and they have been attracted to other countries' assistance more so than Australia's. It's been a national policy disaster. As Senator McKim said, we've got two people who more than anyone else brought this back together, Witness K and his lawyer Bernard Collaery. For their heroic efforts, they are now being prosecuted.

I'm glad to say that we're finally going to ratify the treaty— whilst I register caveats about DFAT's national interest analysis—but there is an ongoing moral debt between Australia and Timor-Leste, and the two Aussie heroes who are facing a secret trial. Thank you.

Senator STERLE (Western Australia) (13:27): Just briefly, with the indulgence of Senator Smith, I rise to speak on the second reading amendment on sheet 8722 moved by Senator Di Natale. This bill is to ratify an important treaty that will greatly benefit the people and the nation of Timor-Leste. The second reading amendment moved by Senator Di Natale makes assertions and allegations about national security matters that go to issues unrelated to the bill. Labor is not prepared, I must stress, to support this amendment on this basis and we look forward to the passage of this legislation to ensure that the treaty be ratified in time for the 20th anniversary of the popular consultation. Thank you.

Senator DEAN SMITH (Western Australia—Chief Government Whip in the Senate) (13:28): I was happy to indulge Senator Sterle so he could have the opportunity to put the position of the opposition on the record with regard to the second reading amendment that Senator Di Natale, on behalf of the Greens, will move later in the debate.

Much has been said about the importance of this treaty and, Senator Patrick, I did enjoy your contribution and being reminded of the chequered history with regard to Timor-Leste. I would like to, as part of some introductory remarks, reiterate just how important Australia's relationship with Timor-Leste is and to remind people that there are important trade and security investments but they are underpinned by a very, very strong and deep—I'm not quite sure what the word is, but it is a word like 'love' between Australians and the people of Timor-Leste. I think that, when you travel to places like Darwin and across the Kimberley region of Western Australia like I do regularly, you can really feel that sense of warmth and appreciation.

My association with Timor-Leste, or East Timor, as it was then, goes back to the early 1990s. I participated in an exchange program that was organised by what was then called the Australian young leaders program. Seven of us from around our country had the opportunity and the real privilege to travel to Indonesia at what was a very exciting time not just in Indonesia's democratic development but in our relationship with Indonesia. As part of that trip, we visited Jakarta, and I had the opportunity to meet and to listen very attentively to the Australian Ambassador to Indonesia at the time, Philip Flood. I'll never forget what Mr Flood said to me and the other delegates on this young political leaders program. He impressed upon us, in a soft voice, the imperative for Australia to pay close attention to Indonesia's need for a strong sense of national unity across that very extensive archipelago of islands.

In hindsight, that makes what has been achieved in Timor-Leste all the more remarkable. When you look at the development of Indonesia, and when you look at the political development of a country like Timor-Leste within that, you can't help but be surprised and impressed by how Indonesian thinking has changed and how Australian
thinking has changed. Although Timor-Leste is a tiny and fragile neighbour, I think the path to democracy in Timor-Leste is one that should be constantly supported and constantly encouraged. I often have cause to reflect on what Phillip Flood might say now, when we look at what has happened in Indonesia—it's remarkable progress towards increased democratisation. I'd argue that democracy in Indonesia has brought great stability. For those of us who travel to Indonesia frequently, the maturing of Indonesian democracy has been a stand-out achievement in our region more generally. I'm someone who says that Australia should be constantly deepening its relationship with Timor-Leste, deepening those economic and security ties, and, most importantly and most fundamentally, supporting Timor-Leste's democratic development.

In this morning's contribution, I just want to reiterate the importance of Australia's bilateral relationship with Timor-Leste, and our security and defence cooperation, and reflect on our trade and investment. As would be well known to those people who have made a contribution on this debate already, Australia and Timor-Leste are close neighbours with a shared history and strong people-to-people links. The Australian people have a special affinity with Timor-Leste, as I reflected on earlier, stretching back decades. The maritime boundaries treaty marks a new chapter in our bilateral relationship. While it has been fraught with difficulties, it is a landmark agreement, one that deserves to be supported, and I think it will shape the nature of our relationship into the future. It will revitalise our strong friendship and drive cooperation in the years ahead.

Australia is, of course, fully committed to the independence, sovereignty and economic sustainability of our near neighbours, and that includes Timor-Leste. Australia remains Timor-Leste's largest development and security partner, with $96.1 million in overseas development aid provided to Timor-Leste in 2017. Australia will continue to support its objective of economic diversification and private sector growth through our development cooperation and labour mobility schemes. We look forward to partnering with Timor-Leste to develop the Greater Sunrise gas field, which will bring important benefits to both Australia and Timor-Leste.

Australia will continue to support Timor-Leste's armed forces and national police. We cooperate on regional security issues, including very real challenges around our maritime issues, border security and transnational crime. Australia supports Timor-Leste's ambition to join ASEAN to facilitate its closer economic engagement with South-East Asia.

This year, 2019, is a very important year for Timor-Leste. It is the 20th anniversary of Timor-Leste's independence referendum and the subsequent deployment of INTERFET to restore peace and stability. It's 20 years young, the modern democratic country of Timor-Leste. That's something that I think we should find time to celebrate and reflect on, but we should also put our minds to what we can do to ensure that the democratic experience in Timor-Leste is as robust as it can be. Australia looks forward to marking these events, together with our Timorese friends, over the course of the coming year.

In regard to security and defence cooperation, Australia has been at the front line in supporting Timor-Leste transition to independence and—as is well-known to this parliament—led the multinational INTERFET force, which restored security in Timor-Leste following the 1999 post-independence-ballot violence. Australia also led the 2006-2013 International Stabilisation Force, or the ISF, which was comprised of Australian and New Zealand defence forces. The ISF provided security back-up to the United Nations Integrated Mission in Timor-Leste and remained in Timor-Leste at the invitation of the Timorese government for some time after. Australia's defence and police engagement with Timor-Leste continues through the Australian Defence Cooperation Program and the Australian Federal Police's Timor-Leste Police Development Program.

On the important issue of trade and investment, which goes to the core of this treaty agreement, in 2018 two-way merchandise trade between Australia and Timor-Leste was worth just $21 million, so there's definitely room for marked improvement. Australia's exports to Timor-Leste totalled $20 million, and the major export item was passenger motor vehicles. Imports from Timor-Leste totalled around $1 million, made up primarily of coffee. There is, of course, room for growth in this two-way trade merchandise, and the Australian embassy in Dili has targeted initiatives in place to support Australian businesses to take advantage of investment opportunities in Timor-Leste. Australian businesses have found opportunities in construction, logistics, business and financial services, vocational training, consulting, tourism and security. Timor-Leste has had preferential duty-free access and quota-free access to the Australian market since July 2003. Australian development programs are supporting the non-oil private sector in Timor-Leste, including through investments in health and education, governance, and strengthening the business environment. Timor-Leste is the third-largest participant in Australia's Seasonal Worker Program, and remittances are an increasingly significant contribution to Timor-Leste's economy.

Before I go on to talk about the treaty, I've just been reminded—I'm glad that Senator Brockman is in the chamber with me, because I'm hoping that he'll endorse the comments I'm about to make. To those officials in the Department of Foreign Affairs and Trade who might be listening to this at the moment—indeed, to officials sitting to the right of me—there is one particular project in Timor-Leste that I would like us to give closer attention to,
and I'm not satisfied with the amount of work that has been done. Senator Brockman, can you guess what that project is? We were just talking about it on the weekend.

_Senator Brockman interjecting—_

_Senator DEAN SMITH:_ There is this proposition to use Australian aid money to support the development of jetty facilities in the north of the island. Those jetty facilities would support the export of cement, if I recall the project correctly, but not exclusively so. By providing aid to support an infrastructure project like that one, what we do is support not only the development of this particular industry but the economic development of the northern part of Timor-Leste. All of Timor-Leste is in need of important development support, but the northern part of the island, particularly, is in need of support and encouragement in regard to economic development. I'm someone who believes that if we were to provide third-party access to an infrastructure project, like better jetty facilities, that would multiply, if you like, the economic benefit that comes to that particular part of Timor-Leste.

I've not had a chance to prosecute this proposition directly with officials from the Department of Foreign Affairs and Trade. If they're watching this afternoon, it's top of mind for Senator Smith; top of mind for Senator Brockman; top of mind, I suspect, for Senator Reynolds, who is the new defence minister; and top of mind, I suspect, for Melissa Price, the member for Durack, which covers the Kimberley part of our state and the far north-western part of Australia. This is a project that is worthy of attention and worthy of closer examination. If, for whatever reason, it doesn't fit the tight confines of our aid budget, let's explore what more we can be doing to think laterally about how we might be able to give some impetus to what I think is an important infrastructure initiative for Timor-Leste.

Moving back to the items before us, the Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019 and associated bills, I will say some key points in summation. In March of this year, Australia and Timor-Leste signed an historic treaty on permanent maritime boundaries. The treaty was the result of a conciliation process, a process that Senator Wong reflected on earlier in her brief contribution. Under the 1982 United Nations Convention on the Law of the Sea, it gives clarity on the ownership of maritime resources in the Timor Sea and is important for Timor-Leste's economic future. It reflects Australia's commitment to the independent sovereignty and economic stability of Timor-Leste and lays important foundations for a new chapter in our bilateral relations.

The majority of necessary legislative amendments to implement the treaty were induced early July and the remaining amendments were introduced this week. The amendments are technical and mostly designed to ensure that existing petroleum operations in the Timor Sea can continue under equivalent conditions, as required by the treaty. The government has consulted closely with the affected companies and with Timor-Leste in drafting these amendments.

While the legislation establishes the Greater Sunrise Special Regime, the regulatory and governance framework for managing the development of the resource, a decision on the development of the Greater Sunrise resource itself is not required in advance of bringing this treaty into force. The treaty states that the resource may be processed in either country. Timor-Leste has publicly stated its preference to process the resource onshore in Timor-Leste.

The treaty consists of a number of inextricably linked elements, which are part of the overall agreement, including three key elements: permanent maritime boundaries between Australia and Timor-Leste in the Timor Sea, in recognition of both states' sovereign rights; the creation of Greater Sunrise Special Regime for the joint development, exploitation and management of the Greater Sunrise gas fields; and, finally, transitional arrangements to provide regulatory certainty and continuity for affected oil and gas projects in the Timor Sea. The treaty makes clear that the outcome represents a mutual accommodation, which is without prejudice to either side's legal position.

The bills contain various transitional arrangements, but I would just like to reflect on what are some of the revenue implications of the treaty. Firstly, Australia and Timor-Leste have agreed that, from the date the treaty enters into force, Timor-Leste will receive a future upstream revenue derived from the various petroleum leases in the existing Joint Petroleum Development Area. Previously, both Australia and Timor-Leste have received benefits from revenue derived from petroleum activities in this area. Ninety per cent of that benefit has been delivered to Timor-Leste and 10 per cent has been delivered to Australia. Australia and Timor-Leste have also agreed that the Buffalo oil field, which previously fell within the continental shelf of Australia, will fall within the continental shelf of Timor-Leste. Accordingly, Timor-Leste will receive all future revenue from the Buffalo oil field. The detailed financial impacts of this will not be published due to their confidential nature.

As all speakers have reflected, this is an important milestone in the development of our relationship with Timor-Leste. I hope it will be seen as perhaps a turning point for a more harmonious and a more future-driven
relationship between ourselves and our Timorese friends, remembering always that we have a very important shared history. Australia has been there at some of the most difficult times, when we think about the democratic development of Timor-Leste, underpinned always by this great affinity that Australians have with our Timorese friends. I'll leave my contributions to that.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (13:45): I seek leave to make a short statement.

Leave granted.

**Senator WONG**: I thank the Senate. I just would like to make this point: the government, including via a number of ministers, has made clear to the opposition the importance of speedy passage of this bill. We have facilitated speedy passage through the House of Representatives. We, today, have truncated our contributions on this debate to enable speedy passage, and the government is now adding speakers to the speakers list. With all due respect to Senator Smith, because he is a well-spoken man who can speak at short notice, it is quite clear that the government is seeking to delay passage of this bill prior to question time. The government owes the parliament, and certainly the opposition, an explanation as to why we were asked by ministers to facilitate passage of this legislation because it was so important and you're now filibustering it. I indicate I will give leave to the minister at the table to explain to the Senate and to the opposition why you're now delaying a bill that you sought urgent passage of.

**Senator HUME** (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (13:46): There is no delay. The speakers that are on the list have something significant that they would like to say and have an affiliation and an association with Timor-Leste.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (13:46): I seek leave to make a further statement.

Leave granted.

**Senator WONG**: You know that's not true. You know that's not true. We had a speakers list before. Senators Smith, Brockman, Bragg and Scarr were all added. With all due respect, none of you were particularly keen on talking about this previously. The ministers on the other side continue to tell the opposition: 'We want to make sure this is passed quickly.' Why are you delaying it? What's the problem? I simply don't think it's reasonable to seek the courtesy and the facilitation of the opposition for bills that are in the national interest, then realise you've got some scheduling issue and rock up and try to delay passage of it. Do Senator Payne or Senator Canavan want to come down and explain to the parliament why they've had a change of heart, why this is no longer urgent and why they're stacking in backbenchers to pad out the speakers list to two o'clock? I reckon that'd be a pretty courteous thing to do in the circumstances.

**Senator DEAN SMITH** (Western Australia—Chief Government Whip in the Senate) (13:47): I seek leave to make a statement.

Leave granted.

**Senator DEAN SMITH**: As the Chief Government Whip in the Senate, I can illuminate. This is a bill that Senator Wong, in her own admission, has said is in the national interest. That's the first point. As it's in the national interest, it is necessarily important for every senator to have the opportunity to make a contribution. Senator Smith is a senator for Western Australia. The great bulk of that shares maritime boundaries with Timor-Leste. That's the first point. The second point is: Senator Smith—and he mentioned this in his introductory remarks—travelled to Indonesia in the early 1990s and to—

**Senator Sterle**: On a point of order—I am absolutely confused. Senator Smith is referring to a 'Senator Smith'. Can you just direct him to clarify whom he is actually talking about—clarification for my good self?

**The ACTING DEPUTY PRESIDENT**: For clarification purposes—

**Senator DEAN SMITH**: Senator Smith made a contribution to this bill because he has an interest in this bill. Senator Brockman is about to make a contribution to this bill, because he has an interest in this bill as a senator for Western Australia—in the same way, Senator Sterle, that you also made a contribution to put the opposition's position on the record. And Senator Bragg, who is a member of a foreign affairs committee of this parliament, has a right to put his position regarding this bill on the public record.

There is no conspiracy here. It is in the government's interest to pass this legislation. We have an interest in passing this legislation. If there are other senators in this parliament that would like to add their names to the speakers list, they're welcome to. I have made a contribution and I am entitled to make a contribution. Senator
Senator Brockman from Western Australia is allowed to make a contribution, and Senator Bragg also should be allowed to make a contribution. The length of their contribution is a matter for each senator. This is the normal business of things.

Senator Sterle: Talk to the hand. I don't believe you.

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (13:51): I'll ignore the introduction from my fellow senator from Western Australia. This is a very important bill and it reflects a very important relationship in Australia's history. Senator Wong, who courteously listened to my first speech, would know that one of the key issues I wish to focus on in this place is the trade relationships that are so important to us.

Whilst this particular treaty is focused on more than just trade, it is a very significant relationship and one that reflects Timor-Leste's greatest economic asset—I'll restart that: their greatest economic asset is their people, of course. In the oil and gas reserves between our two great nations lies Timor-Leste's most important economic asset and the most important economic link between our two nations. That is fundamental to ensuring that what is a young democracy—a country that is a democracy that Australia played a very significant role in helping to achieve its democratic wish—has the financial resources to ensure that that nation can grow, develop and become, in the international realm, all it can be.

Those oil and gas reserves, particularly, represent the greatest asset of a close neighbour in a region where Australia is a significant economy but where its linkages to its near neighbours are vitally important, both to their future success and to Australia's future success in the region. Those of us on the backbench who do wish to speak on this bill recognise it as being a very important, very fundamental part of the future success of our nation.

Timor-Leste is a young nation. Timor-Leste is 20 years old, as my colleague from Western Australia pointed out. Australia played a fundamental role in ensuring that Timor-Leste could achieve its democratic wish. It achieved formal independence only on 20 May 2002. This is the blink of an eye in the history of democracies worldwide and certainly in this region. It represented a fundamental change for that nation. The first democratic legislative elections were held on 30 August 2001. Ninety-one per cent of Timor-Leste's eligible voters played a part in that election. That effectively elected a constituent assembly, provided for under the East Timor constitution.

I wish to talk briefly about the role Australia played in that process, because it was very significant. In fact, we were the frontline of support for Timor-Leste's transition. It came through the UN-run process for the independence referendum. Australia, through the support of INTERFET, restored security to Timor-Leste at a time of great import to that young nation. It enabled the nation to stand itself up. It enabled the nation to put in place the institutions and organs of governance that were required. Nobody around the world would doubt—and none in this place would doubt—the difficulty of that transition to democracy. We have seen it fail in other places time and time again. The support of Australia through that INTERFET process and then the, perhaps a bit slower but no less important, negotiations over the maritime boundary and over the development of the Greater Sunrise field and the related oil and gas fields between our two nations were a key step in that nation having the financial resources to stand up, to become part of the international community and to take its place as an independent sovereign nation in the global environment.

The treaty is historic, and it is vitally important that it does pass through this place. It's a historic agreement for Australia; it's a historic agreement for Timor-Leste. It establishes that permanent maritime boundary between the two countries and a stable framework for resource development in those oil and gas fields between our two nations. Under the treaty, the oil and gas fields in question will transition from joint Australia-Timor-Leste or exclusive Australian jurisdiction to Timor-Leste's exclusive jurisdiction. The treaty provides that the existing petroleum activities will continue under conditions or terms equivalent to the arrangements already in place. Whilst it does not overturn or change those conditions that are in place, it gives a level of certainty and formality to the relationship and to the ongoing work both our nations and the private sector are doing between our two countries.

The bill also, importantly, gives effect to the tax arrangements required for the treaty to enter into force and fulfils Australia's obligations under that treaty. This matter was looked at by a Senate committee; it went to the Senate Economics Legislation Committee in February 2019. In short, the bill is an important reflection of Australian government policy—bipartisan policy—in this place that will see the treaty implement the boundaries between our two nations, and it also obviously puts in place the passenger movement charge amendment, as required under the treaty obligations.

Schedule 1 of the tax bill is important. It amends the tax law to fulfil Australia's taxation related obligations under the treaty and to provide conditions equivalent to participants in the transitioned petroleum activities in the
Timor Sea. Under the boundary transition, affected companies cease to generate Australian assembly income and instead generate Timorese income. This disadvantages companies that could no longer be entitled to offset Australian tax assets such as depreciation, deductions or accumulated tax losses against future Australian assessable income, but they will still pay tax on that income in Timor-Leste. The tax law changes will allow affected companies to preserve their tax positions in the Australian system to the extent they will not be recognised in the Timor-Leste system. Obviously this is a very important transition arrangement for the companies involved. Again, the companies involved have invested significant sums of money—billions of dollars—in developing those resources to the advantage of Timor-Leste and to the advantage of Australia. Ensuring the tax arrangements as we transition to the full treaty is vitally important. The affected companies will be no better off but, importantly, they will be no worse off in terms of the taxation arrangements. There are also consequential amendments that will need to flow through.

The PRESIDENT: It being 2 pm, the debate is interrupted in accordance with standing order 57. The debate may be resumed at a later hour and the senator will have leave to continue speaking when the debate is resumed.

QUESTIONS WITHOUT NOTICE

Newstart Allowance

Senator AYRES (New South Wales) (14:00): My question is to the Minister for Families and Social Services, Senator Ruston. Could the minister live on the Newstart rate of $40 a day?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:00): I thank the senator for his question. First of all, can I say that nobody is saying that it would be easy to live on Newstart. That's why the coalition's policy in relation to Newstart is one that has been entirely focused on job creation and creating pathways to a job. The one thing that this government will absolutely commit to, to anybody who is on Newstart and anybody who has not got a job, that we will, as a government, work our absolute hardest—

The PRESIDENT: On a point of order, Senator Watt.

Senator Watt: On relevance. The question was very simple: could the minister live on $40 a day?

The PRESIDENT: You've reminded the minister of the question. I remind ministers they must be directly relevant, which is a tighter test than previously existed with just the word 'relevant'. I'm listening very carefully to the minister—I know you are, too, Senator Watt. I call the minister to continue.

Senator RUSTON: No-one has ever said that it would be easy to live without a job. But that is why this government is so focused on job creation, but not just job creation. Our track record on job creation stands for itself: 1.3 million jobs in the last term of this government, and a plan to create another 1.25 million into the future. But we are also creating the pathways so that people who are looking for a job will be able to access the jobs that are created. Through my colleague, the Minister for Employment, Minister Cash, and through her jobactive services, and also through my area of Disability Employment Services—and last week I explained some of the fantastic things that we're doing with disability employment—this government is absolutely focused on creating jobs and creating pathways to jobs so that—

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

Senator Watt: On relevance. The question is very simple and the minister is going nowhere near it: could the minister live on $40 a day—yes, no, maybe? We haven't gone anywhere near it.

The PRESIDENT: On that point, I cannot instruct a minister how to answer a question. The question was quite specific and it is difficult to rule material extraneous to such an answer, but I do call the minister and say that direct relevance is a stricter test than relevance, and there has been some time for context, so I ask the minister to turn to the question. But I remind senators I cannot instruct a minister how to answer a question, and that includes whether a one-word answer would be appropriate.

Senator RUSTON: I will reiterate: no-one has ever said it would be easy to live without a job.

The PRESIDENT: Senator Ayres, a supplementary question.

Senator AYRES (New South Wales) (14:03): Consistent with her views on the age pension, does the minister consider $40 a day generous?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:03): As I said in my answer to the original question, it would not be easy to live on Newstart, and neither would it be easy to live without a job. And that is why this government remains so tremendously focused on job creation and creating pathways for people who want a job to be able to get a job.

The PRESIDENT: Senator Ayres, a final supplementary question.
Senator Ayres (New South Wales) (14:03): In an article entitled 'Nats defy PM over Newstart increase', it is revealed that last Monday, National MPs requested the party's parliamentary policy committee review the economic impact of raising Newstart. Has the government undertaken any economic modelling of the economic impact of raising Newstart? If so, will the minister undertake to provide it to her coalition colleagues?

Senator Ruston (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:04): We haven't made any particular promises, but what I can say is the coalition's policy in relation to this matter has not changed.

Employment

Senator Brockman (Western Australia—Deputy Government Whip in the Senate) (14:04): My question is to the Minister for Employment, Skills, Small and Family Business. Can the minister update the Senate on how the government is demonstrating it is on the side of Australians who want a job and update the Senate on the Australian labour force figures for the month of June?

Senator Cash (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:04): I thank Senator Brockman for his question. It actually builds directly on the answer that Senator Ruston gave to the previous question she was asked, which was that this is a job-creating government. We make no apologies for the fact that we believe that the best form of welfare is a job. Since we were elected as a coalition government in 2013 we have set about putting in place the right economic framework so that businesses can prosper, grow and, as Senator Ruston has stated, create more jobs for Australians.

Senator Brockman, in relation to our home state of Western Australia, the most recent labour force figures for June of this year show that employment increased by almost 14,000 jobs. That is a good thing. The economy in WA is creating jobs. I'm also very pleased that in Western Australia we have the very high participation rate of 68.5 per cent. That says that Western Australians are confident in the jobs market. They're putting their hands up and saying, 'We want to participate.'

We don't shy away from being a job-creating government focused on getting people off welfare and into work. Since we were elected in 2013 the economy—the businesses out there—has created almost 1.4 million jobs. We continue to see jobs growth in Australia. In fact, the June labour force figures show us that total employment in Australia is at a record high, with 12,871,700 Australians employed. We also have record full-time employment. Over 246,000 full-time jobs have been created in the past year. We are a job-creating government.

The President: Senator Brockman, a supplementary question.

Senator Brockman (Western Australia—Deputy Government Whip in the Senate) (14:06): I thank you, Minister, for that answer. Minister, are there any policy risks that you're aware of that could jeopardise these record figures?

Opposition senators interjecting—

Senator Cash (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:06): You can hear an outcry from the opposition benches. I say 'opposition benches' because that is where the Labor Party are. They have failed to learn from the most recent election. Australians put their hands up and they voted for jobs. They understood at the 18 May election that the greatest risk to the economy was the Australian Labor Party. They also understood that taking to the election a promise to tax Australians an extra $387 billion is not a job-creating policy. You will recall that they then fought tooth and nail to oppose the tax relief that we have now successfully delivered to the Australian people. We are a job-creating government and we understand that you need to put in place the right economic framework so that businesses can prosper, grow and create more jobs for Australians, and that's what we're doing.

The President: Senator Brockman, a final supplementary question.

Senator Brockman (Western Australia—Deputy Government Whip in the Senate) (14:07): Minister, what actions are the Morrison government taking to continue to grow our economy and ensure that more Australians are given the opportunity to find a job?

Senator Cash (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:08): Those on this side of the chamber understand that you cannot take economic growth for granted. You also need to understand that governments themselves don't create jobs. What governments do is put in place the right economic framework so that businesses can prosper, grow and create more jobs. That is what the role of government is, and this government is doing that successfully. We have a strong economic plan. We want to return, and will return—under the leadership of our Minister for Finance, Senator Cormann—the budget to surplus in 2019-20. That is something that those on the other side have not managed to do since 1989. We know that infrastructure projects create jobs. That is why we have a commitment to a $100 billion infrastructure project.
We've passed our tax relief for hardworking Australians because we know it's their money and they deserve to keep more of it.

**Minister for Energy and Emissions Reduction**

Senator O'NEILL (New South Wales) (14:09): My question is to the Minister representing the Minister for the Environment, Senator Birmingham. I refer to Minister Taylor's claim that the EPBC listing affecting his own interests had the potential to affect 'thousands of farmers in his electorate'. Can the minister confirm that there is only one compliance case under investigation in the region?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:09): I would refer the honourable senator to the statement given by the member for Hume in the House earlier today, in which he steps through the representations he received in 2016 and 2017 and from farmers across his electorate and he steps through the communications he had with representative bodies of farmers as well, all of whom are outlining their concerns around this issue, and in outlining their concerns—

The PRESIDENT: Senator O'Neill, on a point of order?

Senator O'Neill: I'm well aware that the minister is trying to step through an awful lot at the moment, but the reality is that my question asked whether there was one compliance case under investigation in the region, and the minister has gone nowhere near that. In fact, he looks like he's going on a ramble in response to the minister's statement, not my question.

The PRESIDENT: I'm listening carefully, Senator O'Neill. I believe at this stage the minister's dealing with this is relevant to the preamble before you asked that question. But I am listening carefully. Where you provided some context to your question, the minister is allowed to address that.

Senator BIRMINGHAM: I'd also point out to the senator the statement that the member for Hume made. He's been clear, as he has on multiple occasions, that he has not engaged in discussions regarding compliance actions. What he has done is represent his electorate in relation to matters that have been brought to his—

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

Senator Wong: The question doesn't go to what the minister did. It is a question of this minister in representing the portfolio to confirm whether there is only one compliance case under investigation in the region. That is the only question.

The PRESIDENT: You've restated the question, Senator Wong. I am listening very carefully. The minister's been speaking for 45 seconds. He is allowed to address the preamble as well. I'm listening carefully to ensure that something is directly relevant to part of the question. So, I'll call the minister to continue. He's now been reminded of it twice, by you and by Senator O'Neill.

Senator BIRMINGHAM: As I pointed out to the senator, the member for Hume has outlined the representations he's received, the actions that he was taking on behalf of constituents. He has been clear that he has not been engaged in relation to any compliance matters. And if there is information in relation to further compliance matters, I will bring that to the chamber.

The PRESIDENT: Senator O'Neill, a supplementary question.

Senator Wong interjecting—

Senator Cormann interjecting—

The PRESIDENT: I ask the centre table to lead by example, Senators Wong and Cormann. Senator O'Neill.

Senator O'NEILL (New South Wales) (14:12): Can the minister confirm that the single compliance case that is under investigation in the region relates to the activity on Minister Taylor's own land?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:12): It is on the public record, the legal structure as to the ownership of those lands—

Senator Wong interjecting—

The PRESIDENT: Order! Senator Wong, the minister has been speaking for seven seconds, and I actually believe he was being relevant at that point. Do you have a point of order?

Senator Wong: Yes, a point of order on direct relevance—and I'll take the interjection that he's been speaking for only seven seconds. We'll give you leave for an hour, mate, if you actually answer the question! How about that?

The PRESIDENT: Order, Senator Wong.
Senator Wong: The question is not about company structures. The question is only requesting that this minister confirm that there is a single compliance and it relates to Minister Taylor's land.

The PRESIDENT: At the point that Senator Birmingham was interrupted, I was hearing him talk about ownership of land, which I believe is directly relevant to the question.

Senator BIRMINGHAM: In relation to compliance matters, Mr Taylor has been clear: he's never been engaged in relation to compliance matters. The Public Service has been clear: they've never been engaged in relation to compliance matters. And, through you, Mr President—mate!, Mr Taylor has been very clear in relation to the ownership and declaration of his ownerships, and I refer you very clearly to the statement that he made to the House on these matters.

Senator Wong: This is a disgrace.

The PRESIDENT: Senator Wong, I'll take your observation. It is not up to the chair to direct a minister how to answer the question. That is a matter for debate subsequent to question time and for others to make judgements about. My only role here is: is the minister being directly relevant to the question? And in that case I believe the minister was, even if people didn't like the answer. Senator O'Neill, a final supplementary question.

Senator O'NEILL (New South Wales) (14:14): Has the minister arranged a meeting for any other landlords under investigation by the department with the relevant minister's office, the department and members of the department's compliance unit, or is Mr Taylor the only landholder to receive that special treatment?

Government senators interjecting—

The PRESIDENT: Order! I ask for order on my right while the questions are being asked.

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:15): Mr Taylor has been very clear that he was representing constituents. He has outlined the timeline of receiving those representations and the actions that were taken. In relation to the representations and the meetings with departmental officers, he has equally been clear:

… an official writes in internal correspondence—

Which was released under FOI.

… that the meeting with me was, 'to answer questions on the technical aspects of the listing outcome,' and highlights that they would completely stay out of any compliance action underway. The official also writes, 'We will confine our discussion to the EPBC Act-listing process.'

They were the matters brought to the member for Hume's attention by his constituents. They were the matters that he raised on behalf of his constituents.

Defence Procurement

Senator FAWCETT (South Australia) (14:16): My question is to the Minister for Defence. Can the minister update the Senate on how the government is demonstrating its commitment to Australia's national security with its plan to ensure that the Royal Australian Navy has an effective submarine capability?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:16): I thank Senator Fawcett for that question and for his ongoing commitment to our naval capabilities. I'm very proud to be a member of a Liberal-National government that is committed to the security, stability and prosperity of Australia.

Senator Gallacher interjecting—

Senator REYNOLDS: Mr President, through you, I would note Senator Gallacher's incessant interruptions here. I'm not quite sure whether I should be amused or a bit alarmed at consistent interjections—maybe mildly amused! He might not want to hear this, but this is a great thing for his home state of South Australia. This naval commitment—it's a $90 billion investment—stands in stark contrast to the complete, abject failure of Senator Gallacher and all of his colleagues on that side to commission a single Australian-built submarine here in Australia. The attack-class submarine, the centrepiece of this program, will provide Australia with our next regionally superior submarine capability. The security of Australia is paramount to this government. That's why we made the critical decision to protect Australia and its national security by acquiring this capability in an increasingly contested environment.

This government also continues to invest in Navy's existing fleet of Collins class submarines to ensure that it remains a potent, fit-for-purpose capability. The six Collins class submarines now incorporate the most advanced technology globally of any conventional submarine. They continue to excel in their operations across our region. Three of the six submarines are consistently available for tasking, with one in short-term maintenance and two in long-term maintenance and upgrades. As we construct 12 new attack-class submarines in South Australia, this
government will be putting in place a prudent transition plan, including through-of-life type extensions to the Collins, to ensure the effective operation and the continued operation of our submarine fleet.

**The PRESIDENT:** Senator Fawcett, a supplementary question?

**Senator FAWCETT** (South Australia) (14:18): Could the minister update the Senate on the progress of the attack-class submarine?

**Senator REYNOLDS** (Western Australia—Minister for Defence) (14:18): As I said, the Liberal-National government has made a firm commitment to build regionally superior submarines in Australia and in South Australia in particular. Again, unlike the Labor government, who made no progress at all during six years in office, we have got on with business. This year alone, the government has taken significant steps. We signed the strategic partnering agreement with Naval Group on 11 February this year, which details the enduring provisions under which the Commonwealth and also Naval Group will work to design, construct and deliver the attack-class submarines.

On 25 February, Naval Group and ASC signed a framework agreement to develop a sovereign operational and sustainment capability right here in Australia. The submarine design contract was signed on 1 March this year. This contract is worth more than $600 million and will see the design work progress through until 2021. We have made great progress towards delivering the attack-class submarine under a clear plan and the leadership of this government.

**The PRESIDENT:** Senator Fawcett, a final supplementary question?

**The PRESIDENT:** Senator Fawcett, a final supplementary question.

**Senator FAWCETT** (South Australia) (14:19): Could the minister update the Senate on how the government is building the capacity to deliver on the government's Naval Shipbuilding Plan?

**Senator REYNOLDS** (Western Australia—Minister for Defence) (14:19): As part of this government's commitment to $90 billion of investment in the national naval shipbuilding endeavour, we are also, clearly, designing and developing the workforce to match this new capability. To achieve this, we commissioned an independent critical peer review to assist Defence in developing and implementing an appropriate workforce plan to support and encourage growth of the workforce. I believe it is prudent that the government seeks this expert advice as we plan for our future Navy capability and, in particular, its workforce.

I'm pleased to report to the Senate that Navy has already made good progress towards increasing its workforce, with initial entry training courses at near maximum capability. It help meet Navy's need for an experienced and sustainable workforce, Defence has also instituted a targeted retention program. Further to this, Navy's recruitment targets have increased by 40 per cent since early last year. The Royal Australian Navy and this government are committed to operating and supporting Navy's current and future submarine fleets.

**Coalition Government**

**Senator WATERS** (Queensland) (14:21): My question is to the Minister representing the Prime Minister, Minister Cormann. On 60 Minutes last night, the former Border Force Commissioner Roman Quaedvlieg said he was encouraged by several members of parliament, including two ministers, to help fast-track' visas and airport entry into Australia for Crown casino high rollers, including for international gamblers convicted of criminal activity who might not have otherwise even being eligible to apply for an entry visa. Will the Prime Minister name the two ministers implicated? Are they still in cabinet? What is the Prime Minister doing to investigate these serious allegations of ministerial interference to boost the Crown casino?

**Senator CORMANN** (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:21): I thank Senator Waters for that question. The Australian government takes allegations of illegal activity very seriously. Everyone is required to abide by the Australian law. That includes casino operators, public officials and visitors to our country. Our law enforcement agencies are working hard to disrupt and deter criminal groups by collecting evidence and intelligence about financially motivated crime. I will not provide specific details given the potential to compromise ongoing investigations.

In relation to visa processing, every application for an Australian visa must be assessed against national security, character and health criteria. Applicants must satisfy the relevant criteria before a visa can be granted, and there is no discretion for officials to depart from these requirements set out in the Migration Act and regulations. I repeat that last sentence: there is no discretion for officials to depart from those requirements set out in the Migration Act and regulations—that is, every application for an Australian visa must be assessed against national security, character and health criteria.

**Senator Waters:** On a point of order—
The PRESIDENT: Have you finished your answer, Senator Cormann? Senator Waters, the minister has finished his answer. He took his seat as you rose. I'll call you for your supplementary question.

