



COMMONWEALTH OF AUSTRALIA

# SENATE

## Hansard

**TUESDAY, 17 JUNE 2014**

### **CORRECTIONS**

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**Tuesday, 24 June 2014**

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BY AUTHORITY OF THE SENATE

# PROOF

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### SITTING DAYS—2014

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

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**FORTY-FOURTH PARLIAMENT  
FIRST SESSION—THIRD PERIOD**

**Governor-General**

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

**Senate Office holders**

*President*—Senator Hon. John Joseph Hogg

*Deputy President and Chair of Committees*—Senator Stephen Parry

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

*Leader of the Government in the Senate*—Senator Hon. Eric Abetz

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

*Leader of the Opposition in the Senate*—Senator Hon. Penny Wong

*Deputy Leader of the Opposition in the Senate*—Senator the Hon Stephen Conroy

*Manager of Government Business in the Senate*—Senator Hon. Mitchell Peter Fifield

*Manager of Opposition Business in the Senate*—Senator Claire Moore

**Senate Party Leaders and Whips**

*Leader of the Liberal Party in the Senate*—Senator Hon. Eric Abetz

*Deputy Leader of the Liberal Party in the Senate*—Senator Hon. George Henry Brandis QC

*Leader of The Nationals in the Senate*—Senator Hon. Nigel Scullion

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

*Leader of the Australian Labor Party*—Senator the Hon Penny Wong

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

*Leader of the Australian Greens*—Senator Christine Anne Milne

*Chief Government Whip*—Senator Helen Kroger

*Deputy Government Whips*—Senators Christopher John Back and David Christopher Bushby

*Chief Opposition Whip*—Senator Anne McEwen

*Deputy Opposition Whips*—Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart

*Australian Greens Whip*—Senator Rachel Siewert

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### Members of the Senate

Senator	State or Territory	Term expires	Party
Abetz, Hon. Eric	TAS	30.6.2017	LP
Back, Christopher John	WA	30.6.2017	LP
Bernardi, Cory	SA	30.6.2014	LP
Bilyk, Catryna Louise	TAS	30.6.2014	ALP
Birmingham, Simon John	SA	30.6.2014	LP
Bishop, Thomas Mark	WA	30.6.2014	ALP
Boswell, Hon. Ronald Leslie Doyle	QLD	30.6.2014	NATS
Boyce, Suzanne Kay	QLD	30.6.2014	LP
Brandis, Hon. George Henry, QC	QLD	30.6.2017	LP
Brown, Carol Louise	TAS	30.6.2014	ALP
Bushby, David Christopher	TAS	30.6.2014	LP
Cameron, Douglas Niven	NSW	30.6.2014	ALP
Carr, Hon. Kim John	VIC	30.6.2017	ALP
Cash, Michaelia Clare	WA	30.6.2014	LP
Colbeck, Hon. Richard Mansell	TAS	30.6.2014	LP
Collins, Jacinta Mary Ann	VIC	30.6.2014	ALP
Conroy, Hon. Stephen Michael	VIC	30.6.2017	ALP
Cormann, Mathias Hubert Paul	WA	30.6.2017	LP
Dastyari, Sam <sup>(8)</sup>	NSW	30.6.2017	ALP
Di Natale, Richard	VIC	30.6.2017	AG
Edwards, Sean	SA	30.6.2017	LP
Eggleston, Alan	WA	30.6.2014	LP
Farrell, Donald Edward	SA	30.6.2014	ALP
Faulkner, Hon. John Philip	NSW	30.6.2017	ALP
Fawcett, David Julian	SA	30.6.2017	LP
Fierravanti-Wells, Concetta Anna	NSW	30.6.2017	LP
Fifield, Mitchell Peter	VIC	30.6.2014	LP
Furner, Mark Lionel	QLD	30.6.2014	ALP
Gallacher, Alexander McEachian	SA	30.6.2017	ALP
Hanson-Young, Sarah Coral	SA	30.6.2014	AG
Heffernan, Hon. William Daniel	NSW	30.6.2017	LP
Hogg, Hon. John Joseph	QLD	30.6.2014	ALP
Johnston, Hon. David Albert Lloyd	WA	30.6.2014	LP
Kroger, Helen	VIC	30.6.2014	LP
Lines, Susan <sup>(6)</sup>	WA	30.6.2017	ALP
Ludlam, Scott	WA	30.6.2014	AG
Ludwig, Hon. Joseph William	QLD	30.6.2017	ALP
Lundy, Kate Alexandra	ACT		ALP
Macdonald, Hon. Ian Douglas	QLD	30.6.2014	LP
McEwen, Anne	SA	30.6.2017	ALP
McKenzie, Bridget	VIC	30.6.2017	NATS
McLucas, Hon. Jan Elizabeth	QLD	30.6.2017	ALP
Madigan, John Joseph	VIC	30.6.2017	DLP
Marshall, Gavin Mark	VIC	30.6.2014	ALP
Mason, Hon. Brett John	QLD	30.6.2017	LP
Milne, Christine Anne	TAS	30.6.2017	AG
Moore, Claire Mary	QLD	30.6.2014	ALP
Nash, Fiona Joy	NSW	30.6.2017	NATS
O'Neill, Deborah <sup>(10)</sup>	NSW	30.6.2014	ALP
O'Sullivan, Barry James <sup>(7)</sup>	QLD	30.6.2014	NATS
Parry, Stephen Shane	TAS	30.6.2017	LP
Payne, Marise Ann	NSW	30.6.2014	LP
Peris, Nova Maree AOM	NT		ALP
Polley, Helen Beatrice	TAS	30.6.2017	ALP
Pratt, Louise Clare	WA	30.6.2014	ALP
Rhiannon, Lee	NSW	30.6.2017	AG
Ronaldson, Hon. Michael	VIC	30.6.2017	LP
Ruston, Anne Sowerby <sup>(5)</sup>	SA	30.6.2017	LP
Ryan, Scott Michael	VIC	30.6.2014	LP