Senator WATERS (Queensland) (14:23): How well timed! Given this and other recent scandals, it's perfectly clear we need an anti-corruption body. The government's widely criticised model for a National Integrity Commission would not even allow investigations into these sorts of allegations to be heard in a public arena. Does this government plan to progress its weak model or will we see an ICAC with some teeth, and when are we going to see some legislation for an ICAC?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:23): The government made relevant commitments in the lead-up to the election and we will be progressing them as quickly as possible.

The PRESIDENT: Senator Waters, a final supplementary question.

Senator WATERS (Queensland) (14:23): Since 2012, Crown Resorts has declared donations of almost $700,000 to the coalition and almost $550,000 to Labor. How has this support influenced the approach government takes to issues surrounding Crown, and is this why the Prime Minister has turned a blind eye to the alleged misconduct of at least two ministers?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:24): Not at all. Not in any way, shape or form. Obviously, under Australian law Australians are entitled, and Australian businesses are entitled, to participate in the democratic process, including by making political donations. These have to be disclosed, consistent with our laws, and are openly and transparently reported, consistent with our laws, which is, of course, why Senator Waters is able to refer to them.

Minister for Energy and Emissions Reduction

Senator BILYK (Tasmania) (14:24): My question is to the Minister representing the Minister for the Environment, Senator Birmingham. In a letter dated 24 July 2019, responding to a question taken on notice, Senator Birmingham said:

Minister Taylor has always declared his interests as required under both the House Register of Interests and the Ministerial Code of Conduct.

Does the minister stand by this statement?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:25): To the best of my knowledge, and consistent with the statement the member for Hume gave to the house this morning, yes.

The PRESIDENT: Senator Bilyk, a supplementary question?

Senator BILYK (Tasmania) (14:25): In May, Minister Taylor acknowledged that he had failed to declare that he was a director and a shareholder in the company called JRAT International, saying, 'It should have been'. Does the minister still stand by his statement that Minister Taylor has always declared his interests as required under both the house register of interests and the Ministerial Code of Conduct?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:25): I refer to the previous answer.

The PRESIDENT: Senator Bilyk, a final supplementary question?

Senator BILYK (Tasmania) (14:25): Given Minister Taylor has acknowledged his directorship and interests in JRAT International should have been declared, will the minister finally admit he should have made his interest in Jam Land known when he met with the minister's office, the department and members of the compliance unit about a matter which would have had a material impact on that company?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:26): Once again, in relation to the interest in Jam Land and its relationship with the interest in Gufee, that was detailed quite clearly in the member's disclosure, which the member for Hume took the parliament through in his statement to the House of Representatives this morning.

Environment

Senator ROBERTS (Queensland) (14:26): As a servant to the people of Queensland and Australia, my question is to the Minister for Agriculture through his representative in the Senate, Senator McKenzie. In 1996, the Liberal Party under John Howard decided to destroy farmers' property rights. It did so with the National Party's support. The two parties introduced draconian tree-clearing laws aimed to get Australia's compliance with the UN's Kyoto protocol. The UN's Kyoto protocol was an earlier version of the UN's Paris agreement, designed
to reduce the output of harmless carbon dioxide. The human Liberal-National government was unwilling to artificially increase the price of energy to cut industrial CO2 output through climate regulations, so instead decided to remove the rights of farmers to manage their own land. Does the National Party still support the Howard Liberal-National's decision to remove farmers' property rights?

Senator McKENZIE (Victoria—Minister for Agriculture and Leader of The Nationals in the Senate) (14:27): The National Party stands with Australian farmers to support their property rights. We're very proud to be able to do that at a state level, as has been indicated by LNP state members of parliament in your home state of Queensland, Senator Roberts. They are fighting against the native vegetation legislation that the Palaszczuk government seems so intent on sticking with and the impact it's having on the primary producers in your home state.

It was quite a long preamble; there was a lot in there. I'm very happy to outline our government's approach to climate change and the impacts on agriculture. I'm very happy to outline how energy costs affect our primary producers and our food processing sector, which you know employs hundreds of thousands of Australians, predominantly in rural and regional Australia. But if the essence of your question is if the National Party stands with our Australian farmers to protect their property rights: yes, we do.

The PRESIDENT: Senator Roberts, a supplementary question?

Senator ROBERTS (Queensland) (14:28): That's very interesting from Senator McKenzie, because, to get around section 51(xxxi) of the Australian Constitution, it requires just terms of compensation. John Howard, with the support of former Queensland Nationals Premier Rob Borbidge and the former NSW Labor Premier Bob Carr, introduced legislated theft of farmers' property rights using the guise of native vegetation protection legislation. These laws stole farmers' property rights. Do you support the removal of farmers' property rights without just terms of compensation?

The PRESIDENT: Order! Senator Bernardi on point of order?

Senator Bernardi: As it's directly relevant, could we add a happy birthday to the former Prime Minister John Howard?

The PRESIDENT: Senator McKenize.

Senator McKENZIE (Victoria—Minister for Agriculture and Leader of The Nationals in the Senate) (14:29): On that point of order, Mr President, obviously the National Party would like to say happy birthday to former Prime Minister Howard as well, and thank you for raising it.

Look, I can't be clearer, Senator Roberts, that our party, and indeed our government, supports our farmers' right to farm. It's actually why we're introducing the Criminal Code amendment on agricultural production to ensure farmers aren't going to be subjected to agriterrorists and agri-activists seeking to go on farm and disrupt people's lawful way of doing business. Our state members of parliament, I know, have been very strong in prosecuting the case against the native vegetation legislation arrangements in your home state of Queensland and they will continue to do so.

The PRESIDENT: Senator Roberts, a final supplementary question.

Senator ROBERTS (Queensland) (14:30): Senator, whether it is the UN's Kyoto protocol, the UN's Paris agreement, the UN's Lima declaration, the UN's Rio declaration for 21st century global governance or open borders, immigration treaties, anti-Western human rights obligations and many other voluntary obligations to the UN, why does the Liberal-National coalition join with Labor and the Greens to continue put the agenda of the socialist United Nations ahead of the sovereignty, rights and freedoms of Australians?

Senator McKENZIE (Victoria—Minister for Agriculture and Leader of The Nationals in the Senate) (14:30): One of the aspects of the United Nations regime is the setting up of the Food and Agriculture Organization in Rome which sees its role as uniting agricultural-producing nations like Australia and from around the world to tackle hunger and food security and using science to actually do it. It's a fantastic example of countries working together, like Australia, to use our expertise in primary production, and our expertise in science and innovation in this space to contribute to global hunger. So, I'm very proud of our government's commitment to always pursuing the national interest.

Senator Hanson: On a point of order: I don't think the question's been answered correctly. I suggest that the minister take the question on notice, because she doesn't clearly understand—

The PRESIDENT: Senator Hanson—

Senator Hanson: the difference between—
The PRESIDENT: Senator Hanson, please resume your seat. I can't direct a minister how to answer a question. If you're raising a point of order on direct relevance you are free to, but I can't direct a minister how to answer the question. It was very broadly worded, and I think the minister is in order in the way she is addressing it. Senator McKenzie.

Senator McKenzie: Thank you. In answer to your question, our government always acts in the national interest and we make no apologies for doing so.

Food Imports

Senator Davey (New South Wales—The Nationals Whip in the Senate) (14:32): My question is also to the Minister for Agriculture whom I note doesn't need a representative in this chamber because she sits right in front of me. Would the minister kindly inform the Senate how the government is demonstrating that it is on the side of our hardworking farmers and all Australians who want safe food imports.

Senator McKenzie (Victoria—Minister for Agriculture and Leader of The Nationals in the Senate) (14:32): Thank you for your question. If you import food, you're legally responsible to import food that's safe to eat. The Imported Food Control Act, together with state and territory legislation, is the government framework that provides assurance to Australians that food sold here is safe, suitable for consumption and compliant with Australian food standards.

Among its many important responsibilities, FSANZ provides the agreed advice on the levels of human health and safety risks posed by some foods. Medium- to high-risk foods are those that may contain harmful natural toxins or pathogenic microorganisms that could lead to food poisoning, if not handled or cooked properly before consumption—for example, your steak tartare, your fresh oysters, your uncooked sprouts or your soft cheeses.

FSANZ provides the important food safety standards that states and territories use to regulate the domestic sale and service of food in Australia. However, it is the Department of Agriculture that's responsible for regulating food imports. All imported foods must firstly comply with Australia's biosecurity imports conditions. For example, we do not accept meat products from countries that we know have African swine fever. While not a food safety concern to humans, an outbreak of ASF would devastate our pork industry. Once my department is assured that biosecurity risks are managed, it uses the FSANZ standards and advice to classify foods for particular inspection regimes under the Imported Foods Inspection Scheme. Recent legislative changes are improving the operation of the scheme, and these include increasing importers' accountability for food safety, improving monitoring and management of new and emerging food safety risks and improving incident responses. The changes help ensure that the scheme can respond to potential risks associated with the growing complexity of globalised food supply chains and increasing consumer demand for imported food.

The PRESIDENT: Senator Davey, a supplementary question.

Senator Davey (New South Wales—The Nationals Whip in the Senate) (14:34): Can the minister inform the Senate if there is any truth to the rumours that Australia is going to ban Roquefort cheese?

Senator McKenzie (Victoria—Minister for Agriculture and Leader of The Nationals in the Senate) (14:35): Thank you very much, Mr President. But I really should be saying thank you to Mr Will Studd, the 'big cheese', for drumming up excitement on 12 July with a tweet: 'Roquefort to be banned in Australia'. Au contraire. It is my pleasure to advise that the rumour is not true. My department is not looking to ban imports of Roquefort, the French king of blue vein cheese. The department is merely carrying out a routine review of the certification arrangements between the Australian and French authorities that allow the import of the raw sheep milk cheese. This is the second review undertaken since 2008, when we began to import the cheese. It is the same review process for all foreign government certification agreements and is consistent with Codex guidelines and processes undertaken by other countries. We imported—and I found this unbelievable—30 tonnes of Roquefort in 2018. I'm very confident the trade will continue.

The PRESIDENT: Senator Davey, a final supplementary question.

Senator Davey (New South Wales—The Nationals Whip in the Senate) (14:36): Can the minister, finally, outline any risks associated with our food safety?

Senator McKenzie (Victoria—Minister for Agriculture and Leader of The Nationals in the Senate) (14:36): Roquefort, as outlined in an opinion piece in the Adelaide Advertiser by former member, Christopher Pyne, Roquefort is the royalty of cheese in the world made from raw unpasteurised sheep milk—milk of the special Lacaune sheep breed, native to the south of France, and matured in caves, no less. My former colleague and self-confessed cheese elitist, Mr Christopher Pyne, has increased the profile of this non-issue in his Advertiser article. He raises his concerns about people consuming the mould that creates the stinking blue-green streaks in Roquefort. I note the mould in question is actually a penicillin—a widespread fungus that's used in most of our clearing pathogens.
blue cheese. It is not the mould that is the food safety risk of Roquefort cheese; as mentioned earlier, it's the raw milk that Rockford is made from. Untreated raw milk can grow listeria. It's managed the risk, so ‘the fixer’ can stand down.

**Minister for Energy and Emissions Reduction**

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:37): My question is to the Minister representing the Minister for the Environment, Senator Birmingham. I refer to Minister Taylor's claim that a letter from farm organisations dated 3 October 2017 is evidence he was making constituent representations when he sought a meeting with the Department of the Environment and Energy six months later. How can a letter written six months later inform the purpose of the meeting?

**Senator BIRMINGHAM** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:37): Once again, I would refer—this time Senator Wong— to the statement made by the member for Hume in the House today. In that statement, he was very clear, speaking about representations and engagements he had with farmers in late 2016 and early 2017 regarding these issues—

**Senator Cormann interjecting—**

Senator BIRMINGHAM: and, indeed, as Senator Cormann indicates, this was consultation dating back some period of time. This is about a local MP acting on behalf of his local constituents. We know that the only constituents those opposite are interested in acting on behalf of are, of course, their trade union mates. They don't seem to ever listen to local constituents otherwise. They certainly don't listen to the Australians who rejected their type of policy agenda at the last election. But on this side we expect our MPs to listen to their constituents, engage in their issues and, where appropriate, represent them.

The PRESIDENT: Senator Wong, a supplementary question.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:38): The minister has also tabled a letter from farm organisations sent in 2014 in relation to the listening. Can this minister confirm that Minister Taylor took no action in relation to the issues raised in the letter of 2014 until the day after Jam Land Pty Ltd was advised of its potential contravention of federal environmental laws some three years later?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:39): I again draw the member's attention to the answer I just gave that highlights the timeline, as outlined by Minister Taylor in the House today.

The PRESIDENT: Senator Wong, a final supplementary question.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:39): Minister Taylor has sought to justify his actions by tabling a letter from three years prior to the meeting, which he didn't act on, and a letter after the meeting. Isn't the truth this: Minister Taylor sought special treatment, and he got it.

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:39): The answer to that is, emphatically: no. As the officials involved have been emphatically clear, at no point have the compliance issues been raised by Minister Taylor or in discussions with Minister Taylor.

**Pharmaceutical Benefits Scheme**

Senator VAN (Victoria) (14:40): My question is to the Minister representing the Minister for Health. Could the minister update the Senate on how the government is demonstrating it is on the side of Australians, who rely on affordable access to medicines, and can the senator tell the Senate how many medicines have been listed on the Pharmaceutical Benefits Scheme since October 2013?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:40): I thank Senator Van for what I consider to be an incredibly important question. Listing medicines on the PBS is a clear sign that the government is on the side of Australians. I am very pleased to inform the Senate that the coalition has invested over $10.6 billion in life-saving and life-changing medicines on the Pharmaceutical Benefits Scheme.

What that translates down to is: this is over 2,100 new or amended listings. And we know what those listings will do for the lives of so many Australians. These are listings that actually change lives—in particular, for people who could not afford these drugs if they were not subsidised. Those drugs can cost everyday Australians who so desperately need them hundreds of thousands of dollars each year. To be able to stand up and say as a government we have listed over 2,100 drugs does show we are on the side of Australians.

We are currently averaging approximately 31 new or amended listings per month. That is approximately one new drug listed every single day. We will continue to list drugs and invest in medicines that are for the benefit of
Australians. For example, in this year alone we've listed a drug like Bavencio. This is a drug for treating metastatic Merkel cell carcinoma. It is a rare and highly aggressive form of skin cancer. If you didn't have that drug listed you probably wouldn't be able to access the drug itself.

The PRESIDENT: Order, Senator Cash. Senator Van, a supplementary question.

Senator VAN (Victoria) (14:42): Could the minister update the Senate on the policy framework that has achieved this?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:42): One of the proud achievements of this government is the listing of drugs on the PBS, and we on this side of the chamber know that that is only made possible by a strong economy. You will have heard the Prime Minister say, time and time again, 'Australians understand the benefits and the dividends provided by a strong economy.' They know, for a government to be able to list a life-saving drug on the PBS, the government just can't pluck the money out of thin air. This government knows that. That is why we are so committed to put in place the right economic framework that enables us to have a strong economy and, ultimately, show that we are on the side of Australians, through dividends and benefits, such as an investment of in excess of $10.6 billion in life-saving and life-changing medicines on our Pharmaceutical Benefits Scheme.

The PRESIDENT: Senator Van, a final supplementary question.

Senator VAN (Victoria) (14:43): I thank the minister for her answer. How does this achievement differ from the approaches of previous governments?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:44): This is one of those areas that just stands in stark contrast when you look at what happened under the former Labor government and you look at what has happened under the coalition government since we were elected. We understand the benefits of a strong economy. Those on the opposite side don't. And because they don't understand the benefits of a strong economy, Labor, when in government, stopped listing life-changing drugs on the PBS. Why? Because they ran out of money. That is their track record on health. They stopped listing life-saving drugs on the PBS. In fact, in a 2011 budget paper, they said, 'The listing of some medicines will be deferred until fiscal circumstances permit.' You either understand the benefits of a strong economy or you don't, and we are on the side of everyday Australians. (Time expired)

Climate Change: Pacific Islands

Senator FARUQI (New South Wales) (14:45): My question is to the Minister for Foreign Affairs, Minister Payne. Pacific nations have identified climate change as the single greatest threat to their security, calling on Australia to do more to reduce its carbon emissions. Minister, you have said that Pacific leaders should be pleased with Australia's action on climate despite rejecting their demand to end coal-powered generation and approving the Adani coalmine, which will be a massive contributor to climate change. With the upcoming Pacific Islands Forum in August, are you still planning on rejecting the demands of Pacific nations for Australia to do more on climate change?

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:45): I thank Senator Faruqi very much for her question. In fact, I was in Fiji at the end of last week for the Pacific Islands Forum's ministerial meetings. The week before that, I was in the Cook Islands to underscore our efforts to deepen the bilateral relationship there. In the previous weeks, I was in Papua New Guinea, in New Caledonia and in New Zealand and meeting with a range of my counterparts across the region.

We have made it very clear that we are making a record contribution to Pacific development this year of $1.4 billion, which is all about addressing the issues that are of greatest concern to the Pacific. When we signed on to the Boe declaration in Nauru at the Pacific Islands Forum leaders' meeting last year, we acknowledged the fundamental nature of the challenge that climate change presents to this region. So we are working very closely on a range of initiatives with their counterparts across the region. We are working very hard to demonstrate our commitment through a number of initiatives.

The conversation last Friday in Suva illustrated the cooperative and collaborative way in which ministers around that table are working towards the Pacific Islands Forum leaders' meeting in Tuvalu in August. Of course Australia continues to support that process of the development of the Tuvalu meeting, which they are very much looking forward to hosting. They will be holding a roundtable with key leaders and ministers on climate issues on the Monday of the Pacific Island Forum, absolutely acknowledging our commitment in the region to make that contribution.

Of our commitment, we have expended hundreds of millions of dollars with our partners bilaterally and in a regional sense to address the things that concern them the most. The introduction of the Australian Infrastructure
Financing Facility for the Pacific is predicated on addressing climate change, adaptation and resilience for all of the investments that will be made under that facility. *(Time expired)*

The PRESIDENT: Senator Faruqi, a supplementary question.

Senator FARUQI (New South Wales) (14:47): Minister, a climate change strategy for Australia's overseas development program has languishing in your office for over six months after you confirmed at Senate estimates in February that you received it. Why are you hiding the Department of Foreign Affairs and Trade's climate change strategy from the public? When will you release it? I'm asking for a specific date, please.

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:48): I would've thought somebody of Senator Faruqi's experience would be way past believing everything she reads. I would not have believed those reports if I were you, Senator Faruqi, because the position was made quite clear to those who requested the information and was not reported—in our view—as it was intended. The strategy is clearly being updated by DFAT to better reflect our international climate change engagement prior to the Paris Agreement coming into effect in 2020, particularly noting—for those who are oblivious—that we have just had a federal election. The government wants to take the opportunity to make sure that strategies such as this and other relevant documentation are contemporary and are relevant to the changes in our commitments, which will be seen under the Paris Agreement.

The PRESIDENT: Senator Faruqi on a point of order.

Senator Faruqi: The point of order is on relevance. I did ask for a specific date of the release of the report from the minister.

The PRESIDENT: As I have said repeatedly, I cannot instruct the minister on how to answer a question. When senators are making points of order on direct relevance, they must remember if they asked a longer question. Senator Payne is being directly relevant to the question asked.

Senator PAYNE: I think it's also important to remember that the climate change action strategy is essentially a departmental strategy. It's designed to provide strategic guidance to the aid program managers on climate change and on international development issues. The department is already integrating climate change across Australia's aid programs and policies, in close consultation with our Pacific neighbours, as I indicated in my previous answer. *(Time expired)*

The PRESIDENT: Senator Faruqi, a final supplementary question.

Senator FARUQI (New South Wales) (14:49): Minister, the Prime Minister of Tuvalu has said that his nation could be totally destroyed by the breakdown of the climate unless countries like Australia take some real action. So, how can Australia actually go to the Pacific Islands Forum in Tuvalu in August without a strategy for climate change in the foreign aid program, when you know that it is their No. 1 priority?

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:50): I would remind Senator Faruqi that in the Pacific Islands Forum in 2016 Australia committed $300 million to address climate change and disaster resilience in the Pacific. We have spent nearly $200 million of that funding in the past two years, and we will keep the international commitments we have made in these areas. We remain on track to meet our $1 billion climate finance commitment over the five years from 2015 to 2020. As I said—in fact, as Senator Faruqi said—we remain on track to meet our Paris commitments. We are providing practical and meaningful support to our Pacific neighbours on climate resilience.

Opposition senators interjecting—

Senator PAYNE: Those at the other end of the chamber might not be interested in these practical outcomes, but others are. I've already mentioned our Australian Infrastructure Financing Facility in the Pacific, which will support high-priority, climate-resilient projects, including telecommunications, energy, transport and water. We've committed $16 million to address marine litter in our vast Pacific Ocean. We continue to work to mainstream climate change through our development program. *(Time expired)*

Liberal Party

Senator PRATT (Western Australia) (14:51): My question is to the Minister representing the Prime Minister, Senator Cormann. Gerry Hanssen, a member of the Western Australian Liberal Party, has been fined more than $60,000 by the Federal Court for illegally blocking union officials from a building site where a worker had died after falling some 13 floors. Mr Hanssen has also been fined for exploiting foreign workers. Will the Prime Minister now call for Mr Hanssen to be expelled from the party he leads?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:52): Obviously all Australians—employers, employees and unions—need to comply with the law. Later this week in the House of Representatives, and then at some point in
the Senate, all senators will have an opportunity to ensure that everyone is required to comply with the law, and that is particularly important on building sites.

In relation to Mr Hanssen, obviously the same would apply to him as well. I'm aware of the report on the weekend. I'm also aware that Mr Hanssen has made clear that he has stopped donating to the Liberal and National parties because 'in principle they were not listening to me'—that's a quotation from him. But Labor is quite dishonestly seeking to conflate issues here, to compare the actions of Gerry Hanssen with the actions of John Setka in order to relieve pressure on themselves for their failure to remove him from the Labor Party.

The PRESIDENT: Senator Wong on a point of order.

Senator Wong: This is a question that relates to a fine in relation to a circumstance where a worker tragically died. And it would I think be an appropriate thing if the minister treated the question with a level of seriousness, given the seriousness of the subject matter.

The PRESIDENT: You've reminded the minister of the nature of the question.

Senator CORMANN: Appropriately, Mr Hanssen was subject to court proceedings, and the law of the land has applied to him. But the law of the land should be applied to all actors in this space, without fear or favour. That is entirely appropriate.

The PRESIDENT: Senator Pratt, a supplementary question.

Senator PRATT (Western Australia) (14:54): Mr Hanssen has donated as much $175,000 to the federal and Western Australian Liberal and National parties over the past five years or so. Did Minister Cormann, Minister Cash or any other member of the executive solicit these donations from the law-breaking Mr Hanssen?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:54): As Senator Pratt well knows, all political donations are declared, consistent with our laws, openly and transparently through the AEC. I'm not personally aware of ever having solicited or received any donations from Mr Hanssen. But let me make the overall point again: the government condemns all breaches of workplace laws, whether it's by unions, employers or employee groups. Of course, anyone who is guilty of breaching the law should be subject to relevant court action, which is what happened on this occasion. What we are suggesting—and what Labor is obviously fighting against with this line of questioning—is that the courts should have more tools available to deal with consistent breaches of the law by militant unions.

The PRESIDENT: Senator Pratt, a final supplementary question.

Senator PRATT (Western Australia) (14:55): Why does the Prime Minister refuse to demonstrate leadership by moving to expel Mr Hanssen from the WA Liberal Party, given that he has repeatedly broken the law?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:55): While I'm aware of the report on the weekend, I'm not aware of the allegations that Senator Pratt has just made. In relation to reports on the weekend, I read that he was actually dealt with by the court process in the appropriate way, consistent with our laws, without fear or favour, and that he himself made very clear that he had stopped donating to the Liberal Party and National Party for some time—for many years, in fact—because, and I'm quoting him as reported, 'In principle, they were not listening to me.'

Water

Senator McDonald (Queensland) (14:56): My question is to the Minister for Resources and Northern Australia. Minister, can you update the Senate on how the Liberal-National government is demonstrating it is on the side of Australians who rely on the development of water infrastructure in northern Australia?

Senator Canavan (Queensland—Minister for Resources and Northern Australia and Deputy Leader of The Nationals in the Senate) (14:56): Thank you, Senator McDonald, for that question. I recognise your longstanding passion to see the development of northern Australia, particularly northern Australia's water resources. You were passionate about that before you came into this place. You will be a great addition to this place and that cause. The government itself is also very passionate about seeing those vast water resources of northern Australia developed. Northern Australia represents about 40 per cent of our nation's continent in terms of landmass but it accounts for 60 per cent, or two million gigalitres, of the rainfall that falls across Australia in any year. Of course, its water resources are largely undeveloped compared to the rest of Australia. CSIRO estimates that up to 17 million hectares could be irrigated in northern Australia. To put that in context: across the whole country right now—in the Murray-Darling and everywhere else—we irrigate only just over two million hectares in any one year. So there is enormous potential in northern Australia.

The federal government, as part of our plan to develop northern Australia, is putting aside $700 million to invest in water infrastructure projects because, when you capture water, you can use it later to create jobs, grow
food and help our nation develop. That's why we're putting $176 million towards the Rookwood Weir, which will be the second-biggest piece of water infrastructure in the Fitzroy Basin and help double agricultural production there; $182 million for the Hughenden Irrigation Scheme; and $54 million for the Big Rocks Weir, the first stage of the Hells Gates project. In the election we announced $20 million for more business cases and preconstruction works for the Urannah Dam and the Lakelands Dam as well. There is lots going on here.

We also have lots more potential. CSIRO last year did a groundbreaking study for us. It was the first of its kind in the world. More than 100 of its best scientists were looking at frontier catchments in the Mitchell region, Cape York, the Darwin catchment in the Northern Territory and the Fitzroy catchment in Western Australia. They found that 387,000 hectares in just those three catchments could create 15,000 jobs. We're getting on with the job of creating those jobs because we're on the side of developing our water resources.

**The PRESIDENT:** Senator McDonald, a supplementary question.

**Senator McDonald** (Queensland) (14:58): What is the current status of the Rookwood Weir project in Central Queensland?

**Senator Canavan** (Queensland—Minister for Resources and Northern Australia and Deputy Leader of The Nationals in the Senate) (14:59): I did mention the Rookwood Weir project in answer to the first question. It is near where I live in Central Queensland. It is a massive project that could help double agricultural production in the Fitzroy catchment. The Fitzroy catchment is the second-largest water catchment in eastern Australia after the Murray-Darling. It has huge potential to grow and develop. It is great news that last week the Queensland government finally announced some works on this project, announcing a tender for some roads that need to be upgraded around the project. The federal government has had money on the table for Rookwood Weir since 2016. They were first off the rank here. We've had money there for three years now. We were just waiting and waiting and waiting, and now it's starting to drip-feed out to the people of Central Queensland. Maybe the election result had something to do with that. But we're hoping that, soon, we'll see water stored there and the wall poured—maybe next year, hopefully, if the dry season holds up—and we'll get a weir there that can create jobs and grow food in Central Queensland for all Australians.

**The PRESIDENT:** Senator McDonald, a final supplementary question.

**Senator McDonald** (Queensland) (15:00): What are the economic benefits of developing water infrastructure like Rookwood Weir for northern Australia?

**Senator Canavan** (Queensland—Minister for Resources and Northern Australia and Deputy Leader of The Nationals in the Senate) (15:00): Our agenda to develop northern Australia is not just for those in northern Australia. It will help all of our nation, because when parts of our nation develop and grow the rest of the country benefits as well. That's what happened when we built the Snowy hydro scheme: the whole country benefited even though the investment was down there. That's what happened when the Pilbara opened up to iron ore exports in the 1960s and 1970s. The whole nation benefited from that, and the development of northern Australia will also help the whole of Australia benefit and develop too.

We know that when you create more economic opportunity you create more jobs, and when you create more jobs you create more families in Australia who can support themselves, and if you have more families that can support themselves it's a better future for the children and grandchildren in this country. That's why we're developing these water resources. It's not about building the dam; it's about building the opportunity that helps all Australians grow and develop and have a more positive future for our country. All of these projects will help do that, and they are only the start, given the vast array of water resources and good quality soils in our north.

**Senator Cormann:** I ask further questions be placed on the Notice Paper.

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

**Minister for Energy and Emissions Reduction**

**Senator Wong** (South Australia—Leader of the Opposition in the Senate) (15:01): I move:

That the Senate take note of the answers given by the Minister for Trade, Tourism and Investment (Senator Birmingham) to questions without notice asked by Senators O'Neill, Bilyk, Wong today relating to ministerial standards.

I have to say I don't understand why anyone in this place would waste their political capital on protecting Angus Taylor, because you know what he's busy using his ministerial position to do? To shore his investments up. Instead of getting people's power bills down, what he's doing is spending his time ensuring his investment values are retained. Average wholesale power prices have increased by 158 per cent across the National Electricity Market states since the Liberals' energy crisis began in 2015. Mr Morrison says Mr Taylor has one KPI—to be the minister for lower power prices. But you know what he is? The minister for increasing the value of his own investments.
Angus Taylor failed to declare a direct financial interest in a company, but, worse, he then used his position as a minister to defend that company's interests after it was accused of breaking the law. He met with the Department of the Environment and Energy and the office of the then minister, now Treasurer, in March 2017 to discuss the listing of critically endangered grasslands while the department was investigating the alleged poisoning of the same grasslands on land he part-owned. Magically, coincidently, that meeting occurred the day after federal environment department officials met with Jam Land Pty Ltd, the company in which he has an interest. What a coincidence! And, of course, an officer of the compliance unit of the department responsible for the investigation was present, which Minister Taylor tried to dismiss airily by saying, 'Actually, we didn't talk about it.'

Following the meeting, the office of the then minister for the environment asked for advice about whether he could vary the relevant listing against the advice of the Threatened Species Scientific Committee. He asked whether he could act against the committee's advice and whether he could keep the reasons for the variation secret. Again, what a coincidence!

Earlier today, Minister Taylor made a statement in the House which underlined his complete inability to provide any evidence that he was representing anybody other than himself. In fact, as we speak he's probably still failing to answer questions on that topic. He didn't explain why he didn't register his interests. He didn't indicate whether there were any other compliance cases. And he didn't explain what he did in relation to a letter he says he obtained three years ago. Because the facts are these: Minister Taylor says, 'Nothing to see here,' and what does he point to? A letter three years prior to the meeting that he didn't do anything about, a letter six months after the meeting and a conversation he claims to have had with a bloke from Yass, That's it. But somehow, magically, some 24 hours after his company has a meeting or is met with by the federal department of the environment regarding potential contravention of federal environmental laws, the meeting is arranged. Isn't that incredible! Nothing after 2014. Nothing after the conversation with the bloke from Yass. But the day after the meeting with Jam Land Pty Ltd occurs, magically, Minister Taylor springs into action and Mr Frydenberg's office arranges a meeting.

This is the same Angus Taylor who has benefited from the watergate scandal, where the government paid $80 million for water rights from a company that Minister Taylor had set up in the Cayman Islands—he's a good bloke, this one—asking departments to meet with him about issues affecting the value of his own investment. The fact is, nothing appears to have been done by this minister who claims to represent farmers' interests. Nothing appears to have been done to represent the asserted farmers until his own interests were implicated, until his own interests were affected. That's the truth of it.

I'd encourage any senators who are not intending or are not currently supporting an inquiry into his actions, to reflect exactly on who and what they're protecting. They're not protecting everyday Australians who are being ignored by Minister Taylor as their power bills go up. They're not protecting everyday Australians who can't pick up the phone to a cabinet colleague to get problems with their investments fixed if they run afoul of the law. If the government doesn't think there's anything to hide, why don't you allow the inquiry to demonstrate that? Why are you fighting so hard to hide it? (Time expired)

Senator KIM CARR (Victoria) (15:06): I'm surprised that the government doesn't seek to defend its position on this. And perhaps, upon reflection, I shouldn't be. I've seen 189 senators come through this chamber in my time here. I've seen some fast and loose footwork undertaken in defence of ministers and attempts to get around the ministerial code of conduct. I've seen governments, of all persuasions, I acknowledge, faced with difficulties seek to slip and slide when it comes to these basic questions, which the public is, rightfully, concerned about.

These fundamental issues go to issues of corruption, go to the issues of fundamental accountability, go to the issues of proper public administration. I have seen governments seek to avoid their responsibilities, particularly when individual ministers have paid fast and loose with the truth. But I have not seen examples like this one, where a junior minister will approach a colleague to organise a briefing on the basis that he's claiming to act for constituents, in a neighbouring electorate, on matters where he claims he's got correspondence—three years old and on which he's done nothing about—and say, 'On technical matters, the only compliance matter that's before the department, at the moment'—namely, his own company; he claims that this is the purpose by which he is appearing to get a technical briefing. He then, when pushed on this matter, suggests that he's got further correspondence, which is dated six months after the event, in an attempt to pull the wool over the eyes of some senators in this chamber.

Following that meeting, the senior minister, the Minister for the Environment, undertakes to get further advice about where he could act 'secretly'—I emphasise that word because that's what appears in the documents—to weaken the federal protection standards for grasslands, which are affected by the compliance measure that's being taken against the junior minister's company. Why shouldn't there be concern expressed about any of that?
What we have here is a situation where a junior minister, Minister Taylor, says he has no association with the company, Jam Land, that he in fact partly owns. He then said, 'It's covered by my pecuniary interest statement,' except that it's not. He's met the technical requirements except the main details. He then says, 'Of course I'm going to talk to the department on other matter, except a compliance officer is present in the room.' Furthermore, further action is taken to change the regulations which would allow a review to be undertaken and used to further delay the listing of those areas that have been subject to the compliance action—all done in secret and all done at the request of the junior minister seeking this private briefing. I think there are grounds for an inquiry into that.

Senator Hanson and One Nation, I'm told, are having some difficulty in coming to terms with this. When I went through Queensland in the last election I noticed billboards that said, 'I have the guts to say what people are thinking.' This was the pitch that One Nation put to the people of Queensland. Well, I know what the people of Australia are thinking about this type of behaviour. If One Nation had the guts to say what people are thinking, they'd vote for an inquiry to get to the bottom of these matters and uphold these ministerial standards that most governments say they are actually committed to. This is a government that says it is interested; it should demonstrate it. (Time expired)

**Senator McDonald (Queensland) (15:11):** I'm new to this place and I've heard a lot of talk this afternoon about people's concern, but I can tell you that I am now wildly concerned, because it seems that there are those on the other side who think that there is only one farmer in Australia. The big sheep at Goulburn, the home of the Big Merino, surely would be an indication that there is more than one farmer in this region.

I just want to read a little bit of the statement from the minister this morning saying:

There has been strong antagonism expressed by the farming community about federal and state native vegetation regulation for some time. The concern was very serious. The revised listing requires farmers to assess whether there is 50 per cent native vegetation down to parcels of one-tenth of a hectare, at highly unfavourable times of year because clover, an introduced species, must be excluded from the assessment.

It goes well beyond New South Wales regulations and is costly and unmanageable, as it is difficult or impossible to be sure that routine pasture improvement or weed management is compliant. Ultimately, the revised listing would halt pasture improvement and efficient weed control across the Southern Tablelands and Monaro. It has the potential to do untold damage to agricultural productivity throughout the region, undermining the livelihoods of many of the 2½ thousand people who work in agriculture in my electorate.

That's what I want to speak about: the regulation, particularly around vegetation, is making it almost impossible for farmers, particularly in Queensland, who, under the state Labor government, have been strangled by red tape and regulation, to manage the land that they're expected to manage. They have introduced regulation that is difficult to manage and the department will not respond to questions to answer what practices they are able to use.

This place should be representative of all parts of Australia. Again, I am terrifically concerned that there is only a few of us here who understand the impost and the impact of regulation on vegetation on the most important people in the country—those people who are growing food and fibre for Australians and for a good part of the world.

The recent bushfires in Queensland were a horrific example of what happens when regulation and green tape go berserk. We were very, very fortunate that no person died in those bushfires, but I can tell you that plenty of animals, plenty of old-growth trees and plenty of native forests died as a result of regulation that didn't allow normal farm management practices to happen. Australian agricultural lands have been managed for tens of thousands of years by our First Nations people and now by landholders. Those normal practices of fire management were not allowed to be used and resulted in untold damage. I think it is very important that people be able to make representations to manage regulation that is not allowing good land management practices to happen.

**Senator O'Neill (New South Wales) (15:15):** I say as the duty senator for the seat of Hume that the people of Hume deserve so much better than what they're getting from Angus Taylor. I can tell you, from visiting that electorate many, many times and meeting with farmers myself, that the access that this minister has sought for properties that are of interest to him and his family, in terms of a direct benefit to him, is an extraordinary abuse of the position which the people of Hume have bestowed on him. The best thing you can do if you're a member of the citizenry of the great seat of Hume is find a way to be related to be Angus Taylor, because it seems to me he is able to get access to the information that he wants, access to the services that he wants and access to compliance officers at meetings that he wants, with regard to how he manages his land, and he does it in his own self-interest in a way that other farmers working that land in the seat of Hume are unable to do—because Mr Taylor expects privilege. Mr Taylor has exercised privilege in his own interest in the way in which Senator Wong and Senator Carr have outlined here.
Mr Taylor, you'd have to say, has been extremely evasive about answering the questions that we have been asking. His statement this morning is what Minister Birmingham, under the tutelage of the Leader of the Government here in the Senate, stood behind today, referring the Senate to 'Mr Taylor's statement', 'Mr Taylor's statement'. Mr Taylor's statement is not worth the paper it's written on, because we have found, day after day, that Mr Taylor is doing anything but telling the truth clearly and cleanly to the Australian people and to the people in the seat of Hume about exactly what's going on. He has been involved, in recent months, in that outrageous case of 'watergate', with $80 million involved. People were outraged then. People in the seat of Hume were outraged to find out that, for a local forum in the middle of the election period, Mr Taylor was given access to questions on local matters that would be asked, for which he had prepared speaking notes done for him by his office. The people against whom he was debating, participating in a democratic process, were not given those questions till hours after Mr Taylor and certainly didn't have the benefit of prepared answers done by staff. Mr Taylor is used to advantage, and that's why he has taken the steps that are on the record with regard to the grasslands that are owned by a family company that he jointly owns—with one-third of the shares—called Jam Land.

What I think is extraordinary is the scale of the snow job which Mr Taylor has determined he has the capacity to do on the entire Australian population, and this Senate and the House of Representatives. Just last Thursday, Labor were so concerned about this attempt at a layer cake of deception we have seen from Mr Taylor that we tried to get up a Senate inquiry. The way in which Mr Taylor and the government avoided that getting a positive vote here in the Senate last Thursday was to provide some documentation to some members of the crossbench. Sadly, they didn't act quite deceptively enough, and the reality is the dates on those letters reveal that a letter on which they relied to get crossbench support, to hide this from the public and to avoid the scrutiny of a Senate inquiry, was dated seven months after the date on which this incident occurred. So, Mr Taylor is relying now on a letter dated well after the event in which he sought to intervene, in his own personal interests, and he's also relying on comments from members of an adjoining seat, the seat of Eden-Monaro, and from a commentary that he says is a conversation he had with a farmer in Yass.

Now, there are many good farmers in Yass, but not all of them have access to the offices of Mr Frydenberg. There are many good farmers in Yass, and Goulburn, who want to do the right thing, who are doing the right thing, who are farming properly and who deserve far better representation than this minister, who could not get exercised about anything with regard to these particular grasslands and the management of those grasslands until he received notification that it was going to affect him personally. Now, that is a lazy member. That is a deceptive member. That is a member who deserves the scrutiny of this Senate. And this afternoon, when a motion is presented to provide that scrutiny, the crossbench in this place should support it, because Mr Taylor does not deserve the support of the colleagues who are standing up for him—(Time expired)

Senator CHANDLER (Tasmania) (15:20): First of all, in taking note of relevant responses today, may I say that we've had a clear statement in this place from Minister Birmingham regarding Minister Taylor's requirements within the statement of ministerial standards, and I thank the honourable senator for his contribution. But let me be clear: what we have here today is just another parliamentary tactic by the Labor Party to distract from the fact that this government is delivering on our agenda. And why do they want to distract us? Because the Labor Party is in absolute disarray because they lost the election and almost two months later can't work out where it all went wrong.

And why did Australians reject Labor's policy platform on 18 May? Was it option A—their pledge to wage class warfare? Was it option B—their plan to introduce higher taxes on hardworking Australians? Was it option C—a reckless spending agenda? Or was it in fact option D—all of the above? Certainly during the election campaign and since then, through my conversations with hardworking Tasmanians in my own state, it has been abundantly clear to me that Labor's policy platform—a platform to tax, a platform to punish, a platform to curb the ways in which everyday Australians live their lives—is not one that appeals. Australians didn't like what they saw from Labor on 18 May, and they still don't like what they see, although at least in the lead-up to election day it looked like Labor actually stood for something—something that was resoundingly rejected by voters, but still something. Now they stand for nothing except for playing political games in this parliament, continually asking the same questions, even though they know the answer, and petulantly opposing our government's mandate. Today's question regarding Minister Taylor is just one of these examples.

One thing is for certain, and that is that until Labor manages to form some sort of agenda I have very low expectations of that occurring. This Labor opposition will continue to play games in parliament. In contrast, the Morrison coalition government is focused on getting on with the job and doing what's right by the Australian people, keeping our promises and getting on with our job of governing. We don't need to revert to parliamentary tactics and time-wasting exercises—

The DEPUTY PRESIDENT: Senator McCarthy on a point of order.
Senator McCarthy: I just would like to bring your attention to relevance. The issue isn't about the election; it's actually about Mr Taylor.

The DEPUTY PRESIDENT: I have been listening very carefully, and it is a broad-ranging discussion, but I do believe that Senator Chandler has referred back to the questions asked by Labor senators of Senator Birmingham.

Senator CHANDLER: I restate: in taking note of the responses today, I can't help but reflect on how this chamber's time would be better spent asking and answering questions about this government's plan to make life better for everyday Australians. As I said, that is what mature, grown-up governments do, and we're getting on with the job. We've delivered tax relief for 10 million working Australians, and we've backed in our farmers with our drought relief fund. We're dealing with foreign terrorist fighters who are trying to come back to our country, with our tough new temporary exclusion orders to keep Australians secure. We're helping our hardworking families and our farmers by progressing legislation to outlaw the activists who are invading our farms. We've given more power and greater flexibility to the courts to deregister law-breaking unions and take action against certain militant parts of unions on their officials.

On every issue, at every turn, Labor has tried to oppose and block our agenda and play these political games, and they've been rightly called out—in fact, pilloried—for trying to play these games with pieces of legislation that not only were supported by voters at the election but are commonsense, practical policies to make life better for everyday Australians. What are we seeing from them today is just a continuation of this counterproductive behaviour. These games, these time wasting, unnecessary parliamentary tactics, are not what Australians voted for. Everyday Australians voted for a grown-up government that gets the job done. Everyday Australians resoundingly endorsed a government that keeps our economy strong and our future secure. That is what Australians voted for and that is what this coalition government is setting out to do.

In stark contrast, now we have a situation where Labor, clearly, doesn't want to talk about policies anymore, so instead they are going to play the man. Why would Labor stop giving Australians a tax cut? Why would Labor oppose locking in funding for our drought-affected communities? Why would Labor oppose legislation which seeks to ensure unions and union officials act within the law? Those are the questions that have Australians wondering what on earth Labor have been doing since the election. Whose side are they on? Whose side is Labor on? Are they on the side of hardworking Australians who deserve tax relief and who deserve to have their next generations employable and appropriately trained for the jobs of the future? Whose side is the Labor Party on, because it is clearly not the side of everyday Australians?

Question agreed to.

Climate Change: Pacific Islands

Senator FARUQI (New South Wales) (15:26): I move:

That the Senate take note of the answer given by the Minister for Foreign Affairs (Senator Payne) to a question without notice asked by Senator Faruqi today relating to climate change, Pacific nations and the Australian aid program.

Pacific nations have repeatedly identified climate change as the single greatest threat to their security. For decades they have been calling on Australia to do more to reduce its carbon emissions. Over the last few weeks, the foreign minister has had multiple opportunities to address the demands by Pacific Island nations to act on climate change but has refused to do so. Instead, Australia has told the leaders of Pacific Island nations that they should be pleased with Australia's efforts. What should they be pleased with, Minister? The fact that your government approved the Adani coalmine, which will be a massive contributor to climate change, or the fact that the capital of Australia's export credit agency, Efic, has increased sixfold with the clear mandate to pursue Australian interests with no regards to our neighbours? We know what this means: unfettered access to taxpayer money to fast-track fossil fuel projects in the region. This undermines the climate action on which the safety of the Pacific depends. This is really a slap in the face to our Pacific neighbours, who have urged us, time and time again, to wean ourselves off coal and our addiction to climate pollution.

Minister Payne was in Fiji just last week conducting meetings behind closed doors to make sure, as The Australian reported, that there is no climate stoush at the upcoming Pacific Islands Forum. Shamefully, Australia is bringing nothing to the table at the forum to address this existential threat, proposed by the climate breakdown, to our Pacific Island neighbours.

Australia's real interests in the Pacific have been exposed time and again with successive governments looking to continue an extractive relationship with our neighbours. The government's decision to approve the Adani coalmine and their ever increasing export of coal and gas—with the emissions from this having doubled since 2000, and now more than doubled of our domestic emissions—makes us a bully in the region, pushing ahead with an agenda dictated by the fossil fuel lobby and others who profit from the death of our planet. This agenda
condemns our neighbours in the Pacific to rising sea levels and dislocation, to severe storms and to a loss of arable land and drinking water.

Coal is the leading contributor to global climate change, and Australia, sadly, is the biggest exporter of coal. Eighty per cent of the coal that is dug up in Australia is shipped overseas to be burned, making Australia an international pariah and one of the biggest contributors to the growing climate emergency. It is Australia's addiction to coal and the bipartisan commitment to taking donations from the fossil fuel industry that have made sure we continue to relentlessly pursue this agenda. There is no way we will achieve the Paris Agreement targets under this government's present trajectory. The minister has also been sitting on the strategy for climate change in our aid program prepared by DFAT. The draft has been on her desk for more than six months now. This shows how little attention climate change gets in our overseas aid program with this government at the helm.

As the region's leading contributor to dirty emissions and a major fossil fuel exporter, it is our responsibility to do more. A just foreign aid program would not look like a checked-box exercise, where there is hardly any funding and practically no focus on climate change and resilience. Climate justice would mean that we should drastically cut our emissions. It means that there is a huge investment in climate-resilient infrastructure in the Pacific region. Through our overseas aid and international development program, we should be doing much more to support climate resilience in our Pacific neighbours. Pacific islanders are at the front line of change, and that is caused by global countries like Australia who have failed to curb their emissions, who have failed to rein in their addiction to burning and exporting fossil fuels and, lastly, who have failed in their obligation to be a good global citizen. It is not the fault of Pacific island nations that they find themselves faced with rising sea levels. We know that developing countries have contributed very little to global warming and climate change but now face some of the worst consequences. Our aid program should reflect this debt. It is a matter of global justice. We owe it to our Pacific islands nations and the world.

Question agreed to.

NOTICES

Presentation

Senator Patrick to move on the next day of sitting:
That the Civil Aviation (Community Service Flights - Conditions on Flight Crew Licences) Instrument 2019, made under the Civil Aviation Safety Regulations 1998, be disallowed [F2019L00134].

Senator Siewert to move on the next day of sitting:
That there be laid on the table by the Minister for Families and Social Services, by 1 August 2019, a list of the people and organisations who form part of the Cashless Debit Card community reference groups, in each of the Cashless Debit Card trial sites.

Senators McDonald, Rennick, McGrath, Scarr and Stoker to move on the next day of sitting:
That the Senate—
(a) notes:
(i) that the vast majority of Queenslanders support the Carmichael Mine and opening of the Galilee Basin, and
(ii) the billions of dollars in royalties that the resources sector delivers to Queensland (Qld), building roads, schools and hospitals for all Queenslanders; and
(b) condemns the actions and hypocrisy of extremist protestors, including:
(i) a husband and wife who, despite being arrested nine times combined, blocked trucks leaving a concrete business who had urgent works to complete at a local nursing home,
(ii) a 20 year old unemployed protestor who, despite growing up and living in his family's lavish waterside mansion on the Sunshine Coast, glued himself to a Brisbane central business district road, causing disruptions for tens of thousands of Qld workers,
(iii) the numerous protestors who have attacked and disrupted small businesses who have contracts for the construction of the Carmichael Mine and are employing hard-working Queenslanders, and
(iv) the comments made by Brisbane City Council Greens councillor, Cr Jonathan Sri, who has praised the "effective tactics" used by the Extinction Rebellion protestors, noting particularly that "As a politician I'm telling you that supporting disruptive civil disobedience and general strikes is probably your best option".

Senator Di Natale to move on the next day of sitting:
That the Senate—
(a) notes that the United Nations (UN) resolved, in June 2019, to mark its 75th anniversary with a one-day high-level meeting of the UN General Assembly in September 2020 on the theme 'The Future We Want, the UN We Need: Reaffirming our Collective Commitment to Multilateralism';
(b) supports consideration of comprehensive reform measures for a renewal and strengthening of the UN; and
(c) consistent with a resolution passed by the European Parliament in July 2018, advocates for the establishment of a United Nations Parliamentary Assembly (UNPA) within the UN system in order to increase the democratic character, the democratic accountability and the transparency of global governance and to allow for better citizen participation in the activities of the UN and, in particular, to contribute to the successful implementation of the UN Agenda 2030 and the Sustainable Development Goals.

Senator Rice to move on the next day of sitting:
That there be laid on the table by the Minister representing the Minister for the Environment, by no later than 9.30 am on 31 July 2019, the following documents as listed on the "indexed list of files created between 1 January and 30 June 2018" by the Department of the Environment and Energy:
(a) 18/003561 – [Environment Protection and Biodiversity Conservation / Strategic Initiatives / New South Wales] Field Work Trip Plans – NSW;
(b) 18/004410 – [Environment Protection and Biodiversity Conservation / Strategic Initiatives / New South Wales] Monaro Farm Visit and Engagement; and

Postponement
The Clerk: Postponement notifications have been lodged in respect of the following:
Business of the Senate notice of motion no. 1 standing in the name of Senator Rice for 30 July 2019, proposing a reference to the Legal and Constitutional Affairs References Committee, postponed till 11 September 2019.
General business notice of motion no. 39 standing in the name of Senator Whish-Wilson for today, relating to foreign acquisitions and Moon Lake Investments, postponed till 30 July 2019.

The DEPUTY PRESIDENT (15:32): I remind senators that the question may be put on any proposal at the request of any senator.

COMMITTEES
Environment and Communications References Committee
Reference
Senator WONG (South Australia—Leader of the Opposition in the Senate) (15:32): I move:
That the following matters be referred to the Environment and Communications References Committee for inquiry and report by 11 October 2019:
(a) whether a compliance investigation by the Department of the Environment and Energy in relation to the Natural Temperate Grassland of the South Eastern Highlands ecological community has been adversely affected by the actions of the Member for Hume, Mr Taylor, the former Minister for the Environment and Energy, Mr Frydenberg, or any other persons;
(b) whether the conduct of Mr Taylor and Mr Frydenberg, in relation to the compliance investigation, represents a proper and disinterested exercise of their responsibilities under the laws of the Commonwealth and the Statement of Ministerial Standards; and
(c) any related matters.

The DEPUTY PRESIDENT: The question is that business of the Senate notice of motion No. 4, as moved by Senator Wong, be agreed to.
The Senate divided. [15:38]
(The Deputy President—Senator Lines)

Ayes .................32
Noes .................33
Majority .............1

AYES
Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallacher, AM
Green, N
Lambie, J
McCarthy, M
Patrick, RL
Rice, J

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Gallagher, KR
Hanson-Young, SC
McAllister, J
McKim, NJ
Pratt, LC
Sheldon, A
I move:

(1) That the Senate notes that—

(a) the Statement of Ministerial Standards clearly provides that Ministers must act with honesty and integrity in all their activities, in particular, Ministers must:

(i) make arrangements to avoid conflicts arising from their private interests, also having regard to interests held by family members (paragraphs 2 and 2.17), and

(ii) not use public office for private purposes (paragraph 2.2),

(b) on 19 June 2019, the Guardian reported that, while a company part-owned by the Minister for Energy and Emissions Reduction, Mr Angus Taylor MP, and his brother was under investigation by the Department of the Environment and Energy for alleged unlawful clearing of a critically-endangered grassland species, the Minister met with departmental staff; the Guardian further reported, on 27 June 2019, that an investigator from the office responsible for investigating the clearing allegations was present at a meeting;

(c) on 20 June 2019, the Guardian reported that former Minister for the Environment and Energy, Mr Josh Frydenberg MP, was approached by Mr Taylor in relation to the listing of the grassland species; according to the report, Mr Frydenberg subsequently sought advice about his powers to amend the critically-endangered listing; and

(d) these meetings raise serious questions about whether such conduct complies with the Ministerial Standards — the statement provided by Senator Cormann to the Senate on 23 July 2019, failed to satisfactorily address these questions.

(2) That the following matter be referred to the Finance and Public Administration References Committee for inquiry and report by 10 September 2019:

(a) compliance by the Minister for Energy and Emissions Reduction, Mr Taylor, and the Treasurer, Mr Frydenberg, with the Prime Minister’s Statement of Ministerial Standards;

(b) enforcement of the Ministerial Standards including, but not limited to:

(i) actions taken in response to allegations of improper conduct or other non-compliance with the Ministerial Standards,
(ii) investigation of allegations of improper conduct or other non-compliance with the Ministerial Standards by the Department of the Prime Minister and Cabinet,

(iii) investigation of allegations of misconduct or other non-compliance with the Ministerial Standards by an independent authority,

(iv) penalties for non-compliance with the Ministerial Standards, and

(v) any policies developed to guide implementation of the Ministerial Standards;

c) appointment of a Parliamentary Integrity Commissioner tasked with enforcing compliance with the Ministerial Standards; and

d) any related matters.

(3) That the Senate requests that the Finance and Public Administration References Committee, as far as practicable, conduct this inquiry in conjunction with the committee's inquiry into compliance by former Ministers of State with Ministerial Standards, referred on 22 July 2019.

The Senate divided. [15:46]

(The Deputy President—Senator Lines)

Ayes .................32
Noes .................33
Majority .............1

AYES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallacher, AM
Green, N
Lambie, J
McCarthy, M
Patrick, RL
Rice, J
Siewert, R
Steele-John, J
Urquhart, AE (teller)
Waters, LJ
Whish-Wilson, PS

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Gallagher, KR
Hanson-Young, SC
McAllister, J
McKim, NJ
Pratt, LC
Sheldon, A
Smith, M
Sterle, G
Walsh, J
Watt, M
Wong, P

NOES

Abetz, E
Askew, W
Birmingham, SJ
Brockman, S
Cash, MC
Colbeck, R
Davey, P
Fawcett, DJ
Fifield, MP
Hughes, H
McKenzie, B
O'Sullivan, MA
Remnick, G
Roberts, M
Sacc, P
Sinodinos, A
Stoker, AJ

Antic, A
Bernardi, C
Bragg, AJ
Canavan, MJ
Chandler, C
Cormann, M
Duniam, J
Ferravanti-Wells, C
Hanson, P
McGrath, J
McMahon, S
Paterson, J
Reynolds, L
Ruston, A
Seselja, Z
Smith, DA (teller)

PAIRS

Keneally, KK
Kitching, K
O'Neil, D
Polley, H

Van, D
Hume, J
Payne, MA
McDonald, S

Question negatived.
MOTIONS

Domestic and Family Violence

Senator WATERS (Queensland) (15:49): I move:

That the Senate—

(a) notes that:

(i) the 2019 Federal Budget allocated $10 million to "Specialised Family Violence Services", including individual or couples counselling and dispute resolution services, as part of the funding package for domestic violence,

(ii) in April 2019, the Department of Social Services, announced a targeted grants program for the delivery of Specialised Family Violence Services under the Families and Communities Program,

(iii) women's safety organisations have consistently raised concerns that couples counselling in family violence situations can put women and children in danger, and urged that all counselling services be delivered by experienced specialist practitioners,

(iv) many of the organisations listed as eligible to apply for the Specialised Family Violence Services grants were faith-based family relationship services, rather than specialist domestic and family violence services,

(v) the initial grant guidelines for the Specialised Family Violence Services did not require applicants to demonstrate that they would meet the National Outcome Standards for Perpetrator Interventions,

(vi) while updated grant guidelines encouraged applicants to partner with specialist sector organisations and to demonstrate expertise in family and domestic violence and compliance with relevant standards, the guidelines did not exclude applicants that did not have this expertise, and

(vii) significant additional funding for frontline domestic and family violence support services is essential to achieve the objectives of the National Plan to Reduce Violence Against Women and their Children; and

(b) calls on the Federal Government to:

(i) ensure that survivors of violence are not forced to undergo counselling with perpetrators,

(ii) ensure that all government funded counselling services for family violence are delivered by expert family violence service providers in accordance with the National Outcome Standards for Perpetrator Interventions,

(iii) adequately fund frontline domestic violence and crisis housing services to ensure that all women seeking safety can access these services when and where they need them, and

(iv) adequately fund the provision of safe and specific family violence support services for Aboriginal, culturally and linguistically diverse, and LGBTIQ communities.

I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator WATERS: This is an important motion that really goes to the heart of expert advice from frontline service providers in the family and domestic violence space; from our lead national researcher, Australia’s National Research Organisation for Women’s Safety, ANROWS; and from Australian Women Against Violence Alliance, AWAVA, one of the lead womens’ advocacy bodies. They are begging the government to not require couples counselling where there have been recorded incidents of domestic violence. Frontline services desperately need more funding. However, to allocate funding for mandatory or even optional, but forced, couples counselling in incidences of violence in a relationship where other services are struggling for funding is against the advice of these expert bodies. It's clear that we need trained experts to be providing services, not faith based organisations to be requiring couples counselling, which is what the government's criteria provide for.

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (15:50): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator RUSTON: This motion is misleading. The government is funding an expansion of specialised family violence services primarily to provide additional services for children who witness or experience violence. Specialist family violence services do not force survivors to undergo counselling with perpetrators, and all funded services must be delivered in accordance with the National Outcome Standards for Perpetrator Interventions. The government believes it should provide a wide range of services to encourage women to come forward to access the support that is their right. The Morrison government has committed a record $328 million for prevention and frontline services under the Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children. We do not require couples counselling.

Senator HANSON (Queensland) (15:51): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.
**Senator HANSON:** One Nation is opposed to domestic violence, but I find this motion divisive. Section 3 says:

... adequately fund frontline domestic violence and crisis housing services to ensure that all women seeking safety can access these services when and where they need them …

Men are faced with domestic violence as well, and there is no shelter for men and their children who are facing domestic violence. I feel it's very selective and divisive. And section 4 says:

... adequately fund the provision of safe and specific family violence support services for Aboriginal, culturally and linguistically diverse, and LGBTIQ communities …

That is very divisive. I believe that, if you're going to do it, you do it for all Australians equally.

**The DEPUTY PRESIDENT:** The question is that general business notice of motion No. 57, standing in the name of Senator Waters, be agreed to.

The Senate divided. [15:58]

(The Deputy President—Senator Lines)

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

**AYES**

Ayres, T  
Brown, CL  
Chisholm, A  
Di Natale, R  
Farrell, D  
Gallacher, AM  
Green, N  
Hanson-Young, SC  
McCarthy, M  
O’Neill, D  
Pratt, LC  
Sheldon, A  
Smith, M  
Sterle, G  
Walsh, J  
Watt, M

Bilyk, CL  
Carr, KJ  
Ciccone, R  
Dodson, P  
Faruqi, M  
Gallagher, KR  
Griff, S  
Lambie, J  
McKim, NJ  
Patrick, RL  
Rice, J  
Siewert, R  
Steele-John, J  
Urquhart, AE (teller)  
Waters, LJ  
Whish-Wilson, PS

**NOES**

Abetz, E  
Askew, W  
Bragg, A J  
Canavan, MJ  
Chandler, C  
Davey, P  
Fawcett, DJ  
Fifield, MP  
Hume, J  
McKenzie, B  
O’Sullivan, MA  
Payne, MA  
Roberts, M  
Scar, P  
Sinodinos, A  
Stoker, AJ  
Antic, A  
Birmingham, SJ  
Brockman, S  
Cash, MC  
Colbeck, R  
Duniam, J  
Fierravanti-Wells, C  
Hanson, P  
McGrath, J  
McMahon, S  
Paterson, J  
Rennick, G  
Ruston, A  
Seselja, Z  
Smith, DA (teller)

**PAIRS**

Keneally, KK  
Kitching, K  
McAllister, J  
Polley, H  
Wong, P  
Van, D  
Reynolds, L  
Hughes, H  
McDonald, S  
Cormann, M

Question agreed to.
Gambling

Senator GRIFF (South Australia) (16:00): Before moving general business notice of motion No. 56, I wish to inform the chamber that Senators Waters and Lambie will also sponsor the motion. I move:

That the Senate—

(a) notes that:

(i) this month marks the 25th anniversary since the introduction of poker machines in pubs and clubs in South Australia,

(ii) despite numerous recommendations by the Commonwealth Productivity Commission (PC) and other inquiries, there has been no meaningful poker machine reform in terms of harm minimisation,

(iii) according to the PC’s 2010 report into gambling, 15% of regular poker machine players are so-called ‘problem gamblers’ with approximately 40-60% of spending on poker machines coming from ‘problem gamblers’,

(iv) the PC’s 2010 report highlighted the significant social cost of gambling—estimated at that time to be at least $4 billion,

(v) despite having only 0.3% of the world’s population, Australia reportedly has 6% of the world’s conventional gaming machines and 18% of its poker machines, and

(vi) Australians lose approximately $24 billion per year on gambling, a figure which is more than any other nation; and

(b) calls on the Federal Government to:

(i) recognise the ongoing harm gambling causes, which varies from emotional to financial costs, and commit to meaningful harm minimisation, and

(ii) instruct the Commonwealth Productivity Commission to conduct a new inquiry to provide an updated perspective on gambling and propose relevant recommendations.

Senator LAMBIE (Tasmania) (16:01): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator LAMBIE (Tasmania) (16:01): On the one hand, Tasmanians gave $43 million to charity in 2016-17. On the other hand, they gave $110 million to the pokies. The Liberals say pokies create job. You know what pokies really create? They create absolute pain and misery. People are committing suicide because of these machines. These machines suck the life out of the local communities and they are sucking the life out of Tasmania. Nobody wins from these machines except the people who own them and the people who take political donations from the people who own them. They win big by selling a product that hooks you in and bleeds you dry. Half the money these machines pull in comes from problem gamblers. It’s a business model built on the abuse of the most vulnerable in our society. It’s absolutely robbery and it's absolutely shameful. I support this motion because pokies are a curse. The sooner they are removed from our pubs and clubs, the better.

The DEPUTY PRESIDENT: The question is that general business notice of motion No. 56 standing in the names of Senators Griff, Waters and Lambie be agreed to.

The Senate divided. [16:03]

(The Deputy President—Senator Lines)

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

AYES

Di Natale, R
Griff, S (teller)
Lambie, J
Patrick, RL
Siewert, R
Waters, LJ

NOES

Antic, A
Ayres, T
Bragg, A J
Carr, KJ
Chandler, C
Colbeck, R
Dodson, P
Fierravanti-Wells, C
Gallacher, AM

Faruqi, M
Hanson-Young, SC
McKim, NJ
Rice, J
Steele-John, J
Whish-Wilson, PS

Askew, W
Bernardi, C
Brockman, S
Cash, MC
Chisholm, A
Davey, P
Duniam, J
Fifield, MP
Gallagher, KR

CHAMBER
Question negatived.

**COMMITTEES**

**Legal and Constitutional Affairs References Committee**

Reference

**Senator KIM CARR** (Victoria) (16:07): I, and also on behalf of Senator Stoker, move:

That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by the last sitting day in May 2020:

- Nationhood, national identity and democracy, with particular reference to:
  - the changing notions of nationhood, citizenship and modern notions of the nation state in the twenty first century;
  - rights and obligations of citizenship, including naturalisation and revocation, and the responsibility of the state to its citizens in both national and international law;
  - social cohesion and cultural identity in the nation state;
  - the role that globalisation and economic interdependence and economic development plays in forming or disrupting traditional notions of national identity;
  - contemporary notions of cultural identity, multiculturalism and regionalism;
  - the extent to which nation states balance domestic imperatives and sovereignty and international obligations;
  - comparison between Australian public debate and policy and international trends; and
  - any other related matters.

**Senator DI NATALE** (Victoria—Leader of the Australian Greens) (16:07): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is given for one minute.

Senator DI NATALE: We know that the role of the Senate is to inquire on issues that are of international significance, national significance and local significance. We've read the terms of reference, and they are broad enough for us to be confident that this inquiry could be used for a constructive purpose. But, given the nature of the language in these terms of reference, and given some of the voices in this place who have clearly expressed negative sentiment towards immigrants and who clearly do not support multiculturalism, we are also concerned that this committee inquiry has the potential to be used for purposes that we don't support. We are prepared to accept that it is our role to inquire into issues like this, and we'll give the benefit of the doubt to Senators Carr and Stoker, who have moved this. But we will be watching very closely that this doesn't become a vehicle for people who have, quite frankly, racist and bigoted views.

**Senator ROBERTS** (Queensland) (16:08): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator ROBERTS: We know that the United Nations, in particular, has interfered for many decades now with our sovereignty and the governance of this country. We note particularly the UN's Kyoto protocol, the UN's Paris agreement, the UN's Rio declaration from 1992, and the UN's Lima agreement, which was both signed by Gough Whitlam in 1975 and ratified by Malcolm Fraser in 1976. We also note that property rights are fundamental to freedom—and I'm looking particularly at the Liberal-National parties—and I would hope that these matters would be considered by this committee, but we do support the inquiry.

Question agreed to.
MOTIONS

Nuclear Energy

Senator HANSON-YOUNG (South Australia) (16:09): I move:
That the Senate:
(a) notes that:
   (i) constructing nuclear power stations is hugely expensive, costing billions of dollars, and often far exceeding the original estimate,
   (ii) estimates indicate a typical nuclear reactor uses millions of litres of water per day,
   (iii) nuclear power is up to three times the cost of renewable energy sources backed by storage,
   (iv) the Fukushima disaster in 2011 resulted in the evacuation of 160,000 people and, some two years later, 81,000 evacuees remained displaced over concerns of radiological effects,
   (v) the Chernobyl disaster contaminated a radius of 30 km from the reactor explosion, resulting in the forced resettlement of hundreds of thousands of people, and
   (vi) Australian law prohibits the development of nuclear power; and
(b) reaffirms its support for section 140A (No approval for certain nuclear installations) of the Environment Protection and Biodiversity Conservation Act 1999.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:09): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: We have a moratorium on nuclear power generation in Australia and the government has no plans to change that. Any decision to remove the current prohibition on nuclear power generation would require both bipartisan agreement and widespread community support.

Question agreed to.

BUDGET

Consideration by Estimates Committees

Senator PATRICK (South Australia) (16:10): I move:
That:
(a) answers to outstanding questions taken on notice in relation to the 2018-19 additional estimates and the 2019-20 Budget estimates, and which remained unanswered at the beginning of the 46th Parliament, be provided to legislation committees by 31 July 2019; and
(b) for the purposes of standing order 74(5), the day set for answering each of the unanswered questions is 31 July 2019.

Question agreed to.

DOCUMENTS

Home Affairs Portfolio

Order for the Production of Documents

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (16:11): At the request of Senator Keneally, I move:
That there be laid on the table by the Minister representing the Minister for Home Affairs, by no later than 12 pm on 31 July 2019, the completed Strategic Review of the Home Affairs Portfolio as announced in the 2018-19 Budget.

Question agreed to.

Department of Industry, Innovation and Science

Order for the Production of Documents

Senator DI NATALE (Victoria—Leader of the Australian Greens) (16:11): I move:
That there be laid on the table by the Minister representing the Minister for Industry, Science and Technology, by no later than 2 pm on 1 August 2019, the report by Cadence Economics, commissioned by the Department of Industry, Innovation and Science, in relation to the costs and benefits of responding to climate change.

Question agreed to.

MOTIONS

Defence Facilities: Chemical Contamination

Senator FARUQI (New South Wales) (16:12): I move:
That the Senate:

(a) notes that:

(i) the issue of per- and poly-fluoroalkyl substances (PFAS) contamination has caused significant mental, emotional and financial stress for communities where PFAS have contaminated land and water, including the communities around the RAAF base in Williamtown in New South Wales, the Oakey Army Aviation Centre in Queensland, and RAAF Base Tindal at Katherine in the Northern Territory,

(ii) it has been more than 7 months since the Joint Standing Committee on Foreign Affairs, Defence and Trade, tabled its report into the management of PFAS contamination in and around Defence bases, and the Federal Government has still not issued its response, and

(iii) communities are waiting anxiously on the Government's response to the key recommendations of the Committee, such as, that the Federal Government appoint a Coordinator-General to coordinate the national response to the PFAS contamination issue, undertake measures to improve participation in the voluntary blood testing program for PFAS, and assist property owners and businesses in affected areas for demonstrated, quantifiable financial losses associated with PFAS contamination, including the possibility of buybacks; and

(b) calls on the Federal Government to release its response to the report of the Joint Standing Committee on Foreign Affairs, Defence and Trade report, into management of PFAS contamination in and around Defence bases.

I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator FARUQI: When the inquiry into PFAS contamination handed down its report in this parliament about seven months ago I did urge the government to take concrete action and not leave communities hanging for many months. It is really disappointing that they have not swiftly responded to the recommendations of the report, which are really so important to so many people. This is an extremely serious issue that affects thousands of people across the country, including in my home state of New South Wales around the Williamtown RAAF base.

PFAS contamination has caused significant mental, emotional and financial stress for people, and it's simply not fair for the government to not make its responses to the recommendations clear as soon as possible. The government shouldn't string people along. There is a need to show them the respect that they deserve. They really have waited long enough.

Senator ROBERTS (Queensland) (16:13): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator ROBERTS: I rise in support of the motion. The PFAS group of chemicals build up in the human body and in the environment over time. The US EPA and the German government have found high levels of PFAS are toxic for reproduction and development of the human fetus, with probable links to serious conditions, including testicular and kidney cancer. PFAS contamination has been found at RAAF Williamtown, Oakey, Richmond, Edinburgh, East Sale and Townsville.

The foam can seep deep into groundwater, forming a plume that moves beyond the source and into surrounding houses and farms. Residents can be contaminated from drinking the water, coming into contact with the soil or eating food grown or raised in their own soil in these so-called red zones. Residents around some of these bases have elevated levels of PFAS in their blood. The residents are living a nightmare, not just worrying about their own health and the health of their kids but trapped in houses that they can't sell. I support Senator Faruqi's motion and call on the government to maintain its promise to the people of Oakey, to release this report and to get on with fixing the mess. (Time expired)

Question agreed to.