Senator	State or Territory	Term expires	Party
Scullion, Hon. Nigel Gregory	NT		CLP
Seselja, Zdenko Matthew	ACT		LP
Siewert, Rachel Mary	WA	30.6.2017	AG
Singh, Hon. Lisa Maria	TAS	30.6.2017	ALP
Sinodinos, Arthur <sup>(1)</sup>	NSW	30.6.2014	LP
Smith, Dean Anthony <sup>(2)</sup>	WA	30.6.2017	LP
Stephens, Hon. Ursula Mary	NSW	30.6.2014	ALP
Sterle, Glenn	WA	30.6.2017	ALP
Thorp, Lin Estelle <sup>(3)</sup>	TAS	30.6.2014	ALP
Tillem, Mehmet <sup>(9)</sup>	VIC	30.6.2014	ALP
Urquhart, Anne Elizabeth	TAS	30.6.2017	ALP
Waters, Larissa Joy	QLD	30.6.2017	AG
Whish-Wilson, Peter Stuart <sup>(4)</sup>	TAS	30.6.2014	AG
Williams, John Reginald	NSW	30.6.2014	NATS
Wong, Hon. Penelope Ying Yen	SA	30.6.2014	ALP
Wright, Penelope Lesley	SA	30.6.2017	AG
Xenophon, Nicholas	SA	30.6.2014	IND

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

Territory	Senator	Party	Senator	Party
Australian Capital Territory	Lundy, K.	ALP	Seselja, Z.M.	LP
Northern Territory	Scullion, N. G.	CLP	Peris, N.M.	ALP