DOCUMENTS

Ministerial Correspondence

Order for the Production of Documents

Senator WATERS (Queensland) (16:15): I move:

That there be laid on the table by the Minister representing the Prime Minister and Leader of the Government in the Senate, by 31 July 2019, the following documents:

(a) any 'constituent' correspondence or other document sent to the Member for Hume, Mr Taylor, requesting action in relation to the listing of Natural Temperate Grassland of the South Eastern Highlands ecological community, as referred to by Senator Patrick in the Senate on 25 July 2019;

(b) any correspondence between the Federal Government and Senator Patrick in relation to any proposed inquiry into the actions of Mr Taylor and Mr Frydenberg.
Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:15): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: Minister Taylor has comprehensively dealt with this matter in the other place, earlier today, including by tabling relevant documents. The government would caution this chamber against setting a precedent where an order to produce be used for the production of constituent correspondence to a member or a senator.

Senator WATERS (Queensland) (16:15): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator WATERS: I take the senator's contribution that Minister Taylor has tabled relevant documents. If that's the case, then there's a three-year-old letter that he's relying on as the basis for his meeting three years later, and there's a letter that was sent six months after the meeting in question. If they are the only relevant documents, then I'm afraid Minister Taylor has really shot himself in the foot by demonstrating that, in fact, there was no constituent correspondence to justify him meeting with then environment Minister Frydenberg, apparently on the basis of constituent concern.

I would hope that there was further constituent correspondence, which is exactly why we've moved this order for production of documents. We want to see this so-called correspondence. If it really is only a letter that was sent to him three years prior and a letter that was sent to him six months after, then what a coincidence that a day after he was sued for breaching environmental laws he sought a meeting as a cabinet minister with his fellow cabinet minister. I urge the chamber to support this OPD.

Question agreed to.

NOTICES
Withdrawal

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (16:17): I withdraw business of the Senate notice of motion No. 2 standing in the name of Senator Wong for today.

MATTERS OF PUBLIC IMPORTANCE

Fetal Alcohol Spectrum Disorder

The DEPUTY PRESIDENT (16:17): I inform the Senate that at 8.30 am today five proposals were received in accordance with standing order 75. The question of which proposal would be submitted to the Senate was determined by lot. As a result, I inform the Senate that the following letter has been received from Senator Griff:

Pursuant to standing order 75, I propose that the following matter of public importance be submitted to the Senate for discussion:

The need for more urgent action on alcohol-related harm such as Fetal Alcohol Spectrum Disorder.

Is the proposal supported?

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

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

Senator GRIFF (South Australia) (16:18): Today I speak about an insidious, serious public health problem. It is one which will have lifelong consequences for those with the condition, and it impacts almost every part of our community in some way. But it is entirely preventable. I'm talking about fetal alcohol spectrum disorder, or FASD for short.

FASD is an umbrella term for a range of physical, mental, developmental and behavioural problems suffered by a child whose mother drinks alcohol while pregnant. FASD has no cure. It can be severe or it can be mild. The baby can often seem healthy at birth, and only a minority of babies will have telltale facial deformities that can form when their mother drinks in the first trimester only. Babies born with FASD might look healthy but the wiring in their brain will be scrambled.

They are destined to have varying problems with memory, learning, impulse control and understanding consequences. They may struggle with emotional regulation, and struggle to plan and organise themselves. They may have difficulty with speech and language, and they might even have sight and hearing problems. In the worst cases, the baby will, tragically, be robbed of the ability to realise their full potential simply because their mum drank while pregnant.
I do want to stress I do not say this with any blame. Often this drinking is done in ignorance or because of peer pressure from a partner or others close to the woman. Research shows us that one in four pregnant women in Australia continue to drink alcohol after they have learned they are pregnant—one in four. Many of them are well educated too, but they're not educated about the effects of FASD. Usually, they don't know about the risks of drinking while pregnant, or they are misinformed about the risks because they received outdated advice from well-meaning friends and relatives, or even, incredibly, from medical professionals. Australia desperately needs a national information campaign to tell women and their loved ones the dangers of alcohol during pregnancy. If we want women to stop drinking during pregnancy, we all need to empower them to make this safe and necessary choice. The entire community needs to be informed of the dangers so we can collectively support the women in our lives.

We are still learning a lot about this disease. The fact that one in four women drink during pregnancy doesn't mean one in four babies are born with FASD. It seemed genetics may play a part in who is impacted and how severely, and the condition is more severe in children whose mothers are sustained and heavy drinkers. Estimates are that FASD affects up to five per cent of the Australian population. The important thing to remember is that, when a pregnant woman drinks, her baby also drinks. In fact, the developing baby will have the same blood alcohol level she does; it might even be higher because the baby's developing liver will struggle to process the alcohol. The alcohol crosses the placenta and enters the baby's blood, where it can damage the developing brain and other organs.

The consequences for affected children are lifelong. Again, there is no cure for FASD. Most children who are later diagnosed with FASD might seem utterly normal when born. Most will have a normal IQ. It won't be until that little boy or girl starts school and starts falling behind and gets into trouble for being disruptive and for not completing their work that the truth of their condition will start to emerge. Even then, their FASD may be mistaken for naughtiness, or misdiagnosed, meaning they won't always get the help that they desperately need. Without intervention, they will struggle to finish school and will be more familiar with truancy, suspension and expulsion than with good grades. Through no fault of their own, children with FASD will quite likely have poorer life outcomes than other children. They will struggle more than others with unemployment, homelessness, mental health issues, and alcohol and drug abuse. They are disproportionately represented in the criminal justice system. A 2018 study found that 36 per cent of juveniles in detention in Western Australia had FASD. Think about that for a moment. What would the criminal justice system look like if we managed to dramatically cut the number of children born with FASD?

This is why I'll be proposing a wide-ranging inquiry into FASD, to pick up on the good work done by the 2012 House of Representatives inquiry into FASD and go further, to look at what the research now tells us; the awareness and handling of FASD in schools and the criminal justice system; the prevalence of FASD in vulnerable populations, such as children in state care; and world's best practice in diagnosis, intervention and prevention.

As it is, FASD costs Australia an estimated $1.18 billion every year. Despite this massive burden on our communities, the government is not doing anywhere near enough to combat this issue. It is tinkering around the edges at most and, actually, its actions are really quite inadequate. Its national FASD Strategic Action Plan follows a recommendation from the 2012 inquiry that was appropriately titled FASD: the hidden harm.

The 10-year strategic action plan on FASD sounds good, but it is currently being funded with peanuts—just $7 million over two years to tackle a public health issue which is entirely preventable and yet has such a widespread impact on individuals and society.

A three-year FASD clinical network to support diagnosis and data collection was funded with just $10 million. All up, the government has spent a measly $20 million on FASD since 2014. The efforts have been so paltry that the alcohol industry's own lobby, DrinkWise, has been granted federal funding to promote awareness about drinking in pregnancy. This was such a stuff-up last year that thousands of posters destined for GP offices had to be recalled after the AMA complained because the messaging was inaccurate and misleading. The recalled posters actually stated:

It's not known if alcohol is safe to drink when you are pregnant.

But it is known: it is not safe.

The DrinkWise posters are limp-wristed at best. The messages include:

It's safest not to drink while pregnant.

Note the word 'alcohol' isn't used. And what do they mean by 'safest'? Is there some sliding scale of safe drinking that we don't know about? Then there is the confusing message: 'When mum drinks, the baby drinks.' That doesn't
tell the woman anything about the lasting harm alcohol causes and it leaves it open for people to assume that, if mum doesn't suffer any lasting harm for a night of drinking, maybe the baby doesn't either.

This is the danger of leaving awareness campaigns in the hands of vested interests. If we want to tackle FASD, the messaging has to be clear. It has to be uncompromising. The Foundation for Alcohol Research and Education puts the message this way:

Alcohol and pregnancy:
No safe amount.
No safe time.
No safe type.

Its other messages include:
If you are pregnant or planning a pregnancy, experts advise no amount of alcohol is safe.

It knows from its focus groups that this message works.

We need to treat FASD with much more urgency. I think we should treat it as a national health emergency. How many of us have heard someone say, ‘It doesn’t matter if you have an occasional drink in the third trimester because the baby is already cooked or finished baking’? As long as there are men and women, and health professionals for that matter, who still think it is okay to drink during pregnancy, it means there is serious work to be done. As long as this type of attitude exists, it means that we are failing to tackle this invisible but entirely avoidable scourge.

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (16:28): I too rise to speak on this MPI. It is a very significant issue in the Australian community and one that all sides of politics, all parts of this chamber, would certainly acknowledge as such. I certainly agree with Senator Griff that it is an absolutely tragic set of circumstances and an issue that society as a whole needs to get a lot better at tackling.

One thing I perhaps would be very interested in finding out—and I had a quick attempt earlier today to try and find this information; I couldn't find it—and it is perhaps contrary to what Senator Griff said, is: how many people out there truly believe it is safe to drink alcohol during pregnancy? Not whether they do it or not, because people do many things that, unfortunately, they know are very dangerous, both to them and to their unborn child but how many people actually know? I suspect the vast majority would know. What that percentage is is probably worthwhile finding out to know just how effective the public health campaigns in this space have been. I would certainly endorse that. Sadly, in my home state of Western Australia, this is a very real issue. There was a significant study undertaken by the Telethon Kids Institute, which is a wonderful institute in my home state of Western Australia that looks into a variety of health matters affecting children. It was undertaking groundbreaking research into the prevalence of FASD in Western Australia. Sadly, this research is now a little out of date. It looked at the situation from 1980 to 2010. There was something like 210 identified cases, which is remarkably small, I would say. Unfortunately, I think everyone in this chamber knows that the problem has grown significantly worse since then. It is important that government focuses on it and tackles it, which this government has been doing.

The impacts of FASD cannot be understated. It produces significant problems with learning and behaviour. Again, as Senator Griff pointed out, the number of people involved in the criminal justice system who are affected by FASD is quite significant. It includes physical changes. There are certain facial characteristics and certain facial features that have been associated with FASD, such as a short horizontal length of the eye opening from the inner corner to the outer corner and changes the structure of the upper lip and the nose. We're actually not just talking about changes to the structure of the brain but also talking about actual physical changes to those children. Obviously, those children grow up to be adults.

There are learning and behavioural problems, obviously, which are the most well known aspects of this. These include learning difficulties, memory problems, trouble with impulse control, trouble with attention span, ease of distraction, a degree of hyperactivity and difficulty in understanding the consequences of one's actions, which obviously has significant flow-on effects in terms of potential aggression and encounters with the criminal justice system. There is also difficulty in following instructions, difficulty with abstract thinking, slow cognition and difficulty with social relationships, something that is obviously very important to the wellbeing of children and children as they grow into adults.

The National Health and Medical Research Council does publish guidelines on reducing the health risk of drinking alcohol. That guidance is fairly clear on drinking alcohol whilst pregnant or breastfeeding. The guidelines state:
Women who are pregnant, planning a pregnancy or breastfeeding should not drink at all.
The guidelines on this matter are very clear. They go on to say:

The greatest harm to the foetus or breastfeeding infant occurs when drinking is at high and frequent levels, but no level of drinking is considered safe.

That has been the NHMRC guidelines since at least 2009. Again, I tried to check whether it predates that—I suspect it does—but I couldn't find that out. That is a very clear guideline from the NHMRC and something that I think needs to be—if it's not, and, as I say, I do not know the level of knowledge in the community on this issue—very, very well known.

Again, contrary to Senator Griff's position, the government has taken action and continues to take action in this area. The government is committed to reducing alcohol-related harms to all Australians. Since 2014, the Australian government has committed $27 million to reducing the impact of FASD, fetal alcohol spectrum disorder. This began in the 2016-17 budget, when the Australian government committed $10.5 million over four years—that is, 2016 to 2019-20—to take more action on FASD by building on earlier action plans. Funding is being provided for a range of activities including online telephone support for individuals and families affected by the disorder, improved access to diagnostic services, and prevention and education action across the country, obviously with an emphasis on communities of highest need, because, sadly, what the evidence shows is that this problem is not exclusive to but has a significant impact on Aboriginal communities in my home state of Western Australia. Therefore, the messages, the information and the support that need to be given have to be highly targeted and need to get to the people where it can have the most effect.

In November 2018, Minister Hunt launched the FASD Strategic Action Plan. To support the FASD Strategic Action Plan, the Australian government committed further funding of $7.2 million for activities that align with the priority areas of the ongoing strategic action plan: prevention, screening and diagnosis, management and support, and funding of priority groups. Funding is broken down: $1.47 million for prevention; $1.2 million for screening and diagnosis; $1.2 million to inform schools and workplaces and to support the justice and policing sectors; $1.27 million to tailor solutions to local communities; and just over $1½ million to continue existing activities, including the continued development of a one-stop shop digital hub for information tools, research and consumer support.

This is a life-long physiological and neurodevelopmental impairment. It's a condition that is an outcome of parents either not being aware of the dangers of alcohol use or not being supported to stay healthy and strong during pregnancy. There is no cure for FASD and its effects will last a lifetime for those impacted. People with FASD can get help to do with learning and behaviour to maximise their independence and maximise their achievements over the course of their life.

Once again, this is a very important issue. It's something that the government and the health minister take very seriously and it's something that the government is acting on.

*Senator PRATT (Western Australia) (16:37)*: I'd also like to thank Senator Griff for giving us the opportunity to debate this critically important issue today. As we've already heard in the chamber, fetal alcohol spectrum disorder does have a lifelong and devastating impact on people and the wider community. It's a lifelong neurological and developmental disorder that can be seen in children. It's indeed a lifelong phenomenon, triggered of course by alcohol consumption during pregnancy. We know that it is likely to be more severe and more likely when consumption is excessive and frequent throughout the duration of a pregnancy. I do note, though, as has been highlighted, that there is no safe level of alcohol consumption according to health recommendations. It is also important to point out that it is more detrimental in families with intergenerational health problems. There is the influence of FASD in a single pregnancy. If drinking then occurs during the next intergenerational pregnancy, we can also realise intergenerational health issues. In cases of severe FASD, life expectancy can be seen to be only 34 years of age.

But I really would like to highlight that it is a condition that we shouldn't stigmatisé as belonging to particular communities or within particular social groups. If people drink during pregnancy, it is likely to have developmental and neurological impacts on a person, despite the fact that they might otherwise be succeeding in life more broadly and that FASD, as a phenomenon, may not be particularly noticeable or attributable to the way that someone is in the world. So I think we should steer away from tagging or stigmatising particular communities with these issues.

I'd highlight that a Canadian study found people with FASD are 19 times more likely to be arrested at some point in their lives compared to neurotypical counterparts and that a significant number of young people in juvenile detention have FASD. The symptoms go unnoticed until a child reaches school age and they become more visible through activity. I notice that it's actually quite difficult when young people have developmental or learning delay to get a proper diagnosis for FASD. The diagnosis is incredibly expensive and quite often difficult...
for people to access, particularly when you're trying to work through and rule out a whole range of developmental or cognitive disorders. There might be cognitive, behavioural, health and learning difficulties that need to be assessed. It's a problem that FASD is not recognised as a disability in Australia, as per the Department of Human Services' disability list. I think that is a problem, particularly when other learning disabilities are so well recognised.

I want to give a particular shout out to Aboriginal leaders in the Fitzroy Valley, who've been very active in addressing FASD in the community since the early 2000s. This is the Liliwlan study, initiated by leaders in the Fitzroy Valley. They interviewed mothers and researchers and found that 55 per cent of women in that community had been using alcohol during the pregnancy but that women at that point in time simply did not know that alcohol could harm their unborn children. One of the report's authors said:

Alcohol was used in over half of those pregnancies, but when women did use alcohol they did so at high levels, now this wasn't due to any intent to harm … It was simply out of ignorance. They had no idea that drinking alcohol could harm their unborn child.

That community pushed for their own alcohol restrictions and they've been able to slow down the rates of alcohol use amongst pregnant women in that community very dramatically. James Fitzpatrick, one of the researchers, said:

… we have worked incredibly hard on a strategic prevention strategy and we are starting to see the rates of fetal alcohol syndrome and alcohol use in pregnancy decrease.

I want to pay tribute to June Oscar, a proud Bunaba woman and a strong advocate for Indigenous Australians. She is the current First Nations commissioner in the Human Rights Commission. She received the Menzies School of Health Research medallion in her work with FASD.

I'd particularly also like to commend the work of the Western Australian government. In January 2019, the *Western Australian alcohol and drug interagency strategy* was released by the WA Minister for Health, Roger Cook. It provides a guide for government and non-government organisations as well as the wider community to prevent and reduce the adverse impacts of alcohol and other drug use in WA. It has five key strategic areas, several of which make specific reference to FASD.

I also want to highlight before the Senate today the state coroner's inquest into the deaths of 13 children and young persons in the Kimberley. The report of the state coroner's inquest was published on 7 February this year and had 42 recommendations, seven of which addressed the issue of FASD. It was very clear that there were concerns in a number of these deaths where the children had been parented by someone with FASD or they were impacted by FASD themselves. I would really encourage the government at a national level to look at those recommendations.

Health minister Roger Cook has also led the charge for compulsory labelling of alcoholic beverages. This was successful last year in achieving this change with the Commonwealth in terms of there being mandatory pregnancy warnings on all alcoholic beverages. The AMA released a statement acknowledging the presence of the disorder in Australia and has recommended an approach to reducing FASD that is consistent with the broader campaign for combating problem drinking in Australia, including efforts to reduce the availability, affordability and accessibility of alcohol.

So, today I join in calls on the government that we need a national approach on this issue—that the national FASD strategic plan requires funding and requires support from the states to reduce the impact of FASD on the Australian community. I want to highlight that the drinking habits of Australians are changing and that public health education campaigns are working, including messages to pregnant women from all walks of life. But, sadly, it is still all too common to see pregnant women drinking, including women who are highly intoxicated during their pregnancy, in all walks of life in Australia. So we really do need to pay special attention to this issue to make sure that women have the message and that they get the support they need. Managing addiction, including alcohol addiction, is very difficult. It is not uncommon for pregnant women to have a conversation with each other to say, 'Goodness, how are you coping without having a drink?' Quite often we don't recognise how alcohol-dependent our society is or how much people reach out for and crave a drink. *(Time expired)*

**Senator Di Natale** (Victoria—Leader of the Australian Greens) *(16:47)*: Many people in Australia drink responsibly—they drink occasionally—and for many it brings them pleasure. We know drinking patterns have changed over time. We know there is some social benefit to people consuming alcohol. But that shouldn't disguise the fact that alcohol consumption has an overwhelmingly negative impact on people's health, not just here in Australia but right around the world. It's the third-largest risk factor for disease burden globally and the eighth-highest risk factor for death worldwide. That means that almost four per cent of all deaths have alcohol as a major risk factor.
As somebody who worked as a GP, as a drug and alcohol doctor and then in public health, I know that you can't ignore the obvious consequences of alcohol consumption, particularly alcohol-related harms and alcohol dependence. Every GP in Australia would have experienced patients every day for whom alcohol is their major presenting factor. They may present because of social problems resulting from alcohol dependence. They may present with physical illness. We know there are hundreds of physical illnesses that are linked to alcohol consumption, whether it be cirrhosis of the liver or other metabolic conditions. And of course there's the huge toll of injuries associated with alcohol consumption. It has a major impact on individuals and our community.

And we're learning more and more about FASD—the effect of alcohol on a developing fetus. We heard in some of the contributions about what it can do—its physical manifestations, its impact on young children's ability to learn, particular behaviours, higher rates of incarceration and so on. It has a significant impact on the lives of those individuals, their families and their local communities. It is a debilitating collection of disorders, and they are entirely preventable—entirely preventable. Let me acknowledge and welcome the work of the Foundation for Alcohol Research and Education on raising awareness of FASD, but it's now time to ensure we do everything we can to turn things around.

We know that, like for so many other preventable health conditions, Indigenous people suffer disproportionately from the harms of alcohol. We know that ill health due to alcohol dependence and harmful use in the Aboriginal and Torres Strait Islander population was 4½ times greater than that experienced by non-Indigenous Australians in 2003. So we know what to do. The evidence is there. It's just a question of whether we're going to follow the evidence about what works.

At the acute end of the spectrum, we've got to make sure that people who need treatment can get it; it's as simple as that. But we also know that, in Australia, half the people who are seeking alcohol and drug treatment can't access it, which is why, of course, the Greens want to see double the commitment to funding AAD treatment at the Commonwealth level, and we want the states to follow suit. We've got to do better when it comes to primary care. We know that brief intervention from a GP, a practice nurse or a maternal child health worker can have a big impact. But we know that, if we're going to really have an impact, prevention is where it's at.

We've got to make sure that we close the loophole that, when it comes to the advertising and promotion of alcohol during children's viewing times, allows young kids to be targeted if they're watching sport. We've got to close that loophole, and that could be closed by the communications minister today. We know that, when logos like VB and XXXX are emblazoned on sports heroes' jumpers, we're sending the wrong message. Price is another factor. We know that, if we addressed the dog's breakfast that is the current taxation of alcohol, particularly the wine equalisation tax, and moved towards a volumetric type tax, it would have a huge impact. There is also labelling, and at the moment the dismal state of labelling is something to be ashamed of. We know availability, zoning and all those sorts of things also have an impact.

One of the reasons we haven't made changes is that this is an area where big, powerful, vested interests dominate the national debate. They lean on government through their lobbyists and through their donations, and, until we address the cancer in our democracy that is the role of these big vested interests, we cannot do what needs to be done to address the scale of this enormous challenge.

Senator McCarthy (Northern Territory—Deputy Opposition Whip in the Senate) (16:52): I rise to speak on this matter of public importance, and the issue of fetal alcohol spectrum disorder, or FASD, is very important. It is often referred to as the invisible disability. But I share with the Senate that, as far as my families and clan groups are concerned, it's not so invisible. Unfortunately, it's a very visible part of our daily life, a very visible part of the community life and a very visible part of the educational system in trying to deal with students across the Northern Territory, but in particular in our remote communities, who are suffering from FASD.

FASD refers to the spectrum of fetal outcomes linked to alcohol use during pregnancy, and they may include physical, cognitive and/or developmental symptoms. It's often not noticed until the child reaches school age. From their learning and how they relate to their peers, it becomes apparent. The majority of children and adults who have FASD live with significant cognitive, behavioural, health and learning difficulties which are lifelong. And, unfortunately, a lack of research and data means we do not have a really clear picture of FASD prevalence in Australia—that is, from an academic research perspective. But I can certainly tell the Senate that there are many personal stories and information about FASD just in the Northern Territory, and concerns about FASD, I'm very aware, across WA and Queensland.

It is believed up to half a million Australians could be on this spectrum. We know from the AMA that FASD is not confined to a particular community or demographic; it is a disorder that crosses socioeconomic, racial and educational boundaries. We also know that alcohol consumption statistics and epidemiological data on FASD prevalence from comparable countries suggest that FASD prevalence in Australia is higher than previously
thought. In the US, for example, it's estimated that FASD affects, roughly, between two and five per cent of the population. The AMA also tells us that in some high-risk Indigenous communities the prevalence may be as high as 12 per cent.

This disability is entirely preventable, and this is where our main efforts need to be focused. Again, in my home of the Northern Territory, the lack of reliable data means we don't know much about how many children and families are affected. But we do know from the 2015 Australian Early Development Census that some 37 per cent of children in the Northern Territory were considered 'developmentally vulnerable' across one or more domains. In some communities, it was as high as 50 per cent. Experts also estimate that in Central Australia one in five children could suffer from FASD—one in five. Again, all of these cases are entirely preventable. I'm pleased to say that in April last year the Northern Territory's first diagnostic centre for FASD opened in Central Australia. The centre, opened by the Central Australian Aboriginal Congress, helps ensure early diagnosis and immediate access to services. Early intervention and support improves psychosocial and behavioural outcomes for those affected by FASD. Wraparound services such as this provide important support for children and families.

In Darwin in May last year, Aboriginal Peak Organisations Northern Territory, APO NT, hosted a landmark Top End forum on FASD. That forum brought together 180 delegates from 37 organisations across the Northern Territory including Aboriginal leaders, FASD experts, Aboriginal Community Controlled Organisations, government representatives, medical professionals, and non-government organisations. That forum heard from specialist neonatal and general paediatrician, Dr Mantho Kgosiemang. She spoke of her experience as a paediatrician in the Northern Territory, and said the common effect that she sees with children affected by FASD is that they are born smaller than they should be. These children end up staying for a prolonged period of time in hospital—whether it's in Royal Darwin Hospital, Katherine Hospital or Tennant Creek Hospital, or in Alice Springs or Nhulunbuy, our children are spending way too much time in these hospitals. These prolonged hospital stays also affect family members, who may then be separated for longer from kin, culture and community. For remote communities, access to a paediatrician might be at most once a month, for example, in larger communities like Milingrida. But what about the smaller communities, like Yarralin? They may only get a paediatrician once every three to four months. In between, they are seen by GPs who, again, may just be visiting for a number of weeks. Aboriginal medical services and Aboriginal Controlled Community Health Services have a key role in working for change and driving change in our communities.

FASD also increases the likelihood of a person coming into contact with the criminal justice system, and we've been hearing that from other senators here speaking to this MPI. Canadian research has found that people with FASD are approximately 19 times more likely to be arrested than their peers. Here in Australia, Dr James Fitzpatrick, a paediatrician and researcher working with children who have FASD, says 36 per cent of people in juvenile detention in WA have the disorder. That's just in WA. Not only would early diagnosis help get children listed on the National Disability Insurance Scheme and able to access support, he believes it could help lower prison rates. Early intervention can provide the skills that reduce the likelihood that an individual with FASD will come into contact with the criminal justice system. Furthermore, it is vital that these interventions are culturally and linguistically appropriate. Let's remember: in the Northern Territory alone we have over 100 Aboriginal languages.

Dealing with issues such as FASD also relies on a willingness to take strong action overall on alcohol related harm. The extreme levels of alcohol related harm in the Northern Territory are well documented. Updated research from the Menzies School of Health Research indicates alcohol related harm costs the Territory upward of $1.38 billion per year. We know alcohol related harm is hurting the Territory, both socially and economically. For this reason, the Northern Territory Labor government introduced the most wide-ranging alcohol reform agenda in the country. The NT Alcohol Harm Minimisation Action Plan 2018-2019 was introduced nearly 18 months ago as an evidence based approach to tackling alcohol related harm. The plan is focused on delivering generational change through alcohol reforms.

The implementation of 75 of the 219 recommendations is complete, and significant progress is being made against the remaining recommendations. There are some early positive results from the reforms, with reductions in alcohol fuelled assaults, domestic violence, antisocial behaviour and emergency department presentations—a really, really critical aspect of monitoring the steps in this action plan. NT-wide emergency department presentations had reduced by 24 per cent at December 2018, compared to 2017. Non-government organisations, community groups and industry are closely involved in the successful implementation of the recommendations. A major problem in many NT towns and communities is the secondary supply of alcohol. Coordinated measures such as the Banned Drinker Register are stopping problem drinkers from accessing takeaway alcohol.

It is critical that the parliament of Australia be acutely aware of FASD and of the need for thorough research to take place in our country to protect families and their children from this disease, which is incurable.
Senator DAVEY (New South Wales—The Nationals Whip in the Senate) (17:03): In rising to speak on this matter, I note that this is not my first speech. I thank Senator Griff for raising fetal alcohol spectrum disorder, or FASD. I also thank Senator McCarthy for her contribution, because I recognise that this is an issue in the Territory. But it is also an issue across all of rural and regional Australia, which makes it an issue that we must all be aware of and that we must all address.

FASD is an overarching term. It’s used to describe a range of cognitive, physical, mental, behavioural, learning and developmental disorders that result from fetal exposure to alcohol. Given the prevalence of FASD in rural, regional and remote Australia—especially, but not exclusively, in our Indigenous communities—I am very proud, as a Nationals senator for New South Wales, of the work the coalition government has done since 2014 with respect to this issue.

Despite its prevalence, FASD often goes undiagnosed. The National Rural Health Alliance has observed that children suffering from FASD might be regarded as wilful or undisciplined, when in fact they have little control over their behaviour. That is why it is a very important issue for us to continue to work on. It is an entirely preventable but incurable condition caused by a baby’s exposure to alcohol in the womb. If an expectant mother has zero alcohol consumption during pregnancy then her child has zero risk of the developmental abnormalities from exposure to alcohol. I am very pleased to say that awareness of this issue is increasing and therefore more expectant mothers are aware of the risks.

FASD is currently the largest cause of non-genetic at-birth brain damage in the country and, tragically, the average life expectancy for a child born with FASD is only 34 years of age. It is at epidemic proportions, particularly in rural and regional Australia, which is exactly why the coalition government continues to pursue a national approach, in collaboration with families, communities, service providers and state governments, to tackle it.

As a National, I’m very proud that the National minister at the time responsible for rural Indigenous health, Senator Fiona Nash, commissioned the FASD Strategic Action Plan and provided $9.2 million in funding for its development. This was a watershed moment for Australia. It was the first time there was national recognition that we have an epidemic in Australia of babies born with brain damage because of alcohol consumption during pregnancy. In the 2016-17 budget, the coalition committed $10.5 million over four years to take action on FASD. The funding was provided for a range of activities, including providing online telephone support for individuals and families affected by FASD, improving access to FASD diagnostic services, and undertaking prevention and education across the country. The focus of this funding has been very strongly directed at communities of high need, which, as I’ve already mentioned, is predominantly in rural, regional and remote Australia.

In 2018, Minister Hunt launched the FASD Strategic Action Plan, which this original funding developed. This plan provides a clear pathway of priorities and opportunities to improve the prevention, diagnosis, support and management of FASD in Australia. Critically, the strategic action plan recognises that, with early and accurate diagnosis, along with early individualised interventions for children and adults who have FASD, the quality of life outcomes for individuals and their families can be substantially improved. Upon the release of the strategic action plan, the coalition government committed further funding to support the delivery of activities that align with the planned priority areas—namely, prevention, screening and diagnosis, management and support, and priority groups.

FASD is an epidemic in rural, regional and remote communities and, given the scale of the issue in Australia, the Liberals and the Nationals, in government, continue to take a national approach to combat it. Since 2014, the total funding committed to reducing the impact of FASD has been over $27 million. We are delivering on the FASD Strategic Action Plan and are investing in the activities which have been shown to be effective, and these activities are working. Awareness of FASD is growing and, through various government supported programs and initiatives, mums-to-be are being supported and are receiving clear and consistent advice as to what is safe and that it is safest not to consume alcohol while pregnant.

**DOCUMENTS**

**Consideration**

The following documents were considered:

Motion to take note of documents nos 1 and 4 moved by Senator Ciccone. Consideration to resume on Thursday at general business.
SENATE
Monday, 29 July 2019

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Medicare

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (17:09): I table additional information concerning a question without notice asked on 24 July 2019 relating to the Medicare compliance matters, and seek leave to have the document incorporated in Hansard.

Leave granted.

The statement read as follows—

Dear Mr President

Further to my answer during Question Time in the Senate on 24 July 2019 relating to Medicare compliance matters, I wish to table the following information provided to me by the Department of Health.

Compliance activities undertaken by the Department of Health (the department) do not lead directly to the deregistration of practitioners. Disqualification from providing health services is managed by professional bodies such as the Australian Health Practitioner Regulatory Agency.

During 2017-18 the Determining Authority of the Professional Services Review made 17 final determinations, which included:

- three partial disqualification from provision Medicare services for between 3 and 18 months,
- one full disqualification for 6 months
- and 12 months disqualification from the PBS.

Medicare Participation Review Committees are established on a case by case basis to determine whether a healthcare practitioner should be suspended from billing Medicare for a period of up to five years.

In the past two years, MPRCs have considered two matters involving practitioners who were convicted of criminal conduct and received a custodial sentence. The department is prevented from providing further information about these cases by secrecy provisions in the legislation.

Yours sincerely,

Richard Colbeck

COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Griff) (17:09): The President has received letters requesting changes in the membership of committees.

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (17:09): by leave—I move:

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

Effectiveness of the Australian Government’s Northern Australia agenda—Select Committee—

Appointed—Senator Siewert

Multi-Jurisdictional Management and Execution of the Murray Darling Basin Plan—Select Committee—

Appointed—

Senator Hanson-Young

Participating members: Senators Di Natale, Faruqi, McKim, Rice, Siewert, Steele-John, Waters and Whish-Wilson

National Broadband Network—Joint Standing Committee—

Appointed—Senator Griff

Rural and Regional Affairs and Transport References Committee—

Appointed—

 Substitute member: Senator Faruqi to replace Senator Rice for the committee’s inquiry into a National Horse Traceability Register for all horses

Participating member: Senator Rice.

Question agreed to.

BILLS

Migration Amendment (Repairing Medical Transfers) Bill 2019

First Reading

Bill received from the House of Representatives.
Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (17:10): 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 SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (17:11): 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—

MIGRATION AMENDMENT (REPAIRING MEDICAL TRANSFERS) BILL 2019

The Bill amends the Migration Act 1958 to repeal the provisions inserted by the Home Affairs Legislation Amendment (Miscellaneous Measures) Act 2019, also known as Labor's Medivac Law, and extend the existing return and removal mechanisms to transitory persons brought to Australia from a regional processing country under section 198C of the Migration Act.

Labor's Medivac Law was passed by Parliament in February on a lie. There is no medical emergency on Manus or Nauru. There are no children on Manus or Nauru.

Labor's Medivac Law, which they teamed with the Greens to rush through the Parliament, has only served to weaken Australia's border protection policies by effectively removing the ability of the Government to decide who comes to Australia.

The Government has significantly less powers to prevent the transfer of a person with bad character under Labor's Medivac Law than under any other process. In fact, the Minister actually has more power to stop individuals coming on a tourist visa than to stop those with bad character that seek to be transferred under Labor's Medivac Law.

There are currently people in PNG and Nauru who are charged with crimes against children, are being investigated for the supply of illicit drugs or have posted terror-related information online and the Government has no discretion to prevent their transfer to Australia.

There was never a need for Labor's Medivac Law. The Government's Any law which removes the Government's ultimate discretion to decide who enters Australia's borders undermines our strong border protection policies. As a nation, it is imperative that we are able to determine who enters Australia and whether they should remain within our borders permanently.

existing medical transfer provisions have brought over 900 people from an RPC to Australia to receive medical treatment. This demonstrates that the Medivac Laws were nothing more than a short-sighted political tactic for Labor to appeal to Greens voters for the May election.

Let me be clear, while this Bill removes one medical transfer pathway established by Labor's Medivac Law, there will remain the existing process to manage medical transfers. Transferees requiring medical treatment not available in a regional processing country will be able to be transferred to a third country or Australia for assessment or treatment.

Labor's Medivac Law failed to provide a mechanism to return or remove transitory persons brought to Australia under section 198C back to a regional processing country or other third country. Consistent with provisions in place for transitory persons brought to Australia under section 198B, transitory persons are expected to return to a regional processing country once they no longer need to be in Australia for the temporary purpose for which they came. This Bill will rectify this inconsistency.

The Department of Home Affairs has advised me that since the Migration Amendment (Urgent Medical Treatment) Bill was first introduced by Dr Kerryn Phelps in December 2018, there has been a marked increase in self-harming behaviours in regional processing countries. Many of these acts are undertaken for the explicit purpose of manipulating the system and gaining access to Australia. This Bill removes the motivation for transferees to engage in this dangerous behaviour.

This is a mess entirely of Labor's making. The Labor Party enthusiastically voted for this law without having any idea of the consequences.

Anthony Albanese should acknowledge this mess and vote with the Government to repeal this dangerous law.

I commend the Bill to the chamber.

The ACTING DEPUTY PRESIDENT (Senator Griff): Pursuant to standing order 1153, further consideration of this bill is now adjourned to 18 October 2019.
Future Drought Fund Bill 2019
Returned from the House of Representatives

Message received from the House of Representatives agreeing to the amendment made by the Senate to the Future Drought Fund Bill 2019.

COMMITTEES
Select Committee on Regional Australia
Appointment

The ACTING DEPUTY PRESIDENT (Senator Griff) (17:11): Messages have been received from the House of Representatives relating to the appointment of a House of Representatives Select Committee on Regional Australia.

BILLS
Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019
Passenger Movement Charge Amendment (Timor Sea Maritime Boundaries Treaty) Bill 2019
Treasury Laws Amendment (Timor Sea Maritime Boundaries Treaty) Bill 2019
Second Reading

Consideration resumed of the motion:
That this bill be now read a second time.
to which the following amendment was moved:

"but the Senate, in welcoming the ratification of the Timor Sea Maritime Boundaries Treaty, calls upon the Government to apologise to the people of Timor-Leste for the unscrupulous behaviour of successive Australian governments including illegal and unethical spying operations."

Senator BRAGG (New South Wales) (17:12): I rise to speak about the Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019 and related bills. The coalition has a fantastic record when it comes to trade and foreign policy. In fact, I would argue that the last six years of coalition government, which have seen us complete very significant trade and investment agreements, is a golden age in trade and foreign policy in Australia.

When we came to government in 2013, Labor had been unable to resolve trade agreements with Japan and with China. We were able to deliver those two agreements, as well as one with Korea, and subsequently with Indonesia, Hong Kong and the list goes on. At the same time, we've been able to work with our foreign counterparts and deliver the Trans-Pacific Partnership. This occurred after many people, including the Labor leader at the time, said that we ought to give up on trying to conclude the Trans-Pacific Partnership, because the President of the United States had walked away from it. We've been able to land a good strong grouping of bilateral agreements in our own region as well as multilateral or, as they say in trade talk, plurilateral agreements, like the Trans-Pacific Partnership.

One of the outstanding issues has been how we resolve petroleum arrangements with East Timor. This agreement effectively gives us a roadmap for dealing with Timor-Leste, I should say.

Our record here on Timor-Leste, as a nation and with a bipartisan political approach, has been very strong. People would recall that the Governor-General, when he was a general in the Army, led the INTERFET troops into Timor-Leste in 1999, when Indonesia and Timor-Leste had had some disagreements. We now see an independent Timor-Leste, and this milestone is a very important one. The former foreign minister, Julie Bishop, was able to agree with Timor-Leste in March 2018 on a way forward for these important resources for East Timor.

Effectively, what these bills do is establish permanent boundaries between Australia and Timor-Leste, and these are important for providing legal certainty. Anyone who has ever spent a day working in private enterprise knows that you need to have legal certainty if you want to have any private investment. Private investment is the only way you actually create jobs, because it's private businesses that invest in people's ideas, if you like, and then that results in jobs. Legal certainty is very important. That's why—as a nation like Australia, which has relied upon foreign investment since the First Fleet—we obviously regard that as a very important outsourcing.

What this provides is tax and regulatory certainty for Australia, for Timor-Leste and for the private sector companies. I understand that those companies have been consulted with very heavily by the minister and his department in the development of this treaty. My understanding is that everyone is broadly happy, which is quite remarkable in these fields of foreign relations, trade and taxation. That's certainly a very good sign. These bills
have been considered by parliamentary committees, which have given the green light that they should proceed. I understand there is also bipartisan support for these measures, which is always good in the area of foreign affairs and trade. We always look to see bipartisanship, because we want to present a stable appearance of Australia to the outside world. We only hope that our opponents do better in the future in landing trade agreements.

Obviously, as a nation that is very exposed to the outside world, Australia relies upon a strong region for our prosperity and for our stability and security. It has often been said that a strong Timor-Leste is an integral part of a strong Australia and a strong Pacific. We would certainly regard landing this agreement as a very important ingredient in having some certainty within Timor-Leste, in terms of their economy and in terms of their social stability, that this has now been resolved after some years of consternation.

More broadly, we have sought to step up our efforts in the Pacific and in our region, because we know that it's critical to have strong states, strong partners and strong allies. We want to see all of our friends in the Pacific regarding Australia as a friend. In the case of Timor-Leste, we have certainly proven ourselves as a good friend both militarily over the long run but also now in terms of having resolved this very important issue for Timor-Leste, which has been a longstanding point of consternation in that nation. The government of Timor-Leste is the other important party here, alongside the Australian government and also the private sector. The representative of Timor-Leste has said that it's a good treaty and that it is 'equitable and forward-looking'. That's pretty good, I would have thought, as an endorsement from Timor-Leste.

As I said before, the government and the minister have been able to agree on a good framework here. This would be considered an important milestone for Timor-Leste and Australian relations. It does, as I said before, reassure the private sector that there is certainty. I think that bodes well, not only for existing investments but also for future investments. This bill should lay a framework that people feel they can invest in. In the long run it is really only the existence of private investment that will provide job creation and prosperity, not only here but in Timor-Leste.

Beyond just the bilateral groupings here—Australia and Timor-Leste—the United Nations has also indicated that this is a good framework. In fact, this historic treaty was signed at the United Nations, in the presence of the United Nations Secretary-General and the chair of their conciliation commission. You certainly couldn't ask for better than that as far as a treaty goes. Many have said that international law is not always effective. But certainly when both affected parties say that this is a good deal, and the private sector companies are also saying it is a good and a fair deal, and on top of that you get the trifecta of having resolved the United Nations Secretary-General, no less, saying that this is a good thing, I think that's a pretty strong trifecta. So, if anyone was worried about the processes, hopefully they would be assured that all three groups were happy.

We have a growing economic relationship with Timor-Leste. In 2018, two-way merchandise trade between Australia and Timor-Leste was worth around $21 million, and our exports were around $20 million. Primarily we were exporting vehicles, and we have been importing mainly coffee from Timor-Leste. I assume that most of that goes down to Melbourne, where I'm told they have quite good coffee! As I said, this is certainly a good deal, and I think all the groups are very satisfied. So, I certainly commend this bill to the Senate.

Senator SCARR (Queensland) (17:22): This is not my first speech, and I'm delighted to have the opportunity, on the first occasion that I'm speaking to the chamber, to endorse this piece of legislation coming before the Senate. I'd like to make three preliminary points prior to talking about the specifics of this bill. Firstly, Australia has a great and rich relationship with Timor-Leste and also the people of Timor-Leste, and that relationship goes back decades. Senators may have heard of Sparrow Force. Sparrow Force was a force of commandos that went into Timor-Leste after Pearl Harbour was attacked at the outbreak of World War II, and with support from the people of Timor-Leste they fought valiantly over many months, fighting against the Japanese invaders. Famously, the commander of the Japanese forces said, in an address to these commandos, 'You alone are the ones who have not surrendered.' And they didn't surrender, until the last moment, when they had no options available and they sought evacuation from the island. Then, of course, was the fight for independence of East Timor and the great support this Australian country gave to the people of East Timor during their most difficult time. And now we have cemented that relationship through the passage of this treaty, and we're now considering the legislation before the Senate here today.

The second preliminary point I'd like to make is that I come from the resources industry. For the past 12 years I've been a senior executive in the mining industry, and I've worked in some of the poorest countries in the world, including Laos. I understand from firsthand experience the difference that the resources industry can make to some of the poorest people on the face of the earth. Natural gas provides an opportunity for the people of East Timor to generate the revenue streams they need to provide the schools, the hospitals, the defence force and all the other public services which we in this country take for granted. It's a great opportunity for the people of East...
Timor to have the benefit of those revenue streams. It also provides an opportunity for their young people to participate in a great industry, the oil and gas industry.

I note that there's discussion at the moment as to whether or not the gas will be further processed in East Timor or in Australia. I think that's great. I think it would be a wonderful thing, a great thing, if the gas were processed further in East Timor and it provided job opportunities and economic activity for the people of East Timor. Ultimately, that is a question for the project proponents, which I note include a great Australian company, Woodside, and also the East Timorese oil and gas company. It's a question for those joint-venture participants as to whether or not they want to process that gas in East Timor or in Australia. But I dearly hope that there is an opportunity for young people in East Timor to develop skills, have the benefit of learning from some of the best in the industry in relation to the oil and gas industry and be able to take those skills forward for themselves and their families.

The last point I would like to make on a preliminary basis is to give my thanks, as a senator from Queensland, to all of the officials who were involved in the negotiation of the treaty and the legislation. I note, based on my experience, that there's probably nothing more complicated in the professional world of the resources industry than cross-border tax issues. This legislation deals with those issues. It removes any doubt with respect to the tax consequences flowing from the treaty and the legislation, and it provides certainty to the proponents moving forward with respect to the tax basis upon which they can proceed with the development of this gas field.

I think it's fair to say that this issue has been something which has come between, at various times, the people of Australia and East Timor. It's been an issue which has caused great controversy with respect to our relationship and it really is a wonderful occasion that we've been able to solve this and that East Timor is going to get the benefit of some of those gas fields. I hope that the project proponents bring forward and develop the oil and gas fields as quickly as possible for the benefit of their shareholders, for the benefit of the government of East Timor and the government of Australia, and also for the people who may enjoy direct benefits from those projects in terms of employment and also their families. I hope that that can progress as quickly as possible.

I would also like to pay tribute to Australia's then Minister for Foreign Affairs, the Hon. Julie Bishop, who was intimately involved in the resolution of this issue. She was our Minister for Foreign Affairs when the treaty was actually signed and I think, once again, this chamber and the people of Australia should note the great contribution that the Hon. Julie Bishop has made to this country and its relationships with some of our closest countries. That includes not just Timor-Leste but also Papua New Guinea where I lived and worked for 2½ years. I know the Hon. Julie Bishop also had a great relationship with the people of Papua New Guinea as part of her remit as foreign affairs minister.

What is the treaty? The treaty achieves three basic things. Firstly, it resolves what was a difficult issue around where the maritime borders and boundaries were between Australia and Timor-Leste. Secondly, it recognises both state sovereign rights in the creation of the Greater Sunrise special regime for the joint development, exploitation and management of the Greater Sunrise gas fields. Thirdly, it provides for transitional arrangements to provide regulatory certainty and continuity for affected oil and gas projects in the Timor Sea. The treaty makes clear that the outcome represents a mutual accommodation which was without prejudice to either side's legal position. Now we find that the treaty is going to be legislated for in this place, and both parties will be able to move forward.

The revenue implications of the treaty are significant, significant for the people of East Timor. Australia and Timor-Leste have agreed that, from the date the treaty enters into force, Timor-Leste will receive all future upstream revenue derived from the Bayu-Undan and Kitan in the existing Joint Petroleum Development Area. Previously, both Australia and Timor-Leste received benefits from revenue derived from petroleum activities in this area—90 per cent to Timor-Leste and 10 per cent to Australia—but from the time of passage of this legislation 100 per cent of the benefit of that upstream revenue will now go to Timor-Leste. That is a very positive outcome.

Australia and Timor-Leste have also agreed that the Buffalo oilfield, which previously fell within the continental shelf of Australia, will fall within the continental shelf of Timor-Leste. Accordingly, Timor-Leste will also get the benefit of all revenue generated from that oilfield. Again, that's an extremely positive thing for the people of Timor-Leste.

In terms of implementing the legislation, this bill deals with a number of further matters that need to be dealt with on a consequential basis. That includes issues dealing with, for example, the section of the Bayu-Undan pipeline international offshore area and creating a new pipeline licence to enable Australia to exercise jurisdiction in an area of foreign continental shelf.

The purpose of the government amendment is to give effect to an understanding reached, between the governments of Australia and Timor-Leste, on the decommissioning of the section of the Bayu-Undan pipeline
that will sit on Timor-Leste's continental shelf. You can see that spirit of cooperation between the Australian government and the government of Timor-Leste in resolving this extremely complicated issue. That's a very positive thing, and I applaud it.

Timor-Leste, while recognising Australia's exclusive jurisdiction over the regulation of the entire Bayu-Undan pipeline, has expressed its preference for this section of the pipeline to be decommissioned by removal and, noting the removal of property from petroleum title areas is the base case in Australia, Australia has agreed to this approach. It was fit and proper that Australia do so. That amendment will ensure that this section of pipeline must be removed before the Australian licence for the pipeline, and therefore the responsibilities of the licensee, will end.

There are a number of other consequential matters that are dealt with in the bill, including in relation to a passenger movement charge. This will also assist with respect to persons departing from Australia for the purpose of travel to the Greater Sunrise Special Regime area in connection with petroleum activities. They shall be exempt from the passenger movement charge, as was previously the case with a person travelling to the Joint Petroleum Development Area.

Then there are some important issues dealt with in the Treasury Laws Amendment (Timor Sea Maritime Boundaries Treaty) Bill 2019. Schedule 1 of this bill amends the tax law to fulfil Australia's taxation related obligations under the treaty, to provide conditions equivalent to participants in 'transitioned petroleum activities' in the Timor Sea. That is extremely important. It is important that the project proponents are kept whole, with respect to their expectations regarding taxation treatments. It's an extremely complicated issue but a very important one for the project proponents, and they will be kept whole in the way they're treated by the respective revenue authorities in Australia and Timor-Leste. That is important for their commercial expectations being met. I applaud the government of Australia and the government of Timor-Leste for reaching that accommodation.

This is the sort of accommodation that promotes investments in countries. Coming from Queensland and having seen the experience of the Queensland government in dealing with the Adani mining project in Queensland, I wish it were accommodation provided to all mining and resource project proponents seeking to invest in this country and in this region. It's important to give investors the confidence that they can go ahead with investments. I applaud both the government of Timor-Leste and Australia in this regard.

Finally, I return to the opening comments I made about the special relationship—and it is a special relationship—between Australia and Timor-Leste. I have friends who actually served in the Australian Defence Force in East Timor during the troubles. They are extremely proud of the service they gave those people and extremely proud of the service they gave this country. I absolutely applaud the efforts of the Australian government and the efforts of the government of Timor-Leste in initially reaching the treaty and coming to an agreement on the treaty. Now, with this bill before the house, hopefully the projects which are encompassed by the treaty in this bill can be advanced for the good of the people of Australia and for the good of the people of Timor-Leste.

**Senator CANAVAN** (Queensland—Minister for Resources and Northern Australia and Deputy Leader of The Nationals in the Senate) (17:36): I'd like to thank all the senators who have contributed to this very important debate on these very important bills. It's a historic occasion to mark our burgeoning relationship with Timor-Leste to see these bills pass through this place. They passed through the other place last week. These bills give effect to the treaty between Australia and the Democratic Republic of Timor-Leste, establishing their maritime boundaries in the Timor Sea. The treaty is a historic achievement for Australia and Timor-Leste and its implementation is firmly in Australia's national interest.

The Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019 implements the new maritime boundaries agreed under the treaty and transfers the Joint Petroleum Development Area and some adjacent areas to Timor-Leste's exclusive jurisdiction. This bill also makes amendments to the petroleum title areas affected by the boundary and provides for two new international offshore areas for the purposes of the Bayu-Undan pipeline corridor and a potential Greater Sunrise pipeline corridor. Further, this bill gives effect to the Greater Sunrise special regime area and the legal infrastructure to facilitate the joint development, exploitation and management of petroleum activities in the Greater Sunrise gas fields, creating a pathway for the development of the resources. The economic benefits will be significant, particularly for Timor-Leste. The Treasury Laws Amendment (Timor Sea Maritime Boundaries Treaty) Bill 2019 fulfils Australia's taxation related obligations under the treaty by ensuring that taxation arrangements applying to transition petroleum activities will continue in accordance with Annex D to the treaty. Finally, passage of these bills and the Passenger Movement Charge Amendment (Timor Sea Maritime Boundaries Treaty) Bill 2019 fundamentally farms Australia's commitment to a robust, mutually beneficial and stronger bilateral relationship with Timor-Leste and to international law and the rules based order more generally.
I too would like to express my thanks to the officials involved in negotiating this treaty and also formulating the resulting amendments to Australian law here. I thank Senator Scarr for his recognition of those officials, because they have worked tirelessly over a number of years to see this to fruition. As Senator Scarr commented, they can be particularly complex negotiations. It's fantastic to have seen them brought to fruition in March last year with the signing of the treaty—and today with the passage of these bills. I'd also like to thank and recognise, as Senator Scarr did as well, the efforts of the former foreign minister Julie Bishop, who played an integral role in the negotiations and in finalising the treaty itself, which has led us here today to make changes to our own petroleum laws.

Throughout this process, the Australian government has recognised and sought to work with the government of Timor-Leste to give it the power to progress its economic development aims and objectives. We have worked very closely with the Timor-Leste government on a number of different proposals and opportunities for that to occur. We fully recognise the desire of the Timor-Leste government to want to take charge—be master of its own destiny—and to seek to see the development of its resources in the way it sees fit for its national interests. The passage of these bills and the treaty itself do provide Timor-Leste with clear sovereignty over what was formerly the Joint Petroleum Development Area so that it can pursue those objectives and aims. The Australian government stands ready and able to ensure that Timor-Leste can develop a strong economic base for its people and the job opportunities that will flow from that.

Gas developments have already played an important role in the development of Timor-Leste. The Bayu-Undan field is already developed and has provided significant benefits to the Timor-Leste government. It's a fulcrum of the cooperation between our two governments, given that that gas and those resources are sent to Darwin in Australia for processing but provide the Timor-Leste government with substantial royalties and funding. I'm confident that future developments, particularly of the Greater Sunrise regime, will continue to see similar cooperation between our two governments. As I have said, we would like to work very closely with the Timor-Leste government to ensure its development aims and objectives are fulfilled. The finalisation of this treaty will give us an opportunity to do that.

We do have a shared interest too in making sure that demand continues to grow for high-quality natural gas, which we're lucky to have abundantly in both of our jurisdictions. Australia is obviously a very large developer and producer of gas and is indeed the largest LNG gas exporter now. While we have a number of competitors in our region to supply gas, including Timor, we have a shared interest to make sure that those markets do develop and that demand increases. We're working closely with the United States, Japan and other countries to ensure that clean natural gas is used more fulsomely in our region because it can cut pollution, particularly air pollution, if it replaces fuels that have a lot more particulates in them than gas does. It can also of course lower carbon emissions because natural gas has a lower carbon content than other alternative fuels, such as coal. We'll continue to work with the Timorese government and the wider region to ensure that those development goals occur, not only for the people of Timor-Leste but also to help development right through our region.

I'd also like to thank the opposition for their support on these bills. They have been extremely supportive throughout the process. I thank my counterparts—Mr Clare before the election and Mr Fitzgibbon now—for their support of these related changes in our petroleum laws. It is a unifying moment not just for our two countries but our country as well to see this legislation through. I'm confident that with this legislation passing we'll have a new chapter in our relationship. There is some symmetry that this legislation is passing on the 20th anniversary of the INTERFET deployment to Timor-Leste. Indeed, it was only the other day that the 20-year anniversary date marked the referendum in Timor-Leste that ultimately led to its independence. Now, hopefully, through the changes in this treaty, that independence will only grow stronger for the Timor-Leste people, and our relationship will do so as well.

Question negatived.

Original question agreed to.

Third Reading

The ACTING DEPUTY PRESIDENT (Senator Griff) (17:44): No amendments to the bills have been circulated. Does any senator require a committee stage? If not, I call the minister to move the third reading.

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia and Deputy Leader of The Nationals in the Senate) (17:44): I move:

That these bills be now read a third time.

Question agreed to.
Bills read a third time.

**Australian Veterans' Recognition (Putting Veterans and Their Families First) Bill 2019**

Second Reading

Consideration resumed of the motion:

That the bill be now read a second time.

**Senator STERLE** (Western Australia) (17:45): I rise to speak on the Australian Veterans’ Recognition (Putting Veterans and Their Families First) Bill 2019. I'm grateful for the opportunity to speak on the bill, which importantly has bipartisan support. The bill creates a new act that will provide a framework for governments, business and the community to recognise and acknowledge the unique nature of military service, as well as to ensure support for veterans and their families.

I'm also delighted that this bill will establish the Australian Defence Veterans' Covenant. This is an incredibly important development. Those in this place will be aware that in September last year it was Labor that first announced that, if elected, it would establish a military covenant. Labor's proposed covenant would have covered both current and ex-serving personnel and their families. We saw the need to recognise their commitment and sacrifice in serving our country by formalising Australia's commitment to provide them with the ongoing support that they seek and require. This is why Labor is united in welcoming the government's adoption of a covenant through the bill.

However, I must note that we would have liked to see a covenant for all Defence personnel, current and serving, as well as their families. It is unfortunate that what is before us today only covers those who have previously served and their loved ones. Another notable absence from today's bill, which was to be part of Labor's proposal, is the inclusion of annual reporting in the form of a statement to parliament. We wanted this so as to ensure that, whoever the government is, the government is accountable in meeting its obligation to current and ex-serving personnel.

When this bill was first introduced in the 45th Parliament, we raised our concerns at the omission of these elements. We therefore referred the bill to a Senate inquiry so that those with a lived experience of service were provided with the opportunity to view and give feedback on the government's proposed covenant. This was followed by providing additional comments of these issues as part of the Senate Foreign Affairs, Defence and Trade Legislation Committee's inquiry report. It was Labor's view, both then and now, that thorough consultation with those who were to be affected by the covenant ought to occur.

While we do believe it is a shame and a missed opportunity to not include those currently serving, I must also be clear that this does not negate the overwhelming positives of this covenant. For this reason, Labor fully supports this bill in both principle and practice. The art of compromise sometimes requires us to put the pragmatic over the perfect. This could serve as a lesson for some of those who sit in this place. However, it is important to put on the record that this is another example of a Labor policy that the government has thought a worthwhile idea and decided to pursue. On behalf of Labor, we do thank them for that.

In order to not further hold up the passage of this legislation, we requested that the Senate committee conclude their inquiry by 22 March both to enable examination of the legislation and for the process to be completed in time to be reviewed in the Senate by early April. We believed this was appropriate and would ensure that there was time to review the legislation, enable the current and ex-serving community the opportunity to be involved in the process and not delay the passage of the bill. The committee did indeed report back on 22 March, recommending the bill be passed without amendment. At the same time, Labor senators on the committee canvassed the above issues of including current serving personnel and strengthening the reporting element in the additional comments to the report. However, as it happened, while the bill was debated in April, there was not sufficient time for the bill to be passed in the House of Representatives in the final sitting week before the election, and therefore the bill lapsed.

Given the Senate committee's recommendation, the broad support for the bill and for the covenant from the veteran community, and the delay in the bill's passage, Labor is now willing to be pragmatic and support the bill in its current form. Our commitment to those who served is formalised in this covenant, and it was vital that we get it right. In addition to the introduction of the covenant, this bill inserts a general recognition clause which acknowledges the unique nature of military service, the demands we place on those who serve, the additional support they may require post-service, and the Commonwealth's commitment to supporting veterans. These are but some of the reasons Labor wholeheartedly supports this recognition and our ongoing obligation to those who have put their lives on hold in service to our country.
As an extension of this general recognition, the bill also includes an overarching statement in relation to the beneficial nature of veterans' affairs portfolio legislation, making it clear that the legislation has a beneficial purpose and should be interpreted accordingly. This section will note that the Commonwealth is committed to ensuring that those who make decisions involving veterans will interpret legislation in a way that benefits veterans and their families, where that interpretation is consistent with the purpose of the provision. This bill will also provide for departmental training to ensure decision-makers understand and appropriately apply the beneficial legislation to support the intent of this clause. In addition, a paragraph will also be inserted that will provide that claims decisions will be made within a time that is proportionate to the complexity of the matter, acknowledging the variety of complex client claims and that there will be differences in timeliness. One of the most common complaints about the Department of Veterans' Affairs, the DVA, is the lengthy and complex claims process. This commitment to timeliness will be welcomed by the veteran and ex-serving community.

The bill will also provide recognition of veterans and their families in the form of a lapel pin, cards and other artefacts. These should not be seen as mere platitudes, though. While many ex-service organisations are broadly supportive of veterans' recognition and items like lapel pins and cards, they've also said this must be backed up with substance, such as better veterans' support services. Labor wholeheartedly agrees. The issues facing our veterans and currently serving servicemen and women are of the utmost importance.

Finally, I would like to read the words of the covenant:

We, the people of Australia, respect and give thanks to all those who have served in our defence force and their families. We acknowledge the unique nature of military service and the sacrifice demanded of all who commit to defend our nation. We undertake to preserve the memory and deeds of all who have served and promise to welcome, embrace and support all military veterans as respected and valued members of our community.

For what they have done, this we will do.

I commend the bill.

Senator ROBERTS (Queensland) (17:53): As servants to the people of Queensland and Australia, we applaud this bill and will support it. It's very important to note that veterans are self-selected as people who love our country, are selfless and have initiative. This is a wonderful resource we have, and yet we've destroyed that, in many cases. One only has to go to an Anzac Day ceremony, or talk with veterans, as we go about our business of listening around the country, to find in veterans a love of our country, and a commitment to our country and to serving our country. These people have a lot of talent, and need to have the ability to offer that. However, they face enormous pressure, stress and hurt that can cripple—and, indeed, some have been crippled—and they can be crippled in more ways than just physically. The Romans knew that, because they talked about returning centurions no longer being the same as they were before they left.

One Nation honours that service, that dedication and that valour. It is really remarkable what these people do for our country. That's why we've taken up the vets' cause for several years now, not only for individuals but also for vets as a group. We have many individuals who we've assisted in a variety of ways, whether it be talking about PTSD—helping them with support for PTSD—physical ailments, treatment with the Department of Veterans' Affairs or simply understanding their issues. It is important for us to recognise, symbolically, what these people have done, and that symbolic recognition is in this bill. We applaud the government for that. And it is deserved; it is highly deserved.

Secondly, we compliment the government for the beneficial interpretation in making decisions on the health and welfare of vets. That's welcome, and it's about time. But that doesn't guarantee that they will be supported or get the treatment they need. What we need to ensure is that the Department of Veterans' Affairs is no longer callous or sloppy or continuing to deny vets the care they deserve. We've heard accusations of that and we've seen instances of it. So we hope that this is foreshadowing a change in the Department of Veterans' Affairs.

The DVA card, or the Department of Veterans' Affairs card, will make it easier to identify a vet as a veteran, and that's necessary. The overarching statements of principle we support. I also want to take this opportunity, though, to commend the many volunteers who have formed support and advisory groups for our veterans. However, the formation of these very groups—and they're called microservice groups—shows that the Department of Veterans' Affairs is not currently meeting veterans' needs. So we hope that the bill is more than just words, an ID card and a pin number. We hope the Department of Veterans' Affairs makes real changes.

Someone said a few years ago—I can't remember the source: 'We send them, we bend them, but we don't mend them.' We hope that now we can say that we mend them. Our vets deserve to be appreciated and honoured, and above all our vets deserve to be cared for. We support this bill and commend the government for it.

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (17:56): I rise to speak on the Australian Veterans' Recognition (Putting Veterans and Their Families First) Bill 2019, which sees the
establishment of the Australian Defence Veterans' Covenant. I'd like to commence by acknowledging all those who have served, and are serving, and their families for the sacrifices that they make so our freedoms go forth into the night. We can sleep safely in our beds because of the work and the service of these men and women.

I've long called for the introduction of an Australian Defence Veterans' Covenant to more formally recognise and articulate the valued contribution that current and former members of the Australian Defence Force and their families make, and have made, to our nation. In 2014, I foreshadowed in my maiden speech the need for a covenant based on the principles of the covenant in the UK, and I have repeatedly pushed and advocated—and made myself a bit of a pest in the offices of certain ministers—for such an important reform and acknowledgement of the service and the sacrifice that is made by those who have served and are serving.

After my maiden speech in 2014, I wrote to the Prime Minister, to Mr Shorten, the then Leader of the Opposition, and to relevant ministers and shadow ministers. I wrote to all senators in this place, regardless of their political colour—Labor, Liberal, Nationals, Greens and the various Independents—asking for multiparty support to bring forward such a covenant. This covenant, and this idea of how we acknowledge those who have served, is beyond party politics. It should be beyond the madness that sometimes envelopes this building and this chamber, and it's something that I think we all agree on. Sometimes we just find it hard to find that agreement.

As part of this push, I convened roundtables with the various ex-service organisations—and there are many of them. I met with relevant members of the government and other stakeholders to try and find a pathway towards getting this covenant established here in Australia.

In 2015, I launched a petition to engage with the broader Australian community to try and build support for the covenant, because, if you want to achieve change, you've got to sometimes bring the community with you. In terms of the covenant as an issue—those who have a little understanding of this area know that it can work in Britain, but Britain does have a different system to how we treat our veterans here. The Australian Defence Veterans' Covenant, as set out in this bill, is supported by the Veterans' Recognition Program, which includes three parts: the veterans' card, lapel pin and oath.

The first, the veterans' card, is a redesign of the existing white and gold health cards issued by the Department of Veterans' Affairs. The veterans' card will make it easier for Australians to recognise and respect the contribution that veterans have made to our country. Some veterans will receive their new-look cards as their existing card expires, and all other cards will be replaced by the phased implementation process that is currently underway. Businesses will acknowledge the current health cards during the transition, as will healthcare and service providers. The new-look veteran card will continue to provide access to health services and benefits as well as to additional concessions and benefits from businesses, organisations and community groups which chose to support the covenant.

At this point I would encourage those who are in business, whether as small business owners or who work in larger businesses, to understand and to think what they can do to support those who have served and are serving, not just in terms of a card or concessions but in terms of the benefits of employing those who have served our country. Over the coming months, each business, organisation and community group will receive an information pack outlining how they can support the covenant and connect with the veteran community. If you are part of a business, an organisation or a community group and would like to show support for veterans by offering benefits or concessions for veteran cardholders, you can do so by registering your interest on the department's website. It should be stressed, and I will stress it with emphasis, that any benefits or concessions provided will be at the discretion of the participating businesses and organisations, and I would stress to those organisations, whether commercial or NGO, to really push the barrow out in terms of what you can do to assist veterans.

The second, the lapel pin, may be worn to help identify veterans when they aren't wearing their uniform or medals. The veteran lapel pin and reservist lapel pin provide a way for the public to recognise and connect with veterans and acknowledge their service to the nation. The pins will be distributed in the coming months.

The third, the oath, is a commitment of respect to our veterans in addition to the oath traditionally recited on Anzac and Remembrance Day. The Australian community is encouraged to pledge the oath at community commemorative events in recognition of our veterans and their families. Veterans will be able to apply for their card, oath and lapel pin via MyService or the department's website. However, it must be acknowledged that we all know we can do more and we should do more.

It should be also acknowledged that the Australian Defence Veterans' Covenant is only part of the government's commitment to putting veterans and their families first. In this year's budget, the government committed to investing more than $11.5 billion in services and support for our 280,000 veterans and their families. As the son, grandson and great-grandson of men who served—in particular, Dad, who receives support from the government because of his time in the Australian Army—it is something we gratefully receive. This is a real increase in
funding of more than $300 million from last year. This includes funding for veterans’ mental health and suicide prevention, funding to support grants for organisations that help veterans to find meaningful employment, funding to extend the Provisional Access to Medical Treatment trial, funding for family violence victims who are former spouses or de facto partners of veterans, amongst other things.

In detail—and I do stress that we know we can always do more—we are continuing to fund the largest reform in the Department of Veterans’ Affairs history. This will make it easier and faster for veterans to access the services they need when and where they need them.

We are also providing $16.2 million to support veterans’ employment. We have seen many great examples of businesses benefitting from the skills and capabilities of the veteran community through the Prime Minister’s Veterans’ Employment Awards. Nevertheless, we know that there are some veterans transitioning from the ADF who require more support navigating the civilian job market and the ex-service community plays a critical role here. That’s why we’ll be providing grant funding to organisations across Australia to deliver and expand their innovative programs to assist veterans to find meaningful civilian work.

We’re also continuing a substantial investment in veterans’ mental health and suicide prevention, committing $4 million to provide training for up to 7,000 volunteers to better recognise mental health risks and provide intervention and support. This builds on the nearly $200 million in uncapped mental health support we provide every year, including free mental health care for anyone with a single day of full-time service.

Through the budget, the government has also responded to the concerns of those veterans who have taken antimalarial drugs. The government has responded to the recent Senate inquiry on this matter and has agreed, or agreed in principle, to all of the inquiry’s recommendations. As part of this, we’ve provided $2.1 million to deliver a national program for concerned veterans to undergo comprehensive health assessments to identify any potential service related illnesses, injuries or disease. Also, 225,000 veterans and widows are set to benefit from a one-off energy assistance payment of $75 per single and $125 for couples to assist with the cost of power bills.

We should acknowledge, and Senator Sterle mentioned this in his speech, that we would not be here today without the numerous Defence and ex-service organisations who work tirelessly for veterans and their families. As I said earlier, there are a lot of them. There is no way I can pay homage, thank all of them or name all those individuals who have continued to assist veterans and also continued to help provide counsel and advice to those of us who are fortunate enough to sit in this chamber. Over the past five years I’ve met with many of them, but some I’d particularly like to mention are: the Defence Force Welfare Association, DFWA; the Queensland Veterans’ Advisory Council; Legacy; the RSL; the Alliance of Defence Service Organisations, ADSO; and Mates4Mates. They were very good—and I won’t name those individuals who have made sure that I’m fully aware of their views in relation to different issues that impact upon the covenant and the wider Defence community. I would like to publicly thank them for their patience with me, for their counsel and for all of their work. In particular, I will name someone: I’d like to recognise Graeme Mickelberg, who is chair of the LNP’s Defence and Veterans’ Affairs Policy Committee, for his tireless advocacy on this issue. Graeme and I have known each other for some time, but we first talked about this issue in the pub at Palmwoods about why this covenant isn’t here in Australia and why it should be here based on the covenant’s success in the United Kingdom. The covenant has been Liberal-National Party policy thanks to Graeme and the efforts of the Defence and veterans’ affairs committee. Many party members and many constituents, many who don’t support the Liberal-National Party, have contacted me and my office about this issue and for that I am grateful.

At the beginning of my speech, I made a point of acknowledging those who have served and are serving. One of the things that I find strange in this country is that—and I raised this issue, I think, a year ago and some people shot me down in flames and some people said it was a good idea—when we board planes, we acknowledge those who have signed up to a frequent-flyer program. We give priority boarding to those who might have joined a frequent-flyer program yet we don’t acknowledge those who have served or are serving. My friends say that often it’s the small things, when it comes to how you deal with veterans and the community, and it is that simple acknowledgement. So I wrote to the various airlines saying that I can’t understand why we can acknowledge frequent flyers but we can’t acknowledge those who have served and are serving in the Defence Force.

Likewise, where it’s become customary now that we do an acknowledgement of country, I make a point that if we’re going to do an acknowledgement of country we should also acknowledge those who have served and are serving. The freedoms that we take for granted in this country come about because of the sacrifices that these men and women have made and will continue to make for us. This Defence Veterans’ Covenant and this bill that is before the Senate go some way to that, and I commend the bill to the Senate.

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (18:10): I’m pleased to rise tonight to speak in favour of the Australian Veterans’ Recognition (Putting Veterans and Their Families First) Bill 2019. In
particular, I'm grateful to have the opportunity to place on the record my personal gratitude to the many tens of thousands of men and women who have served in our defence forces and who have dedicated their lives to protecting us and our loved ones.

Australian Defence Force personnel make enormous sacrifices on our behalf. The nature of their task can often require them to move their families across the country at very short notice. When they are posted on operations overseas, it can be for months at a time or years and requires them to be away from partners and children. How many veterans and serving defence personnel have missed their little one's first steps, their first day at school, sports games and just the simple pleasure of sitting down with a spouse and a cuppa at the end of a very busy day? These are the kinds of little sacrifices we can often forget, and they are made every day by the people who work so hard to keep us safe from those who would seek to do us harm.

I'd also like to pay tribute to the many community organisations that are helping and supporting veterans in my home state of Victoria. The Returned & Service League of Australia Victoria Branch has been dedicated to providing practical and ongoing support to veterans since 1916. The contribution this organisation makes to our community can't be overstated. Much of their work happens quietly and without fanfare, yet the impact of their efforts can be profound. For example, the RSL was recently responsible for providing a motorised wheelchair for the child of a medically discharged member of the Australian Army. The family of this former soldier was struggling to make ends meet raising four children. When one of the children needed a motorised wheelchair, it was the RSL that stepped in and helped them. To give you another example, when a retired member of the Royal Australian Navy was unable to afford a new pair of glasses it was the RSL that provided the funds, to supplement this, not their support pension.