- (1) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice H. Coonan, resigned 22.8.11), pursuant to section 15 of the Constitution.
- (2) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice J. Adams, died in office 31.3.12), pursuant to section 15 of the Constitution.
- (3) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. N. Sherry, resigned 1.6.12), pursuant to section 15 of the Constitution.
- (4) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. B. Brown, resigned 15.6.12), pursuant to section 15 of the Constitution.
- (5) Chosen by the Parliament of South Australia to fill a casual vacancy (vice M. J. Fisher, resigned 15.8.12), pursuant to section 15 of the Constitution.
- (6) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice C. Evans, resigned 12.4.13), pursuant to section 15 of the Constitution.
- (7) Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Joyce, resigned 8.8.13), pursuant to section 15 of the Constitution.
- (8) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice M. Thistlethwaite, resigned 9.8.13), pursuant to section 15 of the Constitution.
- (9) Chosen by the Parliament of Victoria to fill a casual vacancy (vice D. Feeney, resigned 12.8.13), pursuant to section 15 of the Constitution.
- (10) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr, resigned 24.10.13), pursuant to section 15 of the Constitution.

#### PARTY ABBREVIATIONS

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

**Heads of Parliamentary Departments**

Clerk of the Senate—R Laing

Clerk of the House of Representatives—D Elder

Secretary, Department of Parliamentary Services—C Mills

Parliamentary Budget Officer—P Bowen

## ABBOTT MINISTRY

Title	Minister
<b>Prime Minister</b>	The Hon Tony Abbott MP
<b>Minister for Indigenous Affairs</b>	Senator the Hon Nigel Scullion
<i>Minister Assisting the Prime Minister for the Public Service</i>	<i>Senator the Hon Eric Abetz</i>
<i>Minister Assisting the Prime Minister for Women</i>	<i>Senator the Hon Michaelia Cash</i>
<i>Parliamentary Secretary to the Prime Minister</i>	<i>The Hon Josh Frydenberg MP</i>
<i>Parliamentary Secretary to the Prime Minister</i>	<i>The Hon Alan Tudge MP</i>
<b>Minister for Infrastructure and Regional Development</b> (Deputy Prime Minister)	The Hon Warren Truss MP
Assistant Minister for Infrastructure and Regional Development	The Hon Jamie Briggs MP
<b>Minister for Foreign Affairs</b>	The Hon Julie Bishop MP
<b>Minister for Trade and Investment</b>	The Hon Andrew Robb AO MP
<i>Parliamentary Secretary to the Minister for Foreign Affairs</i>	<i>Senator the Hon Brett Mason</i>
<b>Minister for Employment</b> (Leader of the Government in the Senate)	Senator the Hon Eric Abetz
Assistant Minister for Employment (Deputy Leader of the House)	The Hon Luke Hartsuyker MP
<b>Attorney-General</b>	Senator the Hon George Brandis QC
<b>Minister for the Arts</b> (Vice-President of the Executive Council) (Deputy Leader of the Government in the Senate)	Senator the Hon George Brandis QC
Minister for Justice	The Hon Michael Keenan MP
<b>Treasurer</b>	The Hon Joe Hockey MP
<b>Minister for Small Business</b>	The Hon Bruce Billson MP
Acting Assistant Treasurer	Senator the Hon Mathias Cormann
<i>Parliamentary Secretary to the Treasurer</i>	<i>The Hon Steven Ciobo MP</i>
<b>Minister for Agriculture</b>	The Hon Barnaby Joyce MP
<i>Parliamentary Secretary to the Minister for Agriculture</i>	<i>Senator the Hon Richard Colbeck</i>
<b>Minister for Education</b> (Leader of the House)	The Hon Christopher Pyne MP
Assistant Minister for Education	The Hon Sussan Ley MP
<i>Parliamentary Secretary to the Minister for Education</i>	<i>Senator the Hon Scott Ryan</i>
<b>Minister for Industry</b>	The Hon Ian Macfarlane MP
<i>Parliamentary Secretary to the Minister for Industry</i>	<i>The Hon Bob Baldwin MP</i>
<b>Minister for Social Services</b>	The Hon Kevin Andrews MP
Assistant Minister for Social Services (Manager of Government Business in the Senate)	Senator the Hon Mitch Fifield
Minister for Human Services	Senator the Hon Marise Payne
<i>Parliamentary Secretary to the Minister for Social Services</i>	<i>Senator the Hon Concetta Fierravanti-Wells</i>
<b>Minister for Communications</b>	The Hon Malcolm Turnbull MP
<i>Parliamentary Secretary to the Minister for Communications</i>	<i>The Hon Paul Fletcher MP</i>
<b>Minister for Health</b>	The Hon Peter Dutton MP
<b>Minister for Sport</b>	The Hon Peter Dutton MP
Assistant Minister for Health	Senator the Hon Fiona Nash

Title	Minister
<b>Minister for Defence</b>	Senator the Hon David Johnston
Minister for Veterans' Affairs	Senator the Hon Michael Ronaldson
<i>Minister Assisting the Prime Minister for the Centenary of ANZAC</i>	<i>Senator the Hon Michael Ronaldson</i>
Assistant Minister for Defence	The Hon Stuart Robert MP
<i>Parliamentary Secretary to the Minister for Defence</i>	<i>The Hon Darren Chester MP</i>
<b>Minister for the Environment</b>	The Hon Greg Hunt MP
<i>Parliamentary Secretary to the Minister for the Environment</i>	<i>Senator the Hon Simon Birmingham</i>
<b>Minister for Immigration and Border Protection</b>	The Hon Scott Morrison MP
Assistant Minister for Immigration and Border Protection	Senator the Hon Michaelia Cash
<b>Minister for Finance</b>	Senator the Hon Mathias Cormann
Special Minister of State	Senator the Hon Michael Ronaldson
<i>Parliamentary Secretary to the Minister for Finance</i>	<i>The Hon Michael McCormack MP</i>

Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans' Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.



## SHADOW MINISTRY

Title	Shadow Minister
<b>Leader of the Opposition</b>	<b>Hon Bill Shorten MP</b>
<b>Shadow Minister Assisting the Leader for Science</b>	<b>Senator the Hon Kim Carr</b>
Shadow Minister Assisting the Leader for Small Business	Hon Bernie Ripoll MP
<i>Shadow Parliamentary Secretary for Small Business</i>	<i>Julie Owens MP</i>
<i>Shadow Cabinet Secretary</i>	<i>Senator the Hon Jacinta Collins</i>
<i>Shadow Parliamentary Secretary to the Leader of the Opposition</i>	
<i>Shadow Parliamentary Secretary to the Leader of the Opposition</i>	<i>Hon Michael Danby MP</i>
<i>Shadow Parliamentary Secretary to the Leader of the Opposition</i>	<i>Dr Jim Chalmers MP</i>
<b>Deputy Leader of the Opposition</b>	<b>Hon Tanya Plibersek MP</b>
<b>Shadow Minister for Foreign Affairs and International Development</b>	
Shadow Minister for Women	Senator Claire Moore
Manager of Opposition Business (Senate)	
Shadow Minister for the Centenary of ANZAC	Senator the Hon Don Farrell
<i>Shadow Parliamentary Secretary for Foreign Affairs</i>	<i>Hon Matt Thistlethwaite MP</i>
<b>Leader of the Opposition in the Senate</b>	<b>Senator the Hon Penny Wong</b>
<b>Shadow Minister for Trade and Investment</b>	
<i>Shadow Parliamentary Secretary for Trade and Investment</i>	<i>Dr Jim Chalmers MP</i>
<b>Deputy Leader of the Opposition in the Senate</b>	<b>Senator the Hon Stephen Conroy</b>
<b>Shadow Minister for Defence</b>	
Shadow Assistant Minister for Defence	Hon David Feeney MP
Shadow Minister for Veterans' Affairs	Senator the Hon Don Farrell
<i>Shadow Parliamentary Secretary for Defence</i>	<i>Gai Brodtmann MP</i>
<b>Shadow Minister for Infrastructure and Transport</b>	<b>Hon Anthony Albanese MP</b>
<b>Shadow Minister for Tourism</b>	
Shadow Minister for Regional Development and Local Government	Hon Julie Collins MP
<i>Shadow Parliamentary Secretary for Regional Development and Infrastructure</i>	<i>Allanah MacTiernan MP</i>
<i>Shadow Parliamentary Secretary for Western Australia</i>	
<i>Shadow Parliamentary Secretary for External Territories</i>	<i>Hon Warren Snowdon MP</i>
<b>Shadow Treasurer</b>	<b>Hon Chris Bowen MP</b>
Shadow Assistant Treasurer	Hon Dr Andrew Leigh MP
Shadow Minister for Competition	
Shadow Minister for Financial Services and Superannuation	Hon Bernie Ripoll MP
<i>Shadow Parliamentary Secretary to the Shadow Treasurer</i>	<i>Hon Ed Husic MP</i>
<b>Shadow Minister for Finance</b>	<b>Hon Tony Burke MP</b>
Manager of Opposition Business (House)	
<b>Shadow Minister for Environment, Climate Change and Water</b>	<b>Hon Mark Butler MP</b>
<i>Shadow Parliamentary Secretary for the Environment, Climate Change and Water</i>	<i>Senator Louise Pratt</i>
<b>Shadow Minister for Higher Education, Research, Innovation and Industry</b>	<b>Senator the Hon Kim Carr</b>
Shadow Minister for Vocational Education	Hon Sharon Bird MP
<i>Shadow Parliamentary Secretary for Manufacturing</i>	<i>Tony Zappia MP</i>
<b>Shadow Minister for Communications</b>	<b>Hon Jason Clare MP</b>
Shadow Assistant Minister for Communications	Michelle Rowland MP