It's not just the RSL that does this kind of good work in our community. Soldier On provides social activities, employment, educational support, psychological support and assistance for our veterans, helping them and their families stay connected in the communities that they love. Young Veterans supports former defence personnel with opportunities to create community connections with one another, an important component in the ongoing mental health of our veterans. Then there are the Vietnam Veterans Association, Legacy, Veterans Off The Streets, The War Widows' Guild, the Defence Force Welfare Association and countless others, all of whom are doing their bit to support our veterans and their families. But there's more to be done, and there's a role for everyone in this place and the community to lend a hand.

When the men and women of our Defence Force are on deployment, they are in harm's way—literally—putting their safety and lives on the line for our national interest, sacrificing their physical and mental health for our safety and comfort. We owe our veterans a great debt. As both sides of this place and many on the crossbench recognise, this is a way for us to plan a recognition of veterans and serving members of our Defence Force. It's also why, despite some concerns about the mechanisms of the bill, Labor will support the proposed format for recognition of immense contributions that veterans have made to our community. The centrepiece of this bill is the establishment of an Australian Defence Veterans' Covenant, which will provide a framework for our community to recognise and thank veterans for their service to our nation. It is something for which a range of stakeholders have been lobbying for some time now. This will serve as a solemn reminder of the debt of thanks and service our community owes veterans.

However, there are concerns that the covenant does not cover currently serving military personnel. Recognition models around the world that are similar to that which would be established by this bill, notably that of the United Kingdom, include currently serving military personnel. As the shadow minister for veterans' affairs, Amanda Rishworth, stated earlier this year when this bill was debated in the other place, 'Our obligation to look after members is just as great when they are serving as it is when they are in transition, through that transition and then while in civilian life.' The member for Kingston is correct. Veterans hold a special place in our community, but so do currently serving members of the defence forces, and we should include them in formal recognition.

I believe that the establishment of the covenant and a formal program of recognition for our veterans is important. Lapel pins and a veterans card are simple things that we can do to achieve this. But that recognition has to go hand in hand with proper support and assistance through the Department of Veterans' Affairs. Our thanks to and recognition of veterans also has to include proper provision of health care and mental health services. Cutting departmental staff and changing departmental programs in ways that are not yet clear make the provision of that health care and those mental health services harder, not easier. Words are important, but they must be backed up with action. I'm now looking to the government to ensure that the impact of their budget cuts will be minimised at the very least. I am pleased that I've been able to place on the record my gratitude to former and current Defence Force personnel and the many community organisations that support them.

Senator LAMBIE (Tasmania) (18:17): When you hear the way the rest of these senators talk about the Australian Veterans’ Recognition (Putting Veterans and Their Families First) Bill 2019 here, it's as though they're
talking about something completely different, because they're all talking about a bill that recognises and respects veterans and their families, and I don't see that anywhere. The bill as written by the government does nothing. It does absolutely nothing. It's designed to mean nothing, it offers nothing, it says nothing and it commits nothing. In the words of one veteran, 'When you've got a mental health condition, you're in a constant battle with yourself, and then DVA makes you battle them as well.' And for some veterans, it's asking too much; it's one battle too many. They haven't got it in them. There's nothing left, because they're just an empty human shell.

The government says that this bill is about recognising and respecting our veterans. Recognising? And respecting? You get a pin, you get a card, you get a covenant. You get a bill that falls over itself to say how much we love and respect veterans and their families, how we recognise them and their service and sacrifice, how they're great and they deserve the world—but in the meantime, here's a pin.

If you really respected veterans and their families, you wouldn't send them a pin; you would send them an apology. This government has failed veterans each and every time. Veterans fight for us—all of us—and when they come home they fight the Department of Veterans' Affairs. Wow, they've got a lot to look forward to, haven't they? The review into the Department of Veterans' Affairs handling of compensation claims found that the DVA could actually be harming the mental health of veterans. Imagine going to the department that's there to help you, asking them to help you and coming out the other end worse.

And there are thousands of us. This isn't rare. This isn't only happening now and then. Nearly three out of four ex-service personnel and ADF members who transition into the Reserve have a mental health condition at some stage in their lifetime. Male veterans under 30 are twice as likely to commit suicide. Between 2014 and 2018 DVA received 10 claims for mental health conditions a day. That is 19,000 mental health condition claims. People are coming back with mental scars that run deep and they are asking for help, because we tell them to fight, but when they come back you wash your hands of it, and you don't even make a secret of that; you don't even try and hide it. It doesn't fix a single broken veteran. It's just words.

It's you in the government who sends these people to fight, but when they come back you wash your hands of them. This bill doesn't even make a secret of that; you don't even try and hide it. It doesn't fix a single broken system, broken promise or broken veteran. It doesn't even try. What it does, according to the minister, is provide symbolic recognition. This bill is just about making people feel good so you guys in here can have your fuzzy wuzzy moment. Well, I'm not getting the fuzzy wuzzy, I'll be honest with you.

Clause 10 says outright that the bill 'does not create or give rise to rights or obligations'. It clearly states that. In other words, where the bill says the Commonwealth will cooperate with veterans and their family, it's just words. There's no promise. You're not legislating it. There's no promise here. It's a feel-good moment for you all in here. Where the bill says that the Commonwealth will work to resolve veterans' claims quickly, simply and fairly, once again, it's just words. If the government doesn't honour those words, too bad—there is nothing you can do about it. There are no penalties for you people in here—nothing at all—absolutely nothing.

This bill promises to recognise and respect veterans. Haven't we been doing that for—how many years now?—over 100? Haven't we been promising to do that with them already? I've heard it time and time and time again. Where the bill says the Commonwealth will cooperate with veterans and families, it's just words; it's not a promise. Where the bill says the Commonwealth will work to resolve veterans' issues, quickly, simply and fairly, it's just words.

This bill promises to recognise and respect veterans and treat them with dignity and fairness, but this promise isn't legally enforceable. There are no penalties for you people. It says to veterans, 'We promise to treat you right.' Like I said, you've been promising to do that for years; you just don't want to be held to that promise. What a shameful performance in here today. You say, 'We don't want to be held to it, but we'll make promises for you.' If you really wanted to help these veterans, you wouldn't be doing this. This is like a slap in the face to them.

What you do is what the Liberals promised in 2004 when the then Minister for Veterans' Affairs promised that the Military Rehabilitation and Compensation Act 2004 would be the best of both of the existing schemes. What you'd do is summon all the big wigs from government and government and lock them in a room and say, 'We're not leaving without a plan to give veterans specific, targeted employment opportunities that are flexible enough to let veterans work and still receive treatment.' You'd push Insurance Council Australia to stop its members from deducting fees for TPD people, total and permanently disabled people, and you'd encourage income protection policies for veterans returning to work. I haven't heard of any of you trying to do that. I haven't heard of any of you trying to take Insurance Council Australia on. How's that goodwill going in here? These policies are absolutely worthless.

Veterans who try to claim after going from service to civilian employment are told they can't claim against their policies if a complaint relates to their service, because it's pre-existing or war caused. If you really want to help
veterans, you'd grant veterans with operational war service a gold card for life. You're not doing any of that. You're giving veterans another card to go in the wallet, another pin to go on the jacket, another promise to be broken as soon as it costs you something to keep it. Also, you can pat yourselves on the back and make yourselves feel good.

I'm moving amendments that are going to be voted down by the government because the purpose of this bill, according to the Liberal Party and according to the National Party, is pure symbolism. That's all it is: symbolism. The Liberal Party doesn't want to be held to a lifetime of dealing with the claims of veterans because that would cost them too much to actually deliver. Apparently pins are a cheaper solution. The Nationals don't want my amendments to succeed either. The Nationals will only vote for this bill if it means they get to say they support veterans without ever having to do a thing to actually support them. They will vote against committing the Commonwealth to an ambition to treat veterans better than the way they're being treated right now. They say this bill isn't about changing things; it's about symbolism. It's not about what it means, because, without my amendments, none of this means absolutely anything. It's all about how this looks. I'm not here to make you look good— I'll be honest— especially when it comes to veterans. I'm not here to support a veterans bill that doesn't support veterans. I won't do that.

In 1917, Prime Minister Billy Hughes said:

... the care of the returned soldier is one of the functions of the Commonwealth Government ... They go out to fight our battles. We say to them: 'When you come back we will look after you'...

That says something more solemn and profound and comprehensive than anything you can fix in this excuse of a bill, and it says it in five words. It says, 'We will look after you.' That's what you're supposed to be doing, but, no, you want to symbolise. This bill doesn't say that, does it? It doesn't respect veterans. This bill doesn't recognise their service and their sacrifice. You are kidding yourselves. It is absolutely embarrassing right now, in this chamber, to be aiming this low. Just say you'll look after them and bind yourself to it. Set that standard for yourselves and work like dogs to live up to it. If you fail to meet the standard that respect and recognition actually demands, own that failure. Own it; be honest. There's honour in trying to treat every veteran like a hero instead of a cheat. There's no honour in this bill. You're walking away from your side of the deal before you've even asked to honour it. They were sent to fight for us and we should show a bit of fight for them. That's how you show respect. So you know what you can do with your pins. I'll be honest with you.

I have a bit of time here. This is good. I just want to talk about something in clause 7. Apparently existing veterans legislation already requires DVA to act essentially in accordance with equity, good conscience and the substantial merits of the claim without regard to legal technicality. This clause is about applying the legislation beneficially. There have been a number of Senate reviews, including the constant battle, and recommendations quite clearly articulate the failure of DVA to undertake its existing legislative function. So why does this bill need amendments to succeed either? The Nationals will only vote for this bill if it means they get to say they support veterans with operational war service a gold card for life. You're not doing any of that.

Senator LAMBIE: I just want to go on about the goodwill that we've got going on here and, of course, the goodwill of Veterans' Affairs as per usual— I don't see much goodwill coming out of them at all. But I want to talk about the case of a 94-year-old World War II veteran fighting to get a VEA-EDA pension through the AAT—with DVA using their usual lawyers to take us all down—and being forced to see four medical specialists and give evidence before the AAT. That's right: a 94-year-old veteran. But you're changing your ways! Hang on, it gets better. It gets good here; it gets better. Do you know why? Because DVA did not accept his own lifestyle self-assessment—a 94-year-old man.

Sitting suspended from 18:30 to 19:30

Senator LAMBIE: I just want to go on about the goodwill that we've got going on here and, of course, the goodwill of Veterans' Affairs as per usual—I don't see much goodwill coming out of them at all. But I want to talk about the case of a 94-year-old World War II veteran fighting to get an EDA pension through the AAT with DVA using their usual lawyers. Imagine using lawyers against a 94-year-old and being forced to see four medical specialists—one again, a 94-year-old seeing four medical specialists—and then expecting him to give evidence before the AAT. And why? Because DVA did not accept his lifestyle self-assessment—a 94-year-old doing a self-assessment. This just keeps getting better. This is not the old DVA but occurred throughout 2018, and the AAT decision was handed down in May 2019. Imagine putting that World War II veteran through so much trauma at 94 years of age, and they were doing that while they were shaping this bill of their goodwill. So, honestly, we have to ask the questions.

I also noticed that Senator McGrath—and I thank you for bringing up the DFWA, because apparently you're not listening to the DFWA. The DFWA, Defence Force Welfare Association, has made very, very strong representations to amend the title to more specifically identify its intent besides its intent to give us a card and...
some sort of pin and to have a no-disadvantage clause inserted in the legislation. Indeed, when the FADT committee reviewed the bill, the Defence Force Welfare Association made a submission for the inclusion of such a clause but, of course, guess who opposed it? Veterans' Affairs. It took the view that DVA related legislation was beneficial to ex-serving ADF members anyway and that, as the bill was not about additional benefits, there was no need for a no-disadvantage clause. I actually thought that was a fair ask: no disadvantage to be brought to the veteran. It's not a big ask because we have all this goodwill, and you would not want this or any other bill to disadvantage a veteran—just one word: disadvantage.

Veterans and their families are affected by other legislation practices which sometimes have had unintended consequences. Oh, my goodness, the Department of Veterans' Affairs is full of those unintended consequences but, instead of cleaning up those unintended consequences, it's just let them sit. That's why it's such a dirty, sticking rotten mummy. You don't fix it; you just put bandaid over bandaid over bandaid. This is why we're in the situation that we're in now. This is why you are losing lives within the Department of Veterans' Affairs, because your decision-making is out of control. That's if you are making decisions. This is what is taking their lives.

I can tell you now: you have had review after review after review. You've had recommendations which you have not bothered with. You've just put whatever you thought was going to fix the Department of Veterans' Affairs without actually looking at all these review systems, and it is absolutely shocking. It would be nice if you actually started to listen to what was going on. So, let's have a look at these. You've had Enzyme reports. You've had forums. You've had chronology of other reports since 2009 related to transition of ADF personnel. You've had an Australian Institute of Health and Wellbeing study into the suicides of serving and ex-serving ADF personnel. You've had an Australian National Audit Office report on the administration of rehabilitation services under MRCA. You've had an inquiry of the Joint Standing Committee on Foreign Affairs, Defence and Trade into the care of ADF personnel wounded and injured during operations. Oh wait! It goes on. It keeps getting better! You've had all these reviews. You've had all these workshops. Are you actually listening? Because I would have thought if you were listening after all those reviews this Department of Veterans' Affairs should be tickety-boo, but it is actually worse than what it ever has been.

I've sat on the fence with the royal commission in the Department of Veterans' Affairs—I really have. It is getting to the point where you've now got inquiries going on in other states because of suicides, because the DVA, with their own hand, has caused those. That, to me, is very worrying. I don't think you're learning anything in here. There are also a lot of people out there that have not been able to function, who have PTSD, so they not only have psychological injuries they have physical injuries as well. They've got no idea these inquiries are going on. You're not exactly broadcasting them all over. There's a bit of smoke and mirrors going on. I can tell you now they haven't had their chance to have their say, and part of the healing process for those veterans will be to be able to have their say.

I'm gonna see what happens in here over the next six months. But I'm telling you now I am leaning towards supporting those calling for a royal commission, and that support is getting bigger. If I get on the train about that, especially on my social media, you will have no other choice but to call a royal commission on the Department of Veterans' Affairs, because it's failed to do its job. By doing all these little niceties here and giving us a pin is not going to fix the physical and psychological conditions of these veterans and those who have served. That's not what they're asking for. They're asking for what you have promised them for a hundred years, and that is to look after them when they return. They are not getting that from in here, so either we don't have the capability to be able to fix the system or something is terribly, terribly wrong. I tell you what, I've had enough of the suicides. So have they and so have their families and so have their friends. It is beyond the point of return. For goodness sake, to us this is a slap in the face, this whole card and 'I'll get up and ask questions about that'. It's a nice feeling, but it's not fixing anything. It's all smoke and mirrors. Anyway, I'll leave the rest of what I have to say and the questions until the committee.

Senator ASKEW (Tasmania) (19:38): I rise today to add my contribution in support of the Australian Veterans' Recognition (Putting Veterans and Their Families First) Bill 2019. This bill will enshrine in legislation the Australian Defence Veterans' Covenant. The covenant will help recognise and acknowledge the unique nature of military service as well as the sacrifices our veterans have made in defence of our great country, whether that is overseas on operations or here at home as part of the Army Aboriginal Community Assistance Program, as a member of the catering corps feeding our troops, as a member keeping our aircraft in the air or as a driver transporting stores and equipment across Australia.

The covenant also recognises the unique sacrifices that families make to support and assist their loved ones. As mentioned, the purpose of the covenant is to acknowledge the unique nature of military service, particularly the sacrifice demanded of those who commit to defend our nation and their families. The Australian Defence
Veterans' Covenant is an oath that the parliament of Australia endorses on behalf of the people of Australia and reads:

We, the people of Australia, respect and give thanks to all who have served in our defence force and their families.

We acknowledge the unique nature of military service and the sacrifice demanded of all who commit to defend our nation.

We undertake to preserve the memory and deeds of all who have served and promise to welcome, embrace, and support all military veterans as respected and valued members of our community.

For what they have done, this we will do.

This oath is not intended to replace the ode that is traditionally recited on Anzac Day or Remembrance Day, but it is an additional commitment of our respect for veterans. I would like to take this opportunity to personally thank our veterans and their families for their service and sacrifice. It is thanks to them that we are able to rise in this chamber to discuss and debate legislation. Without their sacrifice, who knows what type of democracy we might have.

Further, to the veterans' covenant, this bill also includes a veterans' recognition program, something I am personally very pleased to see introduced. This veterans' recognition program supports the covenant by providing a new veterans' card, veterans' lapel pin and oath. These provides a pay for Australians to identify and acknowledge our veterans for their service on any day of the year, not just on Anzac Day or Remembrance Day. As a country, we should be remembering and acknowledging the service and sacrifice our veterans make each and every day.

A veterans' recognition program provides a way for all Australians to support our veterans. It allows businesses and other organisations to offer discounts, benefits or concessions to our veterans when they present the veterans' card or are wearing their lapel pin. The veteran lapel pin and reservist lapel pin provide a way for the public to recognise and connect with veterans and acknowledge their service to the nation. The pins will help identify veterans when they aren't wearing their uniforms or medals and will be distributed in the coming months.

I would like to stress that the pins do not seek to replace the returned from active service badge and operational service badges. The returned from active service badge recognises Australian Defence Force members who have returned from active or war-like service during military campaigns in operational areas. The operational service badge recognises all declared operational service, such as border protection, service in the Greater Middle East area or other operations. I strongly encourage any business who would like to be involved in this veterans' recognition program to go to the Department of Veterans' Affairs' website and register their interest in being part of this exciting program. By doing so, they will receive an information pack, which will then help them support and connect with the veteran community.

I would just like to comment on the contribution made earlier from one of the senators on the opposite side of the chamber, where they stated this bill doesn't include current serving members of the Australian Defence Force. I will clarify that, as in the definitions included in part 1 of the bill, veteran means:

… a person who has served, or is serving, as a member of the Permanent Forces or as a member of the Reserves.

The coalition Morrison government puts our veterans and their families first. In the budget announced earlier this year, the government increased fund to the Department of Veterans' Affairs by $300 million. We are strengthening the support for our veterans with $24.4 million in funding for a range of programs, such as extending the trial of the provisional access to medical treatment. This is a fantastic initiative that allows our veterans to access treatment for a range of specified medical conditions whilst their DVA claims are being assessed. This allows faster access to medical treatment and helps prevent further deterioration of their health condition.

We are providing $4 million in funding to provide training to RSL and other ex-service organisation volunteers, who, as we know, work closely with and offer assistance to our veterans. This training will help them to recognise people at risk and, where appropriate, provide intervention and referral for additional support. The coalition government is providing grants to not-for-profit organisations to help them deliver programs that will assist veterans to find employment post-discharge from Defence. The many new and amended listings being made to the Repatriation Pharmaceutical Benefits Scheme also offer support and assistance to our veterans.

All of these initiatives add to the previous work the coalition government has done for veterans over the past few years, such as reducing red tape in the DVA claims process by streamlining the requirements for certain conditions. If a veteran's doctor diagnoses one of the streamlined conditions, DVA can accept it as service related. This results in less paperwork and a reduced processing time. It is a much more client-focused model, easing some of the stress placed on veterans in submitting their claims to DVA. We are also introducing non-liability health care, which allows current and former Defence members, depending on eligibility, to receive treatment for any mental health condition, cancer, malignant neoplasm and pulmonary tuberculous without the need for the
condition to be accepted as service related. Once again, it's a more client focused model, easing stress on our veterans.

Support and counselling is also available for veterans and their families through Open Arms—Veterans and Families Counselling Service. It provides free and confidential counselling, group treatment programs and suicide prevention to help our current serving defence members, our veterans and their families. Open Arms has experienced counsellors who have undertaken specific training to help them understand the unique demands of military life and to help members, veterans and their families transition and adjust to civilian life after military service.

Over the past two or three years the Department of Veterans' Affairs has refocused. No longer are they claims-process driven—rather, they now put the veteran at the centre of every decision they make. This has been supported by the coalition government’s investment in the Veteran Centric Reform, focused, as its name suggests, on putting the veterans and their families first. The Department of Veterans' Affairs has been in existence for over 100 years. As a result, and as you can well imagine, some of the systems and services have needed to be updated to bring it into the modern era. This has included putting a focus on improving the digital aspect of delivery. MyService has been introduced to allow some claims to be done and certain services to be available via online servicing. Telephone access, which has been in existence for some years, needed to be upgraded and, through the introduction of the Veteran Centric Reform, improved technology has made it much faster and easier to speak to the department. This has been enhanced through the single contact number of 1800VETERAN.

The Department of Veterans' Affairs has worked in partnership with the Department of Human Services on many service delivery aspects, including the expansion of face-to-face services in some locations, particularly rural and regional areas. There has also been an improvement in data and system capabilities. Investment in computer systems has certainly provided a faster and far more accurate access to veterans' records.

The majority of veterans who leave the Defence Force go on to have success careers, and another recently introduced development for veterans has been the Prime Minister’s Veterans’ Employment Program. This program demonstrates the importance of government places on raising awareness with employers, both in the private and public sector, of the value and unique experience of our veterans. The Australian Defence Force invests heavily in its service men and women, who have a broad range of skills and experience developed through their careers. Their skill sets, including leadership and problem-solving skills, are in strong demand and will obviously transfer into civilian and public life.

Australians businesses of all sizes and across all industries have an opportunity to employ these skilled and capable individuals when they leave Defence. By making businesses more aware of the value veterans bring to their organisations, employment opportunities for veterans will increase. As a result of that, the introduction of the Prime Minister's Veterans' Employment Awards has also provided some wonderful examples where businesses have benefitted through employing veterans. It provides an opportunity to celebrate veterans in the civilian workforce, such as those who were successful in the 2019 awards.

I would like to pass on my congratulations to these following award winners: Outstanding Contribution by an Individual to Veterans' Employment, Mr Chris Mayfield OAM; Outstanding Veterans' Employer of the Year, BCT Solutions; Veterans Employer of the Year—Large, Boral Limited; Veterans' Employer of the Year—Medium, BCT Solutions; Veterans' Employer of the Year—Small Business, Veterans in Construction; Veteran Employee of the Year, Mr Jordan Ivone; and Veteran Entrepreneur of the Year, Mr Ben Whitham. Supporting the spouses of our veterans was Excellence in Supporting Spouse Employment, Defence Bank; and Excellence in Supporting Veterans' Employment was Ironside Recruitment. They are all worthy and successful winners.

Another area of support provided to our veterans by DVA is the significant recognition of their service through a number of national services, mostly coordinated through DVA. These include many Anzac Day and Remembrance Day services around the country and things such as the significant program of events commemorating the Anzac centenary, during the period 2014 to 2018.

By acknowledging those who fought in the First World War, we also acknowledge all those who have served since. It was a great honour for me to be able to be present and attend the Centenary of the Battle of Polygon Wood in Belgium in 2017. That battle took place on 26 September 1917 as the men of the fifth Australian division prepared for their first major battle in Belgium. The sombre mood of that service and the immense sacrifice of Australians at that place still stays with me today. The Australian people and everyone in this chamber recognise the sacrifice and commitment of those who have signed up for service and made an oath or affirmation to defend Australia. This bill further cements Australia's gratitude for their service. I urge all senators in this chamber to support this bill.

CHAMBER
Senator SCARR (Queensland) (19:50): I should first note that this is not my first speech. I’d like to commence by commending the senators who have made contributions to this debate on this bill, the Australian Veterans’ Recognition (Putting Veterans and Their Families First) Bill 2019, thus far. I have genuinely been interested and listened to their contributions to this debate. In particular I’d mention the passionate speech that was given by Senator Lambie. Obviously she holds these issues close to her heart. I think she made a great contribution to the debate here tonight, and I commend her for it.

Listening to those contributions I was reminded of a quote from one of the great Russian writers, Dostoevsky, who said in his work—it was either Crime and Punishment or The Brothers Karamazov—'Judge a society by the way they treat their prisoners.' That is, if you go into the prisons in a society and see how that society treats its prisoners, then you can make an assessment as to the humanity of the society. I think perhaps we could take those words and adjust them to this case and say, 'Judge our country—judge Australia—by the way we treat our veterans and their families,' because there is no more-special class of citizen in our society than those who have served our country in the armed forces.

Earlier today I made a contribution to the debate with respect to maritime borders in Timor-Leste. In that contribution I referred to the service that has been given by a number of my friends and people I’ve gotten to know over the years in that field and in particular during the time of the troubles in East Timor. My friend and colleague Senator James McGrath referred to the contribution of Graeme Mickelberg, who is an outstanding veteran himself and has made an outstanding contribution to this debate and to the discussion of the covenant. His son, Brent Mickelberg, is a member for the state seat of Buderim. Brent himself served in the Australian infantry, just as his father did. When he gave his maiden speech to the Legislative Assembly in Queensland, Brent Mickelberg, the member for Buderim, made a great contribution to the understanding of Queenslanders as to what veterans go through—the contribution and the sacrifices they make. I want to quote from his maiden speech:

I cannot speak in detail about my service over in Afghanistan, but some of the things that we saw will stay with me for life: images of children killed by the Taliban, suicide bomb attacks and US soldiers killed by the Afghan soldiers they had been mentoring.

Brent then went on to describe the troubles he had upon returning to Australia and the struggles he had adjusting to that. He described how:

On a drive from Cairns to Townsville one night with my sister I recall seeing movement on the side of the road. It clearly triggered something and I swerved violently in reaction. To tell you the truth, I had not even realised what had happened or how I had reacted until Katie told me to pull over.

He was suffering from post-traumatic stress disorder. It got so bad. Brent said:

Over time I began to wonder if I would be better off ending my life so that I would not be a burden to Anna and my family. I felt that I was not doing anything to make their lives better anyway.

So here is a great Australian who had given service to our beautiful country and was left in a dark place of desperation following his service for our country. But he told his story. He recovered. He sought treatment from a psychologist who specialised in returned veterans and police, got treatment for his post-traumatic stress disorder and worked through it. He had the bravery and the courage to refer to his own personal struggle. In his words, he said it was 'not only to spread awareness about the danger of PTSD for our Defence and emergency services personnel but also because too few men are willing to stand up and tell their stories of struggling with mental health. I want my son to grow up knowing that he should not be afraid to seek help if he ever needs it.'

Those are the people—the Brent Mickelbergs of the world and of this country—whom we are here respecting this evening in terms of this debate. Those are the people whom we must keep at the forefront of our minds and it is those people and their families who should never be let down by whatever government forms in this place.

I want to talk about the unique nature of defence service. Senator Lambie referred to the Defence Force Welfare Association and a submission they made. I want to quote from that submission in terms of informing the Senate as to: how is military service unique? How is it unique from the police, the fire service, the ambulance service and others who put themselves in harm’s way? We know the great courage and bravery that they show. What is unique about military service in addition to the sacrifice? I’d like to quote from their submission because I think it encapsulates the concept of uniqueness extremely well. They said:

In examining military service as a unique calling we should understand that exposure to danger and the courage to face it are of themselves not unique features of military service. In arguing our case, we do not maintain that the serviceman has a higher requirement to show courage, nor a greater willingness to make sacrifices—even of his life—than others who serve the society and protect it from danger. We claim only for the serviceman—

and woman—

a distinction from all other callings, in that he and she alone—
or she and she alone—
is under a compulsion to face danger and make sacrifices—even of his—
or her—
life—once either he—
or she—
has committed himself—
or herself—
to serve, or has been compelled to serve by the State.
There's the compulsion, and therein lies the uniqueness of military service. Subsequently in the submission from
the Defence Force Welfare Association, it says:
... once the individual has entered military service, the relationship of obedience is established. This relationship necessarily
requires the surrender of the individual's "inalienable" right to liberty, and alienates his right to life and security of the person,
by placing responsibility for their preservation in the hands of others.
Again, that is where the uniqueness lies in terms of military service.

I would like to take on board Senator Lambie's point with respect to the no-disadvantage test. I note clause 7
refers to the beneficial interpretation of legislation. It refers to three pieces of legislation and instruments which
are made under those acts—in particular, the Veterans' Entitlements Act 1986; the Military Rehabilitation and
Compensation Act 2004; the Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988; and
also instruments made under those acts. It is important that we actually read these words and reflect on what it
means in the cases that come before the relevant decision-makers. Subclause 7.2 states:

(2) The Commonwealth is committed to decision-makers deciding claims under that legislation:

(a) in a manner that is fair, just and consistent; and
(b) within a time that is proportionate to the complexity of the matter; and
(c) in a manner that promotes public trust and confidence; and
(d) on the basis of only requiring evidence sufficient to meet the relevant standard of proof for the claims.

I would hope that all decision-makers, when they're considering matters related to veterans, have extremely close
regard to subclause 7.2. It says:

... deciding claims under that legislation:

(a) in a manner that is fair, just and consistent—
and as far as I'm concerned, that needs to take into account the unique nature of military service. It says:

(b) within a time that is proportionate to the complexity of the matter;
and:

(c) in a manner that promotes public trust and confidence; and ... only requiring evidence sufficient to meet the relevant
standard of proof for the claims.

It's extremely important that decision-makers have reference to each of those matters.

I note that the Productivity Commission has brought down a report recently, which the government is
considering. I think there is no work more important for this government than considering that report in great
detail, ensuring that our DVA treats veterans with respect and ensuring that they get the actual outcomes that they
deserve, given the service they've given our country.

I think employers all over this country need to consider their policies. Many of our largest companies in this
country have policies which promote diversity. They should have policies that promote diversity; there is no
question about that. I suggest that those companies reflect on their policies and find room in their policies for
veterans, recognising that consideration should be given to employing veterans. They should put that in their
diversity policies and their employment policies, and they should discuss what practical measures could be taken
to assist in the employment of our veterans.

Lastly, I'd like to read the Australian Defence Veterans' Covenant. We've spoken about the Australian Defence
Veterans' Covenant. I think we should reflect closely upon each and every phrase in that covenant.
We, the people of Australia, respect and give thanks to all who have served in our defence force and their families.
We acknowledge the unique nature of military service—
the unique nature of compulsion, which I referred to earlier in my speech—
and the sacrifice demanded of all who commit to defend our nation.
We undertake to preserve the memory and deeds of all who have served and promise to welcome, embrace and support all military veterans as respected and valued members of our community.

For what they have done, this we will do.

It is a covenant, a promise, between the Australian people and our veterans, and no-one deserves the benefit of that promise more than our veterans and their families.

**Senator CHANDLER** (Tasmania) (20:03): In rising to speak today on this bill, I wish to first and foremost express my continued thanks and gratitude to Australia's veteran community for their tireless service to our country. As I'm sure honourable members have heard tonight, this bill is about putting veterans first, putting veterans' families first and recognising the unique and special service that veterans provide in defending our country. I think that we not only need to recognise their service but also understand the impact that that service has on both the lives of veterans and the lives of their families. I certainly hope this bill will go some way to making life easier for them as they adjust to life following their valued service.

In rising here tonight, I wish to speak first and foremost about my personal experiences—be they second-hand—of people I might know or have heard of who come from Tasmania and about why I personally think that this is a bill that deserves wholehearted support. Tasmania, the state I come from, like all Australian states and territories, has a strong history of military service. Currently there are more than 10,000 veterans living in Tasmania. Indeed, Australia's last surviving soldier from the Gallipoli campaign was a Tasmanian. His name was Alec Campbell.

Alec join the Australian Army at the age of just 16 and was said to be nicknamed 'The Kid' by his fellow servicemen in Hobart because, at the time of his training, he was still too young to shave. Of course, the Alec Campbell I know is the one who was still attending Anzac Day marches in my lifetime, who still had youthful enthusiasm despite seeing some undeniably terrible things. There's something quite profound in me being a young girl attending Anzac Day marches and thinking: 'What would I have done if I'd been in Alec's situation? Would I have been brave enough to put my hand up to fight for my country?' Those are questions that I dwell on every Anzac Day—or more regularly than that. Being a young person growing up at a time where Alec was still alive in Hobart and was attending Anzac Day parades at the same time I was, one can't help but meditate on that for a moment.

Speaking of Tasmania's young war heroes, 14 of Australia's 100 Victoria Cross recipients are Tasmanian. Given the nature and aim of this bill today to appropriately recognise the contribution of our veterans, it would be remiss of me to not mention Ordinary Seaman Edward —or, as he was known, Teddy—Sheean. Teddy Sheean was a Tasmanian World War II hero and one of our best-known wartime servicemen in Tasmania, perhaps second only to Alec Campbell for being our last living Gallipoli veteran. On 1 December 1942, when Teddy was 18 years old, the ship on which he was serving, the HMAS *Ardmide*, sank as a result of enemy attack. As the ship went down, Teddy continued to defend his fellow shipmates, firing at the enemy while at the same time surely knowing that his own life was soon to end on that ship as it sank. Efforts are currently underway in Tasmania, led by former senator for Tasmania and now Minister of Veterans' Affairs in the Tasmanian state government, Guy Barnett, to ensure that Teddy Sheean is appropriately recognised for his heroism on that fateful day in 1942. I have heard Minister Barnett speak on this topic very regularly. I'm always taken aback by the passion with which he speaks of the need for us to recognise Teddy Sheean. It's that same need that we bring to this bill today—a need to recognise our veterans for the contribution that they have made.

I am quite fortunate in that not too many of my immediate family have been caught up in the perils of war, except my great-grandfather John Henry Beard of Oatlands—who I never met, but I did meet his wife, my great-grandmother. John Beard went to war in his 30s. He fought in World War I at quite an old age, particularly in comparison to, for example, Alec Campbell. My mother, who was alive while my great-grandfather still was, tells a story of when I asked her: 'What experiences did my great-grandfather share with you? Was war something that was talked about around the dinner table? Was it something that every Anzac Day you all came together and celebrated?' and my mother said no. There was an understanding or an acceptance in the family that the war had greatly affected my great-grandfather. He was suffering from shell shock and a few residual wounds from that time. My mother was instructed, 'Don't ask. It's not a chapter of his life that he wants to relive and so if you are respectful of the service that he made then you won't ask him about it.' I raise that tonight not because I think we're doing the wrong thing in recognising our veterans—I certainly don't—but because I think it is an important step for this government to take, to say that we need to support veterans' families—like my great-grandfather's family 50-odd years ago—to be able to come to peace with what has happened, to be able to talk about it publicly, to celebrate it, if that's what's appropriate, and to commemorate it—again, if that's what's appropriate. Looking back at my mother's stories of speaking with my great-grandfather, it certainly appears that he didn't feel supported in sharing his stories, whether that was because they were too traumatic for him to deal with or because...
he didn't feel that it was appropriate to share those stories with his family. Being an inquiring sort of person, I certainly would have relished the opportunity to sit down and talk with my great-grandfather, had our lives overlapped, about his experiences in war. But, as I said, it wasn't something that was really spoken about.

I'm very honoured tonight to be speaking on this bill to ensure that we can make life just that little bit easier for our veterans, because I don't think that any of our veterans should feel that they can't share their stories, or that they're not supported to share their stories because their community doesn't understand the sacrifices that they have made in serving our country. I have a number of friends who have given active military service or have been in the reserves. I'm not going to name them here today, because I don't think that would be appropriate, but I see two key things in them. One is the pride that they have for their country and the drive that they have in doing what they do, particularly my friends who have joined the reserves. I say: what compelled you to do this? And they all say that they're proud Australians and they want the opportunity to serve their country in whatever small way, even if that is just in a volunteer capacity. With those that do see active service, I look at the families around them—I think the support network those families provide is just incredible. I'm very happy that the bill that we're discussing here tonight, the Australian Veterans' Recognition (Putting Veterans and Their Families First) Bill 2019, will go some way towards making life for those families easier, as well as for the veterans.