Title	Shadow Minister
<b>Shadow Attorney General</b>	<b>Hon Mark Dreyfus QC MP</b>
<b>Shadow Minister for the Arts</b>	
Deputy Manager of Opposition Business (House)	
Shadow Minister for Justice	Hon David Feeney MP
<i>Shadow Parliamentary Secretary to the Shadow Attorney General</i>	<i>Senator the Hon Lisa Singh</i>
<i>Shadow Parliamentary Secretary for the Arts</i>	<i>Hon Michael Danby MP</i>
<b>Shadow Minister for Education</b>	<b>Hon Kate Ellis MP</b>
<b>Shadow Minister for Early Childhood</b>	
<i>Shadow Parliamentary Secretary for Education</i>	<i>Julie Owens MP</i>
<b>Shadow Minister for Agriculture</b>	<b>Hon Joel Fitzgibbon MP</b>
<b>Shadow Minister for Resources</b>	<b>Hon Gary Gray AO MP</b>
<b>Shadow Minister for Northern Australia</b>	
<b>Shadow Special Minister of State</b>	
<i>Shadow Parliamentary Secretary for Northern Australia</i>	<i>Hon Warren Snowdon MP</i>
<b>Shadow Minister for Health</b>	<b>Hon Catherine King MP</b>
Shadow Assistant Minister for Health	Stephen Jones MP
Shadow Minister for Mental Health	Senator Hon Jan McLucas
Shadow Minister for Sport	Hon Bernie Ripoll MP
<i>Shadow Parliamentary Secretary for Health</i>	<i>Hon Amanda Rishworth MP</i>
<b>Shadow Minister for Families and Payments</b>	<b>Hon Jenny Macklin MP</b>
<b>Shadow Minister for Disability Reform</b>	
Shadow Minister for Human Services	Senator the Hon Doug Cameron
Shadow Minister for Housing and Homelessness	Senator the Hon Jan McLucas
Shadow Minister for Carers	Senator Claire Moore
Shadow Minister for Communities	
<i>Shadow Parliamentary Secretary for Families and Payments</i>	<i>Senator Carol Brown</i>
<b>Shadow Minister for Immigration and Border Protection</b>	<b>Hon Richard Marles MP</b>
Shadow Minister for Citizenship and Multiculturalism	Michelle Rowland MP
<i>Shadow Parliamentary Secretary for Immigration</i>	<i>Hon Matt Thistlethwaite MP</i>
<b>Shadow Minister for Indigenous Affairs</b>	<b>Hon Shayne Neumann MP</b>
<b>Shadow Minister for Ageing</b>	
<i>Shadow Parliamentary Secretary for Indigenous Affairs</i>	<i>Hon Warren Snowdon MP</i>
<i>Shadow Parliamentary Secretary for Aged Care</i>	<i>Senator Helen Polley</i>
<b>Shadow Minister for Employment and Workplace Relations</b>	<b>Hon Brendan O'Connor MP</b>
Shadow Minister for Employment Services	Hon Julie Collins MP