Let's not beat around the bush: war is not an enjoyable thing to experience. Growing up when I have, I consider myself very fortunate that I haven't experienced war firsthand. That is no doubt due to the tireless efforts of our veterans looking after our interests overseas, and I'm very thankful for them. But I have some friends who have family members or spouses or friends who have served overseas, and that has had a profound impact on them. I'm very happy not only for the veterans but also for their families and all of the work that they do in supporting veterans to ensure that their contributions to Australia are recognised. That's why I'm very excited to be talking about this bill tonight, and all that it will entail in recognising veterans and their families. I think, particularly, the covenant of Australian Defence veterans—which we've heard a lot about from my colleague, Senator Scarr earlier—represents a really important step in solidifying our relationship with the veterans community and in recognising the work that they do. It's good to see that the covenant will be supported by a veterans recognition program, which will include a veteran card, a lapel pin and an oath. I was researching this tonight, and thinking about the lapel pin and what a small thing that represents but, at the same time, that it will enable everyday people like me, walking down the street, to recognise those veterans who might have served and protected our interests overseas.

Walking down the street, I often think that anyone standing in the vicinity could be a veteran, could have fought for our country, and how am I meant to know who I should thank? Because, as I think I've reflected here tonight, I certainly am thankful for the sacrifice that these people make. Something as simple as a pin could be an indicator. I know in Tasmania I often see our Legacy families wearing pins and, again, it's such a simple way to demonstrate that. I understand that some people may not want to wear a pin if they don't feel comfortable with one, but it's about breaking down those barriers and helping the broader community understand and identify veterans and the sacrifices that they have made for their country, if they so wish.

The Veteran Card will also make it easier for Australians to recognise and respect the contribution that veterans have made to Australia. The Veteran Card, which is a redesign of the white and gold healthcare cards, will be acknowledged by businesses, and healthcare and service providers. I hope, again, that it'll go some way towards making life easier for our veterans. And, of course, we will continue to provide access to health services and benefits to cardholders as well as concessions as relevant. I think these are certainly well deserved for the reasons that I've outlined tonight. Our veterans make a significant sacrifice for our country, and we should be thankful in that regard and I think this card will go a long way to demonstrating that.

I think I have set out what drives and motivates me to care so deeply for veterans affairs in rising to speak on this bill tonight. Like I said, I come from a state that has a long history of military service. Through regularly attending Anzac Day services and Remembrance Day services over many years, and looking at the people around me, I've continually reflected on: what would I do if I were in their situation; and how would I want to be recognised? While I don't think I would be very brave on the battlefield, I certainly think that if I were that I would somehow want to have those barriers pulled down between me and the people who haven't necessarily experienced what I had and be able to talk about it, to have those conversations and tell stories of my experiences of war or in active service.

Anything that we, as a parliament, can do to ensure that those barriers are pulled down to make it easier for people to recognise veterans—or making veterans feel more supported and providing additional support to their families so that they can feel equipped to have the conversations with their families about what they've experienced—is incredibly important work for us to be doing. I know it's getting quite late in the evening, but this
is a very important debate for us to be having. And, as I've said a couple of times over the last little while, it's an honour for me to be speaking on this issue tonight. Thank you.

Senator PATRICK (South Australia) (20:18): My ears pricked up when Senator Chandler talked about Teddy Sheean. Of course, he shares company with some pretty good people: he shares the company of Vice Admiral Collins, Rear Admiral Farncomb, Captain Waller, Captain Dechaineux and Lieutenant Commander Rankin. Of course they are also the names of five of our submarines, and Teddy Sheean bears the name of the last—or in fact the fifth one in the series. But he is noted amongst submariners because in fact he is an ordinary seaman, and I think that serves as a great testimony to Ordinary Seaman Edward Sheean.

I'd like to speak just very briefly to the Australian Veterans' Recognition (Putting Veterans and Their Families First) Bill 2019. The bill will create a framework for government and businesses to recognise and acknowledge the unique nature of military service, and to support veterans and their families, which, of course, Centre Alliance recognises is an important aspect of veterans' wellbeing and indeed of Australian culture.

The bill sets out to achieve this by enshrining the Australian Defence Veterans' Covenant in legislation; by confirming that veterans laws should be interpreted for the benefit of the veteran; and, finally, by providing for the issuing of pins, cards and other artefacts. The pins are to be made in Australia from Australian materials. The new veterans card is a rebadging of the DVA health card and will provide an opportunity for businesses to offer discounts. Naturally, this is at the discretion of Australian businesses. However, the South Australian based company Australian Partners of Defence—who have been operating for six years and have secured over 10,000 partnership agreements with some of the largest businesses in Australia—in partnership with DVA, will be facilitating the offer of discounts and benefits available to veterans via the veterans card.

The bill, however, is predominantly symbolic in nature. While it is a gesture that demonstrates the reverence Australians have for those who have served or are prepared to serve in the Australian Defence Force, it is only symbolic. But it is a start, something that can be built on over time and something I encourage the department and the government to strongly consider during this 46th Parliament.

Central Alliance support the bill, and we want to convey our deepest gratitude to past and present serving defence men and women. Your sacrifices and those of your families will not be forgotten. For what they have done, this we will do.

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (20:21): I rise tonight to make a brief contribution on this Australian Veterans' Recognition (Putting Veterans and Their Families First) Bill. I wasn't planning to make a contribution. It was hearing Senator Lambie's contribution, actually, that made me decide to speak. I absolutely respect Senator Lambie's service to this nation and the contribution she made, and there is something that happened to me which I wish to describe to the Senate. In essence, this bill is about respect and recognition, Senator Lambie, and respect and recognition are very important to service men and women, and very important to their families, and that's why I wish to describe something that happened to me relatively recently, on becoming a senator for Western Australia.

It's a somewhat convoluted story, but it started with a letter to the editor in The Canberra Times. The letter was from a woman who lived in Western Australia, and she wanted a poppy put in the wall of remembrance to acknowledge the 100th anniversary of her grandfather's death. Obviously, as she was based in Western Australia, she couldn't get to Canberra herself, so she put that letter to the editor in The Canberra Times, asking if there was anyone in Canberra who could perhaps go to the wall of remembrance on the 100th anniversary of his death and place a poppy there.

How did I get involved as a relatively new senator? Someone living in Canberra who was a former colleague and a friend of my wife's happened to see that letter and happened to be researching her own grandfather's service in World War I, service that was based out of Western Australia as well. Having got her grandmother's records, my wife's friend realised that her grandfather and the grandfather of the woman who had put the letter in The Canberra Times had served together. They'd trained together at Blackboy Hill, which was a training camp in Western Australia, before shipping out to the battlefields. My wife's friend also realised that their commanding officer was Edmund Drake-Brockman, a relative of mine—a great-great-uncle. The Drake-Brockman and Brockman families are very closely related. My great-great-uncle had been the commanding officer of her grandfather and of the deceased service person who the woman was seeking recognition of on the 100th anniversary of his death.

Whilst this chain of events is not unusual in Australia—we all know that there is only one or two degrees of separation between anyone—it was a great honour for me as a newly-selected senator for Western Australia at that point to be able to organise for someone in Canberra to place a poppy in the wall of remembrance on the 100th anniversary of that serviceman's death. It meant a lot to the family involved. But I think this is the nicest
part of this story. I got a staffer in this building—Philippa Campbell, who many on this side would know—to take a poppy to the wall of remembrance. She found on that day 10 poppies in the wall of remembrance. Ten poppies had been taken there by people in Canberra who had read that letter in The Canberra Times. They had of their own volition gone to the wall of remembrance on that day to honour the wishes of the grandchild of a deceased veteran.

I say again: respect and recognition are important. They are an important part of what we do for our veterans. I think that it is important to remember that when we honour our veterans, in many different ways, it is to say thank you for the service that they have provided to the nation and to say thank you to their families for the service that they have provided to this nation. It's a very important part of what we do as a government. It's not the only thing though. As I have talked about in this place before, it's easy to single out one thing that the government are doing and try to criticise it and to pretend that that one thing we are doing is reflective of all we are doing. That is clearly not the case in this space.

Australian veterans are a focus of this government. We will continue to see an improvement in support and services for veterans, including through the $11.5 billion in funding allocated in the 2019-20 budget. This funding represents an overall increase of $300 million allocated to the Department of Veterans' Affairs, the DVA, in 2019-20 compared to 2018-19 to support our veterans and their families. The 2019-20 budget is focused on putting veterans and their families first and continues to see investment designed to transform the DVA. I think everyone knows that there have been failings in the past. This government is committed to continuing to improve that level of service and continuing to improve that level of support for all of our veterans.

We need to make it easier and faster for veterans to access the services that they need. The minister has made very clear that this is a top priority for them. It includes really basic things—and, yes, they are basic. The 1800VETERAN line, introducing a single contact phone number, is a very simple but very effective way to ensure that our veterans right across Australia have straightforward easy access to the services and supports that they require. Every veteran, no matter where they live, should have better access to the DVA. This is being achieved through partnering with the Department of Human Services. The Department of Human Services obviously has a very large footprint across Australia and, by giving veterans access to those services through the Department of Human Services, we take the supports that the veterans want and need to more places and make them more easy to access.

There's also going to be an agent network and mobile service centres. There's investment in making sure that online claims processing is more straightforward and simplified and that veterans can access the information and services they require online. Again, this is a very important change in the way people are accessing their services. It is something that veterans have asked for, and it is something that the government is, again, delivering on. A one-off energy assistance payment will be provided to more than 225,000 veterans and widows who receive support payments—a payment worth $75 for singles and $125 for couples.

This is all focused on one very simple thing, something that many of my colleagues have said tonight, and that is about putting veterans first. It's about putting veterans' families first. That is why we as a government are continuing to invest in the veteran community and their families. We continue to provide the services that veterans need, that they want and that we continue to develop and supply—again, $11.5 billion in services and support, relied on by 280,000 veterans and their families. This is a significant part of the Australian community and a very important part—and one that this nation relies on in the toughest of times. It's certainly true that when we think of our veterans we think about the extraordinary contribution they have made in so many different ways. Earlier today I spoke about Timor-Leste, and we all know of the extraordinary service that our serving men and women at that time put in to ensure that our near neighbour was able to have a smooth transition to democracy at a time when that wasn't necessarily an obvious outcome.

So, in concluding, this is important reform. It is about respect and recognition of our veterans, and all those who have contributed on this side have a very clear view of the importance of that and the importance of the bill.

Senator DEAN SMITH (Western Australia—Chief Government Whip in the Senate) (20:32): I also want to speak this evening on this important piece of legislation, the Australian Veterans’ Recognition (Putting Veterans and Their Families First) Bill 2019, and in doing so reflect on a number of important points. The first is that there's never too much that this country can do to honour the past service of men and women of the Australian Defence Force. This bill is an important part of what should always be regarded as an ongoing process of honouring the service and the sacrifice of veterans in our community.

I paid very close attention to Senator Lambie's contribution, because Senator Lambie's contribution was important, for one reason. While I would have differed in the way that Senator Lambie communicated the issue, the reality is that for some members of the veteran community their experience with the Department of Veterans'
Affairs has not always been smooth. They can at times feel that their concerns and particular circumstances are not being listened to, that they are not being understood and on occasion that they might even be being ignored. I think that's an important aspect to be constantly alert to—and I'll come to why that is important in a moment.

The second comment I'd like to make is that this is an important bill, and I think that's demonstrated by the large number of senators who want to make a contribution to the debate on this bill, because it does honour veterans. It honours their families. It honours veterans, past and present. Of course, it also recognises that across our country the Returned and Services League plays a very important part in being a voice for the concerns of veterans and plays a very important part in giving life to the symbolism when we come to honour the sacrifice of veterans—very, very important. While Senator Lambie's concern with this bill was in part, in her view, because it was heavily symbolic, I think that symbolism in this particular area of our community is still a very important part of what should be an ongoing process of constant recognition.

On this bill I speak with a bit of personal circumstance. My father served in Vietnam. He was a regular Army man who was asked by this country's government to go and stand up for certain values in Vietnam. He went to Vietnam and did his service. While he was in Vietnam he was engaged to my mother. When I think about the service of Vietnam veterans in particular, I also think about the difficulty that partners, indeed fiancees, as was the case in my mother and father's situation, who had to live in a community like Australia in the very late sixties and early seventies and had to endure the remoteness of their loved ones serving in a country like Vietnam at a time when parts of our country and parts of our community perhaps did not show much compassion for the service of regular Army men, as was the case with my father.

The situation in my family was further compounded when my father's younger brother was conscripted to serve in Vietnam. When I think about the contribution that veterans make in our community, I'm someone who does pay close attention and who has always had a keen interest in the history of the First and Second World Wars. But when I think about veterans issues I see them through the lens of my father's own experience. My father is now in his late 70s. His service in Vietnam is something we don't talk about in our household. I think that for me and my brother and sister and my mother we've learnt, not formally but informally, that there's still a lot of healing to be done on my father's part. I've never asked my father about the elements that are contained in this particular bill. I have never asked my father about his view on the Australian veterans' covenant, and I don't think that matters so much because I know at different points of time members of the veterans' community come to deal with issues, take opportunities, as symbolic as they might be in this particular case, and, in their own time, they find an opportunity to use things like this, a pin, a veterans' card, a commitment, an oath, as part of their own journey in better understanding the tremendous contribution and sacrifice they have made in pursuing what were objectives of the government and the Australian community at that particular point in time. So I'm someone who thinks that initiatives contained in this bill are symbolic. They may not mean a lot to some people in our community, but to others they mean a great deal. I think it's worth remembering that 166,000 veterans are currently supported by the Department of Veterans' Affairs in our community, and 117,000 dependents of those veterans are supported by the Department of Veterans' Affairs.

Veterans, or the character of veterans, continue to change as the nature of our commitment internationally changes. The experience of veterans in the First World War and the Second World War was very different from the experience of veterans in the Korean conflict or the Vietnam War and, again, very different from the experiences of younger, modern veterans, let's call them, who have left service after making important contributions in helping to resolve the conflict in the Middle East.

This is a bill that is worthy of debate. I'm personally satisfied and pleased at the number of coalition senators that have put their names on the speaking list to contribute to honouring veterans and the organisations that support veterans, like the RSL in Albany, with which I know Senator Brockman has a very close association, and the Highgate RSL, of which I'm an associate member. Some of those members of the Highgate RSL were recognised in the Queen's Birthday honours list that was announced just recently. So this is an important opportunity to recognise that recognition of veterans' service is something that should be ongoing and constantly a top-of-mind issue for not just the coalition government but, I would hope, all future governments.

In regard to this bill, there are a couple of specific comments I'd like to make. The first is around the Australian Defence Veterans' Covenant, something that I recall Senator McGrath having advanced and advocated for a number of years ago, if I recall correctly. The Australian Defence Veterans' Covenant recognises and acknowledges the unique nature of military service and the contribution veterans and their families have made to our country. Legislating a covenant has been a priority for the veterans community for some years and is something the Morrison government is pleased to be able to deliver on after what has been considerable consultation within the Australian community. The covenant is supported by the Veterans' Recognition Program, which includes the veterans card, lapel pin and oath. These provide a way for Australians to identify a veteran and
to acknowledge publicly or privately, depending on the circumstance, his or her service when they're not in uniform or wearing their medals.

I'm particularly pleased that this covenant initiative has been endorsed by employers, businesses, local community groups and the broader Australian public, who will be encouraged to support veterans and acknowledge their service through initiatives that encourage veterans and their families to connect with their community. Businesses and communities will also be encouraged to show their support for veterans by offering benefits or concessions for veteran card holders. Any benefits or concessions provided will be at the discretion of participating businesses and organisations, and I do think that's an important element of this initiative. Each business, organisation or community group will also receive information about how they can better support the covenant as the level of public awareness, endorsement and embracement of this initiative progresses in the community.

I'm not too sure whether Senator Lambie mentioned this in her contribution, but I think the recent Productivity Commission report on veterans' issues with the Department of Veterans' Affairs is going to be a very important document which will enliven the debate about how we better support the Australian veterans community. Already I've received a number of representations from veterans communities and veterans' representatives who are not convinced by the recommendations and the approach the Productivity Commission report has taken. I have given people a personal commitment that, as the son of a veteran, I will be paying very close attention to the concerns, the ideas and the points of view of veterans communities when it comes to framing a legislative response to the Productivity Commission report.

I am someone who generally thinks that the work of the Productivity Commission is necessary and is to be applauded. The Productivity Commission process did give us an outcome on the GST issue, which I thought was very, very important in the Western Australian context, but it does not mean that the Productivity Commission is infallible. It does not mean that every proposition or every answer that the Productivity Commission provides is without contest. I'm someone, like I said, who has given communities a commitment that I'll be paying very, very close attention to that Productivity Commission report, the government's response and what we might find in legislation.

I didn't have the opportunity this evening to listen to the first speech of the new member for Stirling, Mr Vince Connelly—

Senator Brockman: An excellent speech.

Senator Reynolds: An excellent speech.

Senator DEAN SMITH: 'An excellent speech,' says Senator Brockman. 'An excellent speech,' says Senator Reynolds. I have no reason to doubt that energy and commitment. He's a great member for Stirling. I have great confidence he's someone who will hold the seat of Stirling for a very long time. But the point I was about to make—and perhaps I'm guessing now—is that I'm sure Mr Connelly would have made a contribution in his first speech about the importance of veterans. I suspect he might have made some reflections on the Productivity Commission report and even expressed some of his own ideas about what might be a better way, an alternative way, to continue to support veterans and their families in our community.

This is my final point before I sit down. Men and women have served this country and they have become part of the veterans communities, but living with them and enjoying the celebration, the honouring that we do as a community with them, sometimes is equally matched with having to live with some of the suffering and sorrow and hidden hurt that veterans carry in our community. That's a very, very important point to be acknowledged. Senator Lambie made that point in her contribution. I'm someone who believes that veterans deserve to be supported, but veterans' families deserve to be supported as well.

So, with those brief remarks, I will leave it to other senators, other coalition senators, to make their contributions on what is a very, very necessary and very, very worthy piece of legislation. Thanks very much.

Senator STEELE-JOHN (Western Australia) (20:47): I move:

That the question be now put.

Senator Dean Smith: On a point of order: by putting this particular question now, does that mean we'll deny coalition senators and other senators the opportunity to speak on this important piece of legislation?

The ACTING DEPUTY PRESIDENT (Senator Fawcett): It would. The question from Senator Steele-John was that the question be now put.

Question agreed to.

The ACTING DEPUTY PRESIDENT: The question now is that the bill be read a second time.
Question agreed to.
Bill read a second time.

In Committee

Senator LAMBIE (Tasmania) (20:49): by leave—I move amendments (1), (2) and (3) on revised sheet 8178 together:

(1) Clause 7, page 4 (line 7), after "Military Rehabilitation and Compensation Act 2004", insert "(the MRC Act)".
(2) Clause 7, page 4 (line 14), before "within a time", insert "except under the MRC Act—"
(3) (3) The Commonwealth is committed to the Military Rehabilitation and Compensation Commission deciding a claim under the MRC Act within 90 days beginning on:
(a) the day the Commission receives the claim; or
(b) the day the Commission receives information, or a document, that the Commission requested in relation to the claim under section 330 of that Act;
whichever occurs later.

These amendments send a very clear message that, when you come to the DVA for help, you can be sure you'll finally receive it. These amendments commit the Military Rehabilitation and Compensation Commission to make decisions on veterans' claims within 90 days of receiving all the paperwork. They form a promise to treat veterans in a way that's fair, doesn't take too long, doesn't leave them worse off and doesn't treat them like the enemy. Without these amendments, this bill does absolutely nothing.

One of the biggest issues that we have is the time it takes to clear these claims. If you have all the evidence on the table, there is no more to say about this. If you have all this evidence on the table and you can't make that decision by 90 days, I have to ask what sort of department you are running. This is part of the suicides. It's because of the time it is taking to do these claims. If you really want veterans to see that you have respect for them and for everything that they've done then, for goodness sakes, 90 days is more than long enough to make a decision.

Senator BERNARDI (South Australia) (20:51): I rise to inform the Senate that I intend to support Senator Lambie's amendment. I know how passionate and intent she is and how much she cares for the welfare of veterans. The DVA of course sometimes doesn't meet the high expectations that Senator Lambie and others have of our returned service personnel. I must put on the record—I know Senator Lambie doesn't agree with me—that I struggle with the idea that someone who spends 24 hours in uniform is determined to be a veteran. Nonetheless, that is the protocols of the government has instilled. I think it's entirely reasonable that there be a legislative instrument that ensures or tries to ensure the DVA complies with a reasonable assessment and return when they're approached for assistance by those who have been prepared to give their all in service of our country. As such, I think this is a well-meaning amendment. It's worthy of consideration. I hope the government gives it due consideration. I look forward to the minister's response in that regard. Pending any further comments, it will depend on what the minister has to say.

Senator REYNOLDS (Western Australia—Minister for Defence) (20:53): I thank Senator Lambie for these amendments and I can advise that the government won't be opposing these amendments, but we do have grave concerns about the third amendment and the 90 days and Senator Lambie's rejection of clause that said 'except in exceptional circumstances', because there are circumstances—very complex cases—where these 90 days are not required. Of course, the government always wants as many of these as possible to be dealt with as expeditiously as possible.

What I would also say is that I was very privileged and very proud to have introduced this bill into this chamber on 4 July. I would like, on behalf of the government, to thank all senators who have contributed to this very important debate. The bill does create a framework in which the government, business and Australian community are able to more effectively and deliberately thank veterans for their service and acknowledge what they have done on behalf of all of us.

I'd like to thank five veterans in particular who are in this building this evening. They are five Long Tan veterans from the Vietnam War. I was deeply moved and privileged to have had the opportunity to thank each and every one of them. The first is Colonel Adrian Roberts MG OAM (Retd), who was troop commander of 3 Troop, 1 Armoured Personnel Carrier Squadron. Also joining us tonight was Lieutenant Peter Dinham, who was lieutenant and platoon commander of 2 Platoon, Alpha Company 6 RAR. I also want to thank Warrant Officer Class 1, Bob Buick, platoon commander of 11 Platoon, Delta Company 6 RAR; Flight Lieutenant Dr Bob Grandin, No. 9 Squadron RAAF; and also Private Victor Simon of 12 Platoon, Delta Company 6 RAR—one of
two Indigenous soldiers who fought in the Battle of Long Tan. Here in this chamber this evening I want to thank all of them for their service and all 108 Australian Anzacs who fought in the Battle of Long Tan. On behalf of all Australians, I say to those Vietnam veterans: thank you for your service.

This is the purpose of this bill: it provides for recognition of the sacrifice and challenges borne by both the serving member and also those closest to them, particularly the families who always make service to our nation possible. All Australians share a deep appreciation of the contribution made to our nation by our ADF, those who have defended Australia and those prepared to defend us all. The Australian people quite rightly expect that the welfare of veterans and their families should be an enduring priority for the government, and this bill highlights that priority.

With the introduction of this bill, the Australian Defence Veterans' Covenant is established. I think that is a very good thing and something that is well overdue. The Australian Defence Veterans' Covenant is a mechanism by which all Australians, from every corner of our nation, can honour a very proud military history. They can recognise the service and sacrifice of all who have committed to defend the nation and pledge their commitment to support veterans and also their families.

What some members of this chamber might not quite appreciate is that this covenant is designed to establish a new exchange of trust, of recognition and also of thanks between the Australian community and current and former serving personnel. The purpose of the covenant is to give a foundation to a cultural shift that we seek. That is a shift towards acknowledging our deep respect for those who serve and their sacrifice so that the rest of us can enjoy the freedoms we enjoy today. The covenant bill is subtle but also sophisticated in the way that it encourages us all to build a new mindset around current and ex serving personnel. The bill provides all Australians with the opportunity to see serving personnel and veterans in a new light. It answers some questions that I get often: how can we recognise the service of these men and women, and how can we do that individually?

For too long, many veterans have unintentionally fallen victim to excessive paperwork and bureaucracy. Again, this bill seeks to introduce new values, a new framework and a new cultural change within those charged with administering the bureaucracy that supports our veterans. The bill calls on decision-makers to be just, to be fair and to be consistent. It encourages a culture of constant improvement and evolution in our decision-making around Defence veterans and serving personnel, as well as promoting a more empathetic decision-making process. At its heart is a respect for all of our veterans. The covenant asks these decision-makers to evolve their decision-making and to be ever mindful of their own role in the emerging story of how our nation treats our veterans.

By introducing the covenant, the government is encouraging a cultural shift in the way the community interacts with serving personnel. We encourage all Australians to step up, to step forward and to say thank you to the men and women who have given us so much and for those today who continue to give us so much. For all of those reasons, again, I thank those in this chamber who have contributed to this debate and I commend this bill to the Senate.

Senator STEELE-JOHN (Western Australia) (20:59): I just wanted to say a couple of words in commendation of Senator Lambie and her fine work in pursuance of this amendment and advocacy in the general area of veterans’ affairs. As the recently appointed Greens’ spokesperson in the area of peace, disarmament and veterans’ affairs, I look forward with enthusiasm to a productive working relationship with Senator Lambie as we continue to cause a bit of trouble in this place in the name of folks who actually need our help.

I would finish this evening by calling the chamber’s attention to the continued absence in the Australian legislative landscape of a responsibility upon this chamber and the other place to vote when we send folks to war. This has been a great conversation about symbolism. It has been a great conversation about the importance of paying homage to and caring for and respecting our veterans, all of which is true. But I would ask both parties in this place, Labor and Liberal, to take that language through to its natural conclusion and be prepared to sign your name on the dotted line when you send our troops to war—something which is not currently required of us in this place. If we’re going to talk about our responsibility to veterans, and if we’re going to talk about the impacts of war, let’s begin right here. Let’s begin right here by passing a piece of legislation to bring us in line with the rest of the OECD and many of our so-called defence partners, such as the United States. Even the United States requires their congress to formally sign off on prolonged periods of deployment. Let us get our act together, in the names of those who have fallen and in the names of those who still fight, with the result of coming home, and let us at least be prepared to take responsibility when we put troops in harm’s way.

I commend this motion and the work of Senator Lambie to the chamber.

Senator LAMBIE (Tasmania) (21:01): Chairman, I ask that the question now be put.
The TEMPORARY CHAIR (Senator Fawcett): I think we had pretty much got to that point anyway, Senator Lambie. The question is that the amendments (1) to (3) on sheet 8718, revised, as moved by Senator Lambie be agreed to.

Question agreed to.

Bill, as amended, agreed to.

Bill reported with amendments; report adopted.

Third Reading

Senator REYNOLDS (Western Australia—Minister for Defence) (21:03): I move:

That the bill now be read a third time.

Question agreed to.

Bill read a third time.

Health Insurance Amendment (Bonded Medical Programs Reform) Bill 2019

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Senator PRATT (Western Australia) (21:03): I rise to speak on the Health Insurance Amendment (Bonded Medical Programs Reform) Bill 2019. I indicate to the chamber today that Labor is supporting this legislation. The bill amends the Health Insurance Act 1973 to legislate for a new Bonded Medical Program. This program was announced more than a year ago in the 2018-2019 budget. Under the program, up to 850 medical students a year will be offered Commonwealth-supported places at Australian universities. This is in exchange for completing return-of-service obligations in currently underserviced areas.

The new Bonded Medical Program will open in January 2020 and gradually replace the two existing bonded programs. We note on the Labor's side the government's assurances that, compared to the existing schemes, the new program is designed to streamline administrative arrangements with one statutory scheme to replace individual contracts and deeds with each participant under the current program; standardise return of service obligations with each participant to serve three years in an underserviced area within 18 years of completing their medical degree; standardise penalties for not completing return of service obligations with sanctions including repayment of Commonwealth support and nonpayment of Medicare benefits for six years; and be more responsive to changing workforce requirements with underserviced areas to be defined in new rules to be made under the act. This will allow governments to update eligible areas over time.

We note that the government is making separate but related reforms as to how underserviced areas are defined. The government has introduced a new Distribution Priority Area system, replacing the District of Workforce Shortage System for GPs. While Labor supports the reasons for the change, it was implemented with little notice to GPs and patients on July 2020, and its impacts on particular areas are still, we think, to be understood. So, we sought a briefing on this new system, including on whether it addresses workforce shortages in outer metropolitan areas as well as regional and remote and rural areas.

We welcome the fact that this bill includes transition provisions for participants in the existing programs. Some 10,000 participants are undertaking a medical degree training or return of service obligations under the current program and, with some exceptions, these participants will be able to opt into the new program from 1 January 2020.

We support this bill because it is intended to help address the shocking health inequalities in regional, remote, and rural Australia. As Labor's national platform recognises, Australians living in regional, rural and remote areas, typically, have poorer access to health services, poorer health outcomes and a lower life expectancy than those living in Australia's cities.

The Australian Institute of Health and Welfare figures show that rates of health risk factors are higher in outer regional and remote Australia, with 22 per cent smoking daily, compared to 13 per cent in cities; 68 per cent being overweight or obese, compared to 61 per cent in cities; 72 per cent doing low or no exercise, compared to 74 per cent in cities; and 24 per cent drinking at risky lifetime levels, compared to 16 per cent in our cities.

Access to health care is also poorer with lower rates of almost every health profession, including medical specialists, dentists and a range of allied health providers. I note that this also translates to the amount of Medicare rebate that's spent in Australia's rural and remote areas. As a result of these factors, the overall burden of disease is around 10 per cent higher in regional areas; 30 per cent higher in remote areas; and 70 per cent higher in very...
remote areas. Many of these deaths are preventable, with 2½ times as many potentially avoidable deaths in very remote areas than in Australia's cities.

So, while we welcome it, this bill is patently not a silver bullet for the issue of the health disparity between metropolitan, regional, rural and remote Australia. We call on the government to do much more on rural health in its third term than it's done in its first two terms. Labor stands ready to work with the government to improve the health of seven million Australians, or close to 30 per cent of all Australians, who live in rural, regional and remote Australia. Thank you.

Senator ROBERTS (Queensland) (21:09): As a servant to the people of Queensland and Australia, I rise to applaud and support the Health Insurance Amendment (Bonded Medical Programs Reform) Bill 2019. The health of bush and rural communities is important; their sense of community is so strong and appealing. I can recall being in Charleville just a couple of years ago. I had suffered an injury and was made to feel very welcome by all the staff in that small hospital. I noticed a nurse there who had lived all her life in Brisbane, in the big city, and she loved being out at Charleville. The Charleville Parade—I was there for the 150th anniversary parade, with kids running around at night, free, unhindered, and very, very safe. The townspeople, properties—very friendly, get along well together. The same can be said of Longreach and Camooweal and many other towns in rural Queensland.

After suitable consultation the government has tabled a bill that creates one single system for bonded education. That fixes a mess that Labor concocted. The provision of an increased number of places—850 annually—with a three-year service obligation, to be completed within 18 years, is a very good outcome. The longer period allows specialists to train and skill before going bush. In turn, rural and regional Queensland, and Australia, will benefit from medical professionals who have completed the long professional development that is so necessary for many specialties. Now, at first it seemed to us that three years wasn't adequate, but then we found out in our research that six years had been tried and failed—with six years, people just didn't apply, and with one year, too many applied. So, it looks like three years is a handy compromise. And 18 years seems a long time to fulfil one's bond, but when one realises that it can be very arduous to fulfil a special training area, then we were happy with that 18 years.

There were measures at first, then, that seemed to be impractical. Yet this bill covers the many varied circumstances across our diverse and large nation. We know that governments have tried, as I said, six-year service, and that deterred doctors, and one year caused a flood. Three years seems a handy compromise. One of our concerns is that medical colleges are aiming to maintain high fees for specialists, and that minimises enrolments. They choke down the number of specialists that can emerge—for example, four to six dermatologists each year. That's why we have an 18-year bottleneck. It's needed to get specialists through. Yet for real support of regions we need more-ambitious changes to address these bottlenecks.

I note that another initiative that One Nation supported—the National Rural Health Commissioner—has been successful in introducing 'rural generalist' as a career path. We look forward to the commissioner progressing next into nursing and midwifery. We like the practical changes. They're necessary. As I alluded to in my opening comments, the bush—the rural areas—are inherently a great place for raising families. Ask the owner-managers of the Chinchilla McDonald's, who moved here from Western Australia and love it in Chinchilla. The people of many regional towns and centres echo the same.

With regional centres being such wonderful communities, people may wonder why the regions are declining. the answer is easy: their livelihood is being gutted. Their productive capacity is being gutted. And what's doing that? Liberal and Labor federal and state governments are doing that. They're killing the productive capacity of our rural and regional areas—indeed, our nation. Economic mismanagement is taking many forms—for example, electricity prices hindering the Charleville abattoir, which is a wonderful innovation in killing small animals, such as goat and sheep. In Mackay we notice people suffering from high electricity prices. And it's not just families, not just individuals; it's businesses, it's clubs in North Queensland, paying huge amounts for electricity, and stores and restaurants that have freezers are really doing it tough, going out of business. Farmers in a severe drought are not planting fodder crops. That's insane.

And we've got tax policies that allow multinationals to not pay their fair share of the burden while farmers, small business, employers, families and individuals pay enormous amounts of tax. Tax, in fact, is the most destructive system in this country. I recall reading figures around the start of this century that a person on an average income, around $80,000 per year now, typically pays 68 per cent of their income to government. That's taxes, rates, fees, levies, charges, special fees, and on and on. People thought that housing was the most expensive purchase in their lives; it's not. Government is our most expensive purchase. And are we getting value? No.
Look at water policies right now, with the productive capacity of our country being eroded and the Murray-Darling Basin Plan leading to charging exorbitant prices for water. Then we've got capricious federal government acts that hinder the rural sector. These are all driving people away from making a productive lifestyle in these areas. They're under pressure, under stress. Under the Labor and Liberal governments over the last couple of decades we've had the Murray-Darling Basin Plan, horrendous, really hurting the bush; the live cattle ban under Julia Gillard's government, hurting the bush not just in the north but throughout this country; and property rights stolen by the Howard government, of all people—the Howard government. I already discussed that earlier today, but the Howard government is responsible through its agreement, first, with Rob Borbidge as National Party Premier of Queensland in 1996, following the UN Kyoto protocol; then Peter Beattie signing a deal with John Howard in 1998; then Bligh, and Palaszczuk-Trad; and also Bob Carr mirroring this in New South Wales.

Centralised bureaucratic control is another problem, with little accountability in this country. The federal government, as it gobbles up more and more of states' rights and states' duties and responsibilities, has no competition, and that means no accountability. We need to restore competitive federalism. I quote from Rebuilding the Federation, written by Richard Court, a former Liberal Premier of Western Australia, in 1994. He says: 'The driving of Commonwealth-state financial relations is the states' heavy reliance on Commonwealth funding to supplement their own source revenue. Currently, the states receive approximately 50 per cent of their total revenue from the Commonwealth.' That proportion has since increased.

In fact, I was at Balonne Shire Council in early 2017 and asked a simple question: 'What percentage of your annual revenue at the Balonne Shire Council comes from the federal government?' I was told it was 73 per cent, almost three-quarters of their revenue, and every cent comes with strings attached, with conditions. So who is really running the councils? It's the federal government. Who is running the states? It's the federal government.

The Murray-Darling Basin itself covers an area that is about 80 per cent of New South Wales. The government is allocating resources, controlling vital expenses in water and controlling property rights—indeed, separating property rights from water rights, under the 2007 Howard government act. And then we look further. As Richard Court said, 'The Commonwealth is using the external affairs power to govern Australian citizens, often rushing to sign international covenants which trample on their existing rights.' They trample on our existing rights. He said: 'These international agreements are made primarily by people outside Australia. The terms and conditions are set by officials from other countries. While Australia takes part in the negotiations, it does not exercise a dominant influence. The foreign countries do.' 'The foreign agencies do,' I would suggest, is more accurate. Richard Court goes on: 'We never see them, we never meet them and we cannot question them. Yet international covenants dictate to our Commonwealth government and the High Court and the state governments and the people what passes for governance and sovereignty in this country.'

As Marty Bella, a Central Queensland councillor and cane grower—very active now he's realised what is happening—said, and he echoed what Senator Hanson has been saying for 23 years and what I have said since learning of it around eight years ago, there is 'an ideological assault on rural Australia'. This is the result of federal agreements with UN treaties, protocols and declarations—agreements such as the Lima Declaration, signed in 1975 by Gough Whitlam, the Labor Prime Minister, and ratified the following year by his supposed archenemy, Malcolm Fraser, as Prime Minister. Then in 1992 we had the UN's Rio declaration for 21st century global governance, signed by Paul Keating's government. I will quote from the UN Agenda 21 document in a minute. Then we had the 1996 UN Kyoto agreement, under which John Howard, as Liberal Prime Minister—

The ACTING DEPUTY PRESIDENT (Senator Askew): A point of order, Senator Pratt?

Senator Pratt: My point of order relates to the senator's remarks, in relation to relevance. I may be misunderstanding the business before the Senate, but I thought we were debating the Health Insurance Amendment (Bonded Medical Programs Reform) Bill. I haven't heard any reference to the legislation before us in Senator Roberts' remarks.

Senator Seselja: On the point of order, whilst I may not agree with much of what the senator is saying at the moment, there has been a tradition in this place. I've heard many, many times senators from the opposition in particular being given a fair degree of latitude on debates of legislation. That has been the practice in this place. As much as I may not agree with Senator Roberts on much of what he was saying just then, often debate in this place goes a fair way from the absolute substance of every bill that we debate.

The ACTING DEPUTY PRESIDENT: Thank you. I call Senator Roberts.

Senator ROBERTS: Madam Acting Deputy President, through you, I'd like to address Senator Pratt's comments. It is quite clear that I referenced and referred to this bill at the start and commended the government on its actions for fixing some of the problems that Labor governments in the past have caused. I am talking particularly now about the core of that bill, which is trying to get doctors into rural areas. We know of some areas
where doctors are being enticed with salaries of $500,000 and it's still difficult to find doctors. What I'm saying is that we need to do much more than just tidy up the errors that the Labor Party developed in its past—impractical errors. I'm going to the heart of the problem with rural communities right now: the abandonment of them by the federal government.

The 1996 UN Kyoto Protocol, which I have discussed, led to the theft of property rights. If anyone wants to know the relevance of property rights, then look at any rural community in Queensland or in New South Wales. Then we had the 2015 UN Paris agreement, under Prime Minister Abbott and Prime Minister Turnbull. That was not just an agreement for every nation to do what they wanted to do. Australia legislated severe cuts while China said they would consider doing something in 30 years, maybe. Meanwhile, we destroy our industries and economy and hand the jobs to the Chinese and others.

I'd now like to quote from the UN Agenda 21 book that is driving this. Maurice Strong, the Secretary-General of the United Nations Conference on Environment and Development, said in the foreword to this instruction:

There is much to be done. And I look to the new United Nations Commission on Sustainable Development to be the focal point for the massive effort needed to create the new era of international cooperation, the new global partnership, that will make this shift possible.

We're talking here about global governance from the UN. Then we have the words of the manual itself. These are the UN's words:

Agenda 21 stands as a comprehensive blueprint for action to be taken globally—from now into the twenty-first century—by Governments, United Nations organizations, development agencies, non-governmental organizations and independent-sector groups, in every area in which human activity impacts on the environment.

That means every area of human livelihood, human existence. It goes on to say:

The Agenda should be studied in conjunction with both the Rio Declaration—which provides a context for its specific proposals—and the statement of forest principles—which is embraced by the UN—

It is hoped that the forest principles will form the basis for a future international-level agreement.

The United Nations and Maurice Strong, who was the head of that particular part of the UN at the time, has admitted to pushing for unelected socialist global governance.

How do they get away with it—stealing our country's sovereignty and destroying constitutional governance? It's easy. It preys on the party system in which both failed old parties seek to grow their parties at the country's expense. I will read from Simone Weil, the French philosopher, and her On the abolition of all political parties. Simone Weil says:

To assess political parties according to the criteria of truth, justice and the public interest, let us first identify their essential characteristics. There are three of these: 1. A political party is a machine to generate collective passions.

We can see that.

2. A political party is an organisation designed to exert collective pressure upon the minds of all its individual members.

We can see that.

3. The first objective and also the ultimate goal of any political party is its own growth, without limit.

And that is how they do it. Each party follows an agenda.

The leftovers, known as the Greens, are the UN's foot soldiers—what Lenin used to call the 'useful idiots'. And political correctness following this familiar pattern of the leftovers, known as the Greens, is thus: fabricate a problem, concoct a victim, conjure an oppressor, pretend a solution, identify an ideology to control it all, wrap it in smoke and mirrors, rope in and align potential allied victims, use political correctness to shut down debate—

The ACTING DEPUTY PRESIDENT (Senator Askew): On a point of order, Senator Watt?

Senator Watt: I realise I've only been in the chamber for a short time but I have been watching Senator Roberts's speech quite intently for some period of time. My point of order is relevance. I'm just wondering which word in the title of the bill is he speaking to, because I haven't heard anything about health, or insurance, or amendments, or bonded, or medical, or programs, or reform, or even a bill. We heard quite a lot about Agenda 21, one world government and conspiracies, but I'm failing to see the relevance to any bill that we've discussed today, let alone this bill.

The ACTING DEPUTY PRESIDENT: Thank you. I was going to say—

Senator Brockman: I rise on a point of order. As Minister Seselja pointed out earlier, these debates are wide-ranging, and Senator Roberts did link this to disadvantage in the bush. I think that the point of order is not in order.
The ACTING DEPUTY PRESIDENT: Thank you. I ask that Senator Roberts stay generally within the terms of reference.

Senator ROBERTS: Through you, a comment to Senator Watt: if he had been listening, rather than following what happens with traditional parties, he would have understood that I’m talking exactly about the core of this bill. I’m talking about rural communities that his party has neglected and, in Queensland, is neglecting right now. Shame on the Labor Party in Queensland. They use political correctness to shut down debate and silence people using labels like racist, sexist and misogynist, all in the names of victims yet designed, ultimately, to control the same victims. In this way, UN policy is taken as the basis of Greens policy. Labor piles on to get preferences, The Liberals pile on, and the Nats meekly kowtow.

Secure property rights are fundamental to freedom, fundamental to survival in the bush, fundamental to the productive capacity of the bush, and yet these are destroyed through ignorance, cowardice and gutlessness. So much for today's so-called Liberals ignoring and opposing the classical liberalism of Ludwig von Mises, Friedrich Hayek and Frederic Bastiat, to name just three, when their hero Prime Minister John Howard and his government were the very government that stole farmers' property rights to implement socialist UN policies. Worse—and I'm coming to the end—they did it in a way that deceitfully bypassed the Constitution to avoid paying farmers compensation. That's why we call for restoration or compensation on just terms, restoration or compensation from the theft of property rights. Going around the Constitution and using Labor premiers and a Liberal prime minister—these are the things that destroy the bush. These are the things that make it difficult to get doctors out into the bush. These are the things that make it difficult to get services adequately in the bush.

I didn't learn these at the University of Chicago doing my MBA. I leaned about it studying the climate scam that led to unravelling the UN's agenda to undermine the fundamentals of democratic government and Australian values, something the Labor Party doesn't stand up too proudly on.

I have made a list of eight keys to human progress. First of all is freedom, which is going backwards. The rule of law is going backwards as statutes replace common law. Constitutional succession is going backwards. Secure, free property rights are going backwards. Honest, efficient, fair taxation is going backwards. Honest money is going backwards. Strong families are being undermined by family law from Gough Whitlam's Labor government and from the UN's 'unsafe' schools. Low-cost, affordable, reliable, environmentally responsible energy is being gutted.

We have much to repair and restore. While the bonded medical programs reform is heading in the right direction, the tide of destructive economic policies is swamping the bush and regional Australia. I'm proud to say we need to reverse the flow. If we really are serious about getting doctors, medical services and other services back into the bush to support the people who have the productivity of our country at heart, we need to reverse the flow that is undermining our national sovereignty and governance. One Nation is pleased to support this bill and to work with the Liberal and Labor parties to restore our nation's productive capacity to make sure that the people right around our country have adequate medical services. Thank you.

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (21:30): I rise to make a contribution on this bill, the Health Insurance Amendment (Bonded Medical Programs Reform) Bill 2019, and to address the contribution from Senator Roberts briefly. Talking about disadvantage in the bush, you almost had me, Senator Roberts. I agree with you fully on that issue. But then you talked about a farming family moving from Western Australia to Queensland and loving it. Now, that's where it just went completely off the rails.

On this bill though, seriously, there is a problem in rural and regional Western Australia. And all those who come from Western Australia are aware of the problem. All those who come from rural and regional Australia know there is an issue that needs to be addressed. I note there are three senators from Western Australia in the chamber at the moment on this side. All of them would know very, very well indeed some of the problems and challenges we face in rural and regional Western Australia, and I note the contribution of Senator Pratt as well in regard to some of the problems that we have in rural and regional Western Australia with attracting and retaining skilled medical professionals, in particular doctors but also nurses and allied health professionals.

This has a far-reaching effect. It obviously impacts on people requiring health care in their local communities, but it also impacts on those communities themselves. When the community loses or cannot attract a doctor or a nurse, or an allied health professional in the larger centres, that reduces the size of the community. It makes it less likely to be able to attract a doctor or nurse or medical professional in the future, as the community contracts over time, as communities have done across parts of rural and regional Australia. With the effectiveness of farmers in farming the land with fewer people and with the decline of some industries, the numbers of people in certain parts of rural and regional Australia have declined, the centres of those communities have been affected and their ability to attract and retain medical professionals and therefore access adequate medical services has declined over time.
In Western Australia alone there are just over 300 medical vacancies, 115 of them being GP positions, in regional areas. I come from a regional part of Western Australia. In fact I was born in the Manjimup hospital in the deep south of Western Australia—a hospital, incidentally, that Liza Harvey, the Leader of the Opposition in Western Australia, was also born in, and I'm sure a lot of the relatives of Senator O'Sullivan were probably born in that hospital as well. It's a fine, small, regional hospital.

GPs in those country towns are of absolutely vital importance. They're such a central part of a small town's life and existence. In the city it is easy to ignore or forget or not realise what a central component to life in the bush those GPs are. And, sadly, as I've started to outline, there are towns across Western Australia where, unfortunately, attracting a GP is proving to be difficult if not impossible.

Wongan Hills in Western Australia is a town—as Senator O'Sullivan and Senator Smith would know—not very far from Perth. In fact, it's very much within driving distance: only 2½ hours away. Wongan Hills does not have a doctor to run their $1.5 million surgery. They've been trying to attract a GP since March of this year. Hopefully, that situation has been solved in the last few days and what I have in front of me here is out of date. I sincerely hope that is the case; sadly, I suspect it's probably not, because these small regional communities have a very difficult time of finding people who want to move to the bush. This is despite an extremely attractive financial package that includes a cash component, free use of a house and, of course, access to that very well-equipped $1.5 million doctor's surgery. There are around 1,400 residents living in that shire. The next closest medical centre is around an hour's drive away. This is not something that we have to deal with when we live in a major urban centre, even a major regional urban centre. But it is something that those who live in—I don't even think you could call this a remote community—a regional community have to deal with; let alone those who live in even more remote circumstances.

There are, sadly, many other areas in Western Australia struggling to find medical professionals to meet their needs. In the north, in Derby around half a million dollars a year is on offer to attract a GP. In Kalgoorlie, they cannot get enough medical professional services, and, incidentally, there's a great availability of jobs as a whole in Kalgoorlie at the moment, and a wonderful opportunity for younger Australians who want to enter what is a wonderful and dynamic community in Kalgoorlie to take a step, perhaps, out of their comfort zone, and experience a part of Australia that many wouldn't even consider in that light, because of their lack of knowledge of what it means to live and work in a regional centre. Dalwallinu is another small country town that's seeking to attract a GP, is offering a very attractive financial package, and cannot get someone.

The Bonded Medical Program, as set out in this bill and in the changes that this government is introducing, is designed to try and address some of these very real problems that are faced by Australian communities in the regions. In short, the bill amends the Health Insurance Act 1973 to introduce a statutory scheme to streamline existing bonded medical places—so this isn't reinventing the wheel—and the Medical Rural Bonded Scholarship schemes. It will require participants to complete a return-of-service program in return for a Commonwealth-supported place to study medicine. The proposed amendment promotes access and equity to health services in rural, regional and remote Australia, where there are currently less-than-adequate services. It is, in fact, part of a much larger, $500 million Stronger Rural Health Strategy announced by this government. The bill has support of key stakeholders, such as the AMA and the Australian Medical Students' Association. This is about streamlining and modernising an existing framework, and it brings existing schemes together under a single framework to move towards a single bonded medical scheme in future years. It replaces the need for individual contracts or agreements with each participant in a bonded medical program. It reduces the administrative burden by reducing and standardising the number of conditions and sanctions. It better targets the bonded medical workforce by changing workforce distribution requirements. It will also introduce and mandate the use of a web portal to improve the administrative management of the program.

It also introduces the ability for participants to seek review of certain decisions by the Administrative Appeals Tribunal. Obviously, this is something where people take these roles on, and perhaps they don't fully understand what they may be getting in for. I hope they do. From my discussions with a number of medical professional who have been through these kinds of programs, they certainly find it a very valuable and rewarding experience. But we understand that things can sometimes not go 100 per cent according to plan, and therefore a review of certain decisions by the Administrative Appeals Tribunal is an important part of these changes.

As I have stated, these changes come to schemes that have been in place for some time. The Medical Rural Bonded Scholarship Scheme commenced in 2001. It provided 100 Commonwealth-supported places each year in a medical course at an Australian university with an attached scholarship. It began its iteration as a six-year contract requiring participants to work in rural or remote areas once their fellowship was achieved. This has been closed to new entrants, but the 100 places have been added to the bonded medical places from 2016. Bonded medical places commenced in 2004. This provides a Commonwealth-supported place in a medical course in
exchange for agreement to work in an underserviced area for a length of time equivalent to the length of the medical degree. For those who joined between 2016 and 2019, the return of service is only 12 months. It is currently delivered through a complex series of contracts—in my understanding, there are around 20 contracts and deeds of agreement—which makes the system complex and makes the system outdated.

As the program has changed over time, significant differences in contractual arrangements have been developed within and across various streams. This affects the majority of participants who commence their return of service obligation. The new statutory scheme modernises and consolidates to ensure that the program is responsive to current and future workforce needs, as well as offering a modern and flexible arrangement to support the future rural medical workforce. It will not affect existing participants unless they choose for it to, so it's a voluntary, opt-in system. Participants will be required to work as medical practitioners in eligible locations for a total of three years, which must be completed within 18 years from when the participant completes their course of study.

I will note here that I think one of the key things that's been shown over the years—as various governments have quite genuinely tried to address this problem, with mixed success—is that what has proved to be successful is either training people who originated in the bush and then getting them to return to the bush or perhaps giving people who have never spent time in the bush a taste of bush life and then they find they do actually like it. That's why those three years are very important. It's important for people who commit to this program to be able to get out there into the regions and spend some time in the bush. A lot of them will fall in love with rural and regional Australia, as many of us in this place have as well.

On withdrawal costs from the scheme, if a withdrawal occurs after the second year of study or they do not complete a return of service within 18 years—if either of those conditions are met—then the participant must pay the Commonwealth costs of the person's cost of study, less the pro rata proportion of service completed, as well as the interest or cost of scholarship. Obviously, there will be those who, for whatever reason, choose not to or cannot fulfill their obligations. Medical benefits will not be payable for six years from the day a breach occurs if return of service is not completed within 18 years. There is also the potential for an administrative penalty to be imposed.

Wrapping up: a second reading amendment has been circulated. Those opposite, who have abandoned the bush for a very long time, should think very carefully about criticising this government for its level of support for those in rural and regional drought affected communities. This government over a period of time has been extraordinarily responsive to the needs of those in the bush, including through the farm household allowance, which this second reading amendment mentions. We have ensured its ongoing availability for those in drought affected areas, ensured that the length of time people are able to stay on it was increased where appropriate and ensured that those drought affected communities and drought affected shires had some direct financial assistance, assistance for fodder and the like. This government has been extraordinarily focused on and responsive to the needs of drought affected communities across Australia. I think it is slightly churlish of those opposite to propose this second reading amendment on this bill—a bill unrelated to drought relief; a bill about getting more doctors into the bush. On that, I thank you.

Senator DEAN SMITH (Western Australia—Chief Government Whip in the Senate) (21:46): I also rise this evening before the adjournment debate to make some comments on the Health Insurance Amendment (Bonded Medical Programs Reform) Bill 2019. Before I go to the substantive matter I want to reflect on some comments that Senator Roberts made. Senator Roberts shared with the Senate chamber a scorecard for human progress when it comes to respecting and upholding civil liberties. I'm not too sure I agree with Senator Roberts. On a number of scores he talked about things going backwards. There was an important score that he failed to mention, and it goes to the heart of this bill and to the heart of regional representation in this chamber. It goes to the backwards performance of the Australian Labor Party in Queensland. I make this contribution knowing full well that Senator Watt is in the chamber tonight.

Senator Watt: Arrogance!

Senator DEAN SMITH: I have woken Senator Watt from his slumber. It's worth reminding the Senate chamber that the ALP returned 13 senators nationally—

Senator Watt: I was reading about the terrible things you were doing with robodebt.

Senator DEAN SMITH: No, sorry. I apologise. He's definitely awake. The ALP returned 13 senators nationally, returning only one senator from Queensland. Queensland recorded its worst Senate result since when? 1949.

Senator Watt: Madam Acting Deputy President, I have a point of order on hubris. I'm not sure that it serves Senator Dean Smith very well to be demonstrating this level of arrogance. I ask him to reconsider.
The ACTING DEPUTY PRESIDENT (Senator Askew): I don't think there's a point of order on that.

Senator DEAN SMITH: On this side of the chamber we call it humility. It is important to make this point because it goes to the heart of this issue—regional representation and the extent to which people who come to the Senate representing regional areas either mock the contributions of people like Senator Roberts or fail to make solid contributions of their own.

I have two other points on the performance of the Australian Labor Party in Queensland. We all know that Queensland is one of the most regionally diverse states in Australia—I think probably second only to Tasmania. So the issues that we’re talking about in this particular bill, which is about addressing workforce shortages in rural communities, are very important. When people listen to the contribution of Labor senators tonight and tomorrow they should bear these electoral statistics in mind. I have two final statistics before I go to the heart of what we're talking about here.

The first point is that the ALP received their lowest primary vote in 85 years, recording only 33.3 per cent in 2019. Their worst result was in 1934 with 26.8 per cent. Finally, the ALP preference flow in Senator Watt’s home state of Queensland fell from 57.9 per cent in 2016 to just 50.2 per cent in 2019. The coalition gained the seats of Longman, with a swing of plus four per cent, and Herbert, with a swing of plus eight per cent, leaving the ALP with only six out of the 30 seats in Queensland. That's a very important point when you think about those 30 seats in Queensland and the number of seats that are predominantly regional seats.

Moving to the substantive issue this evening, I'm drawn to this particular debate because I want to reflect on an article that was published—

Debate interrupted.

SENATE
Monday, 29 July 2019

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Askew) (21:50): Order! I propose the question:

That the Senate do now adjourn.

Neville, Mr Paul Christopher

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia and Deputy Leader of The Nationals in the Senate) (21:50): I rise tonight to express my condolences on the passing of Paul Neville, a former member for Hinkler in the other place. Paul passed away in the early hours of New Year’s Day earlier this year. We've not had too many sittings this year and I've been waiting for some time to pay my tribute to him in this place.

Paul was a true gentleman, a friend and someone you just enjoyed being around. He was the kind of person that makes this crazy place in Canberra bearable. We miss him greatly in the Nationals party room. Our Christmas parties have not quite been the same without Paul. We in the National Party have always had a tradition of making our Christmas parties fancy dress, but it was Paul who took things to another level. There was a famous photo of Paul dressed at one of these parties in full lederhosen costume, knee-high socks and all. He's probably about 70 in the photo but he has the grin of a seven-year-old. Paul made everything seem more fun. Paul once told me a great story of the first time he missed a vote. He had ducked out of the parliament to arrange that year’s fancy-dress costume. He got a call from the whip asking where he was. When he replied, 'Fyshwick,’ I am not sure the whip was very amused. When he followed up that he was choosing a fancy-dress costume in Fyshwick, things probably went from bad to worse.

Paul could always get a laugh, and he enjoyed making others happy. He was a glue for our party and could take the tension out of any situation. But Paul was not a clown. He was a wit. He was one of the most switched on parliamentarians I have known. He could quote poetry and Shakespeare at the drop of a hat. That was probably because he was a frustrated thespian. He loved the arts. Paul's first career was in the arts. He was the first full-time CEO of the Arts Council of Australia in Brisbane. He later worked in a cinema and was a partner in a drive-in movie theatre. I think those skills served him well in this place, where telling a story is part of the role.

Before Paul served as a member he worked in regional development for the Bundaberg region. His understanding and passion for this work is what helped Paul win close election after close election. He ended up serving as the member for Hinkler for 21 years. In fact, Paul first ran for political office in 1969, losing the seat of Wide Bay. He would wait another 23 years to run again, and we in the National Party are very glad that he persisted.

Paul made enormous contributions to highlighting the infrastructure needs of regional Australia, especially communications. He was the go-to guy in our party room for all matters relating to communications and broadcasting. He was a tireless advocate for the Inland Rail project. In his last speech he mentioned that his children had promised him a trip on the inland rail for his 110th birthday present. It's sad that Paul won't be able to
make that trip, but he did live to see the coalition government commit to building the inland rail, and we certainly plan to have it done long before 2050.

Notwithstanding our investment in infrastructure, there has, unfortunately, not been progress on regional broadcasting, another of Paul's passions. In his last speech he warned of the dangers of removing the two-out-of-three rule, which restricts media from owning too many different broadcasting outlets in one region. Unfortunately, some of Paul's concerns have been vindicated through the continual removal of regional broadcasting services or their syndication from a faraway centre. Paul had incredibly loyal staff, many of whom still work in this place. One of his staff, Kate Barwick, works for me. Paul's influence in this place remains, and he will continue to be a role model for what a good local member should be.

Paul gave one of the greatest valedictory speeches I have ever heard in this place. He always had a lot of important things to say. Even though, in this place, time constraints are relaxed for valedictories, there is some notion that you can't speak forever when there are speakers to come after you. His valedictory, however, in Bundaberg had no such constraints. His resulting 77-minute speech will not be one I will forget in a hurry. I can distinctly remember Paul, at about the 40-minute mark, mentioning, 'I will finish on this point.' That point went on for another half an hour. The next time I saw Paul was at the ordination of the Bishop of Rockhampton, Michael McCarthy. As we left the church after a three-hour service, I turned to Paul and said, 'Mate, that was nearly as long as your last speech!'

Paul was a man of great faith and resolve. He exhibited the true ideals of the Catholic faith. He cared for those less fortunate than him, he was humble and, of course, he had a large family of five kids. In one of my last conversations with Paul he asked me, 'How many kids do you have now?' When I replied, 'Five,' he, as quick as a fox, replied with, 'Well, you're either a committed Catholic or lapsed Protestant!'

Paul's true love was his family. His wife, Margaret, was as much a part of his success as were his own efforts. They were a true political team. Margaret was as well-known around the electorate as Paul and, given how many close elections Paul survived, I think it is true to say that, without Margaret, he would not have survived. But Paul did serve to win elections; he served to help people. We miss him greatly in the Nationals party room. He remains an template for us all to imperfectly strive towards. I know that his wife, Margaret, and his family miss him, too. There is some solace, however, in remembering how many lives he enriched and how many lives his example continue to shape. Vale Paul Neville.

Housing

Senator O'NEILL (New South Wales) (21:55): From across the chamber, I acknowledge the passing of a person who was determined to serve this nation. It's a great honour to do it and it is a great commitment for your family to enable you to do it.

The work that we do here does matter. This evening I want to raise concern about the nature of the work of the current government, the new Morrison government. Another day has gone past and another occasion upon which this government has failed to adequately respond to a critical issue for Australia right now, and that is the public safety concerns around housing. There's no agenda on the horizon, from what we can see, about the responsibility to protect people in what they comfortably know, for the most part, as their own home. We saw the failure of this government immediately in this month's Building Ministers' Forum where it failed to address legacy issues in the building industry and, instead, offered only a modicum of regulation on new buildings, offering no relief to the plethora of current buildings that are in strife.

Last Christmas, and I say this as a senator from the great state of New South Wales, the country watched in horror as residents of Sydney's Opal Tower were evacuated as cracks crept up the walls of their homes and threatened to destroy the building itself. Now, only a few months later, we have seen another Sydney tower block, in Mascot, evacuated due to similar shoddy building practices. This epidemic of dodgy development isn't confined to Sydney alone, but I do know from my conversations with the new leader of Labor in New South Wales, Jodi McKay, the member for Strathfield, that she is very concerned about the failure of the Liberal government in that state to own up to not paying attention while these buildings were under construction and currently failing to deal with the reality that people are at risk in their homes. But it's not just Sydney, and that's why it matters what happens here in Canberra as well. In Melbourne, flames engulfed the cladding of the 43-storey Neo200 building in February, and last year incomplete grouting in Central Melbourne's Collins Arch project caused the pre-cast concrete columns to crumble.

There is a crisis on our building sites across the nation. Every Australian should feel safe in their own home. A home is somewhere to relax after a tough day at work. It's somewhere to raise your family, to build memories, to be a sanctuary against the slings and arrows of the outside world. No Australian home should make their owner fear for their safety; nor should any Australian be forced to live for weeks out of a hotel room, fearing that their
home is going to collapse. The Morrison government has, instead, ruled out any federal funding to remove cladding, despite the horrors of the Grenfell Tower disaster in the UK and this year's Neo200 fire in Melbourne.

Only last week, in my beloved home place of Robertson on the Central Coast, the Erina ice rink has been forced to close for at least a year due to the concerns over dangerous and possibly flammable cladding. The disaster of that in terms in a public health risk is one thing, but behind the inability to access that service is some young person's dream of success or some family's practice of providing opportunity for their son or daughter to grow their skills. They won't be able to access that building because the supervision of it has been so grossly inadequate that its safety is now an issue and it's too dangerous for people to actually use the building for the purpose for which it was designed. That is a failure that should not be happening in Australia in the 21st century.

In New South Wales the Berejiklian government has also failed to adequately respond to any of the crises in the building industry in Sydney despite the clear case for action and, unlike the government in Victoria, the Berejiklian government hasn't announced any money to replace dangerous and flammable cladding.

The 2018 Shergold Weir report identified many problems with state enforcement of building codes, saying that intervention by state governments is rare and that enforceable is lax with very few providers having their licences revoked. And, in some cases, we've been hearing that licencing simply doesn't exist.

The construction industry amounted to about eight per cent of Australia's GDP last year. It's the biggest non-service sector of our economy, employing about 1.1 million Australians, and people who work in this industry are rightly proud of the great work they do, the buildings that they build for Australians to live and work in safely, to recreate in. They go with the best intent, delivering what is enabled and allowed by the laws and regulations of this time. It's the regulations that are failing, not good hardworking Australians.

This is an important sector in our economy. It cannot be allowed to have the confidence in it undermined or to maintain outdated and dangerous practices. This has caused such a crisis that many insurers now have refused to renew indemnity policies for many building certifiers or they've flagged an increase in premiums due to a flood of claims. So, for some certifiers, premiums have jumped by over 300 per cent in this last year alone. That is drastically increasing the cost of doing business.

Labor understands that reform must be led from this federal government and that it must be uniform across the nation. A house is a house is a house no matter what state or territory you live in. Conditions of safety are required for every family and every workplace. And that's why Labor supports commonsense reform, such as introducing direct identification numbers to help catch dodgy phoenixing directors, to improve compliance with the National Construction Code and to toughen up penalties for noncompliance. These are essential changes that the federal government could take right away to ensure that bad apples in the industry are punished and that key points of the broken regulatory framework are fixed. But have we seen any action from this government in responding to the crisis that people are facing across this nation as homes around them are so unstable that they're forced to move out with their children and live in temporary motel-like accommodation with sometimes $700,000 or $800,000 worth of mortgage still hanging over their head and the cost of remediation being targeted at them?

This disaster is on the watch of two Liberal governments at state and federal levels. This crisis needs a revolution in both the culture and the practices in the building industry which have for too long clearly rewarded greed and speed at the cost of the very inhabitants of the buildings that were being constructed. The government needs to show leadership and to send a clear message to those who would endanger lives by cutting corners, cutting costs. We're not a Third-World set of practices here in building. We will not stand for this malfeasance any longer.

When this government and the New South Wales government defend the indefensible, remember this reality of homes literally falling apart has happened because there were safety provisions that they allowed to slip away in the name of reducing red tape. They sold off community safety to the highest bidder, to the loudest voices and to the most unscrupulous, and the price of their red tape reduction is far too high. Ask the families who once lived in Sydney's Opal Tower.

The reforms that we need cannot be piecemeal. Shameful practices cannot be allowed to flourish in any state or territory and, instead, they must be stamped out nationwide. The Morrison government cannot continue to abrogate its responsibility to safeguard the lives and wellbeing and property of Australians. Scott Morrison and Minister Andrews can no longer ignore the actions of dodgy operators and cowboys in the building industry. On behalf of the people of New South Wales, whose requests are falling on deaf ears in the Berejiklian government, and also here in Canberra, I call once again, urgently, on Minister Andrews and Prime Minister Scott Morrison to enact a coherent package of reforms, one modelled on that recommended by the Shergold-Weir report, and ensure that Australians buying their homes in good faith will not have their property and their dreams crumble around
them. We cannot let another disaster like the Opal Tower, or something even worse, like the Grenfell Tower disaster, occur in an Australian city. The time to act is now. The Prime Minister should move on this issue.

**Newstart Allowance**

Senator SIEWERT (Western Australia—Australian Greens Whip) (22:05): I rise tonight to share further accounts of people’s lived experience of Newstart. I promised I would continue to share these accounts in the chamber. This week, I share older Australians’ experiences struggling to survive on Newstart. There are now more unemployed workers aged between 55 and 64 receiving Newstart than any other cohort. In December last year, there were 173,196 people between the ages of 55 and 64 struggling on Newstart. Older Australians are more likely to experience long-term unemployment: around 25 per cent of people aged between 55 and 64 have been unemployed for two years or more, compared to only 13 per cent of people aged between 25 and 34. We know that the longer people are out of work, the lower their chances of gaining employment. It becomes more and more difficult.

This government talks about helping unemployed workers into jobs, but is it really helping these groups who are most at risk of long-term unemployment? Last year, a Senate inquiry into jobactive found mature-aged unemployed workers aren’t being supported by their jobactive providers to find employment, and that jobactive services and mutual obligations are currently not tailored to mature-aged workers. The inquiry heard evidence that jobactive doesn’t recognise the age discrimination experienced by mature-aged workers, and that jobactive staff don’t have enough tools or resources to manage their older unemployed workers. This situation is made even worse by the additional barriers older people face when engaging in the workforce. Some of these barriers include age discrimination, health issues, disability, skills, and education. In 2018, the Australian Human Resources Institute, in partnership with the Australian Human Rights Commission, undertook a survey of older workers. The survey found that up to 30 per cent of Australian employers are still reluctant to hire workers over a certain age, and that, for more than two-thirds of this group, that age was over 50. Before receiving Newstart, everyone is subject to an income and liquid assets test, having to use up most of their savings before being able to access Newstart. Older workers are therefore put in a terrible situation where they have to use up most of their savings and then try to survive on Newstart. And, even if they find work, after being out of work—as I’ve just said, for a lot of them, it’s after more than two years without work—they then face an uphill battle to find financial security before their retirement. Or they have to keep on working.

I’ll now share some of those experiences of older workers on Newstart. One person simply said: ‘I'm 59 years old, on Newstart, living in a tent with my two dogs, because I can’t afford to live anywhere else.’ Another said: ‘My husband is nearly 64. I am 61. We are both on Newstart, renting. Life is tough, going through our savings. We deserve better.’ One person described how visiting their GP was a luxury while living on Newstart: ‘Thank you for sticking up for Newstart recipients. Sadly, I’m one of those. My husband passed away six years ago this Christmas. As an older Australian on a widow’s allowance (which, by the way, is the same as Newstart) I have been discriminated by age and health issues preventing me from gaining any employment. Adding to the stress, I’ve returned a positive test from my bowel screen and I find out that, when I have my preadmission appointment, I will be required to pay $137. I will get $62 back and will be out of pocket $75. It has also become a luxury to visit my GP. Like many other things on Newstart, everything is going up and I will use my food money for the preadmission appointment. This becomes a common occurrence for many Newstart recipients—rob Peter to pay Paul.’

I heard from many people about how the low level of Newstart is exacerbating mental and physical health issues. Somebody wrote: ‘I am 61. I have been on Newstart for three years since I got sick. I will never get well again. My Centrelink medical exemption ended a couple of months ago. They say I can work two days a week. I literally can’t. I can’t even clean my unit and have to pay privately for help at home. I’ve been trying to complete an application for DSP for nearly a year. I don’t have help and can’t get any help to do it. I’m just too sick to do it but somehow I am supposed to work two days a week. It’s getting to the point where I will be cut off Centrelink by the job agency for not looking for work.’

Other people spoke about the significant stress they felt while having to survive on Newstart: ‘The stress I’ve suffered being on this chronically low income for seven years, I believe, was responsible in a significant part for my heart attack and stroke suffered at 62 years of age. The stress and worry can be so debilitating, and depression comes to the fore. For God’s sake, an increase is desperately needed.’

Another person wrote: ‘I was on the widow’s pension for four years from the age of 61 to 65, which was the same as Newstart—less than $300 a week. I held down a full-time corporate job for 22 years but had a mini breakdown. Luckily I was in subsidised housing, otherwise it would have been desperation in the extreme. Older people get so much discrimination. I did supplement this with going back to uni at 50. Even at Centrelink, I heard one of the younger staff say, 'Not another one to support.' Just so hurtful! They forget that I've worked since I was
17 and paid more than my share of taxes. I just found the staff had picked up on hostility of the government toward the unemployed.'

I also heard from older Australians who have repeatedly been rejected for the disability support pension: 'Nobody survives on Newstart. You just scrape by, payment to payment. I've applied for a DSP six times over the past five years and been knocked back each time without any explanation. I experienced PTSD from the Black Saturday bushfires. I had a stroke due to stress and burnout. I then had a total breakdown due to PTSD and was advised by my doctors and medical teams that my working life had finished. I was a mental health case manager for over 20 years and worked in Healesville. I moved to South Gippsland in 2012 at the age of 57 into forced medical retirement.'

I then heard from another person who wanted to remain anonymous, so I'm just going to summarise instead of reading out what they wrote. They told me about how the husband had to give up work to look after his wife, who was chronically ill. He became her full-time carer. For a small while, they had some income protection, but that ran out, and then they had to go onto Newstart. They talk about how their Newstart payments don't help them cover the cost of the mortgage, how they may lose their home and how then they have no history of renting. They are very concerned about whether they will be able to afford to get a rental property. They are both over the age of 50. They wonder about their future.

Older unemployed workers across this country are doing it tough on Newstart. They juggle health issues and caring responsibilities. They're the classic generation who are still potentially looking after their older parents and younger grandchildren. They are discriminated against in the workplace, and this is ongoing. They are entering into retirement on the Newstart payment, having used up their savings. They are living in poverty. They are ageing into retirement in poverty. We know single women are one of the highest-growing cohort of homeless people because they can't find work, because they don't have superannuation. They may have had a split-up and don't own a home. People having to exist and survive on this low level of Newstart are then condemned. Older Australians living on Newstart are condemned to living in poverty for the rest of their lives. Newstart is too low. It needs to be increased by at least $75 a day. It should be a top priority for this government to increase Newstart by at least $75 a day.

Senate adjourned at 10:15