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TUESDAY, 17 JUNE 2014

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*Tuesday, 17 June 2014*

**The PRESIDENT (Senator the Hon. John Hogg)** took the chair at 12:30, read prayers and made an acknowledgement of country.

### **PRIVILEGE**

**The PRESIDENT (12:31):** I am making a statement in respect of matters of privilege raised by the Chair of the Finance and Public Administration Legislation Committee, Senator Bernardi, and Senator the Hon. John Faulkner.

By letters dated 27 and 28 May 2014, the Chair of the Finance and Public Administration Legislation Committee, Senator Bernardi, and Senator the Hon. John Faulkner, respectively, raised essentially the same matters of privilege under standing order 81.

The matters of privilege concern the use of closed circuit television footage to monitor a Department of Parliamentary Services employee under investigation for an alleged code of conduct breach while the person placed an envelope under the door of Senator Faulkner's office. The two elements are the possible improper interference with the free performance by a senator of the senator's duties as a senator, and the taking of disciplinary action against the person in connection with the provision of information to a senator.

In determining whether a notice of motion to refer the matter to the Privileges Committee should have precedence, I am required to have regard only to the following criteria in Privilege Resolution 4:

(a) the principle that the Senate's power to adjudge and deal with contempts should be used only where it is necessary to provide reasonable protection for the Senate and its committees and for senators against improper acts tending substantially to obstruct them in the performance of their functions, and should not be used in respect of matters which appear to be of a trivial nature or unworthy of the attention of the Senate; and

(b) the existence of any remedy other than that power for any act which may be held to be a contempt.

With regard to the first criterion, it is fundamental to the law of parliamentary privilege that any act that has the effect or tendency of constituting improper interference with the free performance by a senator of the senator's duties as a senator may be treated as a contempt.

Use of CCTV information in the circumstances complained of must be regarded as a very serious matter. Both Senator Bernardi and Senator Faulkner refer to possible obstruction and improper interference with senators in carrying out their duties and it is clear that, in this case, action is necessary to provide reasonable protection against the continuation of any improper practices that have this effect.

With regard to the second criterion, there may well be alternative means of pursuing inquiries into what happened in this particular case, including administrative inquiries within DPS using an external investigator. There is also the possibility of further inquiries by the Finance and Public Administration Legislation Committee, whether under its estimates function or its function to monitor the performance of agencies.

However, there is no satisfactory alternative means of protecting the rights of the Senate and senators except through the contempt jurisdiction. Only this jurisdiction provides the capacity to deal with any offence that may have been committed and to take the corrective action necessary to protect the rights and freedoms of senators into the future.

I have therefore determined that a motion to refer the matter to the Privileges Committee should have precedence over other business for the day on which it is given. In this case, the matters of privilege have been raised independently by two senators—one on behalf of a committee—and my suggestion is that a joint notice of motion be given.

Before I call Senator Bernardi or Senator Faulkner, I remind the Senate that this determination of precedence is not a judgement of the substantive issues or merits of the matter, beyond the threshold judgement that:

- it is not of a trivial nature or unworthy of the attention of the Senate;
- it is necessary to take action to protect the Senate and senators against improper acts;
- there is no satisfactory remedy for dealing with the matter other than the contempt jurisdiction.

It is for the Senate to make a judgement whether a matter merits referral to the Privileges Committee.

I table the correspondence and call Senator Bernardi to give notice of the motion.

**Senator BERNARDI (South Australia) (12:35):** On behalf of Senator Faulkner and myself, I give notice that on the next day of sitting I shall move:

That the following matters be referred to the Committee of Privileges for inquiry and report:

In relation to the use of closed circuit television footage by officers of the Department of Parliamentary Services for internal investigations involving DPS staff, (a) whether there was an improper interference or attempted improper interference with the free performance by Senator Faulkner or any other senator of their duties as a senator; (b) whether disciplinary action was taken against any person in connection with the provision of information to Senator Faulkner or any other senator; and (c) if so, whether any contempts were committed in respect of those matters.

### **BILLS**

**Tax Laws Amendment (Temporary Budget Repair Levy) Bill 2014**

**Income Tax Rates Amendment (Temporary Budget Repair Levy) Bill 2014**

**Family Trust Distribution Tax (Primary Liability) Amendment (Temporary Budget Repair Levy) Bill 2014**

**Fringe Benefits Tax Amendment (Temporary Budget Repair Levy) Bill 2014**

**Income Tax (Bearer Debentures) Amendment (Temporary Budget Repair Levy) Bill 2014**

**Income Tax (First Home Saver Accounts Misuse Tax) Amendment (Temporary Budget Repair Levy) Bill 2014**

**Income Tax (TFN Withholding Tax (ESS)) Amendment (Temporary Budget Repair Levy) Bill 2014**

**Superannuation (Departing Australia Superannuation Payments Tax) Amendment (Temporary Budget Repair Levy) Bill 2014**

**Superannuation (Excess Non-concessional Contributions Tax) Amendment (Temporary Budget Repair Levy) Bill 2014**

**Superannuation (Excess Untaxed Roll-over Amounts Tax) Amendment (Temporary Budget Repair Levy) Bill 2014**

**Taxation (Trustee Beneficiary Non-disclosure Tax) (No. 1) Amendment (Temporary Budget Repair Levy) Bill 2014**

**Taxation (Trustee Beneficiary Non-disclosure Tax) (No. 2) Amendment (Temporary Budget Repair Levy) Bill 2014**

**Tax Laws Amendment (Interest on Non-Resident Trust Distributions) (Temporary Budget Repair Levy) Bill 2014**

**Tax Laws Amendment (Untainting Tax) (Temporary Budget Repair Levy) Bill 2014**

**Trust Recoupment Tax Amendment (Temporary Budget Repair Levy) Bill 2014**

### **In Committee**

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

**Senator IAN MACDONALD** (Queensland) (12:37): As I indicated in my speech on the second reading, I want to make some inquiries of the minister in relation to this legislation. I will not repeat all of the things that I said in my speech, which I thought explained my position reasonably well. I know that the minister was not in the chamber, but I understand that the minister saw parts of my speech on the internal video. Basically—and I want to make this very clear, lest it be misreported—I do not object to the surcharge on the incomes of those earning \$180,000 or more; in fact, I support that.

I know, of my own limited thought, that we do have a debt crisis, and I have heard the Treasurer, the Minister for Finance and the Prime Minister indicate that we have a debt crisis that needs to be addressed. I accept that there is a debt crisis. I can easily see that, when you go within six short years from \$60 billion in credit to \$560 billion in debt, you have a debt crisis that needs to be addressed. The same thing confronted the Howard government in 1996, but in those days we had some things that could be sold—for example, Telstra. As a result of those sales and judicious management by the Howard government, Labor's 1996 debt of \$96 billion was paid off. It will take a lot longer to pay off the Gillard-Rudd government's debt of some \$560-odd billion this time round. Desperate measures are needed to address Labor's \$667 billion—I think it is—debt. Desperate measures need to be taken.

The government have been creditable in tightening their belts. They have got rid of a lot of Labor's wasteful programs and are trying desperately to bring the budget back to a manageable size, and good luck to them.



Congratulations to the Treasurer, the finance minister and indeed the government as a whole on the work they have started in this budget. There is a long way to go.

One of those drastic measures that need to be taken is this surcharge of two per cent, I think it is, on incomes above \$180,000. I repeat: I support that. But, as I mentioned in my speech on the second reading, I cannot understand, in spite of many inquiries in the appropriate circumstances, why individuals are being requested to make the contribution, but companies which are profitable are not. I well recall both the Prime Minister and the Treasurer saying, 'This is a matter for all of us,' and it is indeed a matter that all Australians should be contributing to. Certainly those who are on substantial incomes have an obligation to contribute, and I support that. But I simply cannot understand, and no-one can explain to me, why it is that companies which earn more than \$180,000 per year in profits are not being asked to share the burden.

Some would say, 'We don't want to attack small business,' but there would not be many small-business companies earning more than \$180,000, I regret to say, after six years of Labor, and many that have a corporate veil are really a trustee for certain family trusts, so they are really not in the equation. I am talking about companies that I have mentioned by name. I bear none of these companies any ill will, but just think of the biggest companies in Australia. There is a list of 3,000 of them, I think—companies in Australia that are very profitable. Why are they not being requested to make a contribution to a crisis that 'all of us' have to contribute to?

I will not name the names, although people who know what I am talking about will know the company involved. I bear no ill will towards this particular company. A lot of cane farmers up my way do bear ill will towards this company. It is the company that owns the four mills in the locality in which I live. It is doing things with the sale of sugar that a lot of the cane farmers do not like, but I am confident that in the fullness of time there will be some accommodation reached between the mill owners and the cane farmers—but that is an issue for another time. That particular company has no Australian shareholders. I do not know what profits that company makes, but I hope they are substantial, because it paid a lot of money for those four and other mills in the North Queensland area. It is a Singapore based company, and any profits by way of dividend after payment of Australian company tax go to Singapore.

I ask why those shareholders are not being asked to contribute to a debt crisis that I am pretty sure that company would have made something of in the days of the Rudd-Gillard dysfunctional government. Can someone please tell me—and this is my question to the minister—why is it that individuals have to pay the surcharge but not companies that earn their living, earn their income, from Australia?

It just does not make sense to me. And, as I say, in spite of asking all the cleverest people why this was so, I have not yet been able to get a substantial answer. The minister is aware of the issues that I am going to raise. I mentioned it in my speech on the second reading and I have mentioned it privately to the minister. I am hoping that he will be able to make me understand why this is so.

This is not, as the minister generously acknowledged yesterday in his summing-up speech, a new-found passion of mine. It was an issue I raised at the time when the Labor government introduced a debt levy—again, a levy on individuals but not on companies. I raised the point at that time with the Labor government: 'Why is it that you are asking the butcher and the baker to contribute to the flood levy and not Coles and Woolworths, which are the principal competitors of the butcher and baker?' It just did not make sense to me then and it does not make sense to me now. I will listen intently in anticipation of the minister's explanation as to why this is so.

**Senator CORMANN** (Western Australia—Minister for Finance) (12:46): I thank my good friend and valued colleague Senator Macdonald, representing the great state of Queensland, for the questions and comments that he has put on the record. I indeed acknowledge, again, that I am very well aware that this is a longstanding interest in an issue that he has pursued for some time, including when the previous government decided, for whatever reason, to implement a flood levy in the context of events in Queensland a number of years ago.

Let me answer the question that Senator Macdonald has asked this way. When we came into government in September we inherited an economy growing below trend; rising unemployment; consumer confidence which was too low; business investment which had plateaued; and a budget in very bad shape, with a spending growth trajectory which was unsustainable and unaffordable. What we have sought to do since coming into government, and in implementing the commitments that we took to the last election, is build a stronger, more prosperous economy where everyone has the opportunity to get ahead, while also focusing on the important task of repairing the budget and putting us onto a believable path back to surplus.

In the budget we are doing a range of things. We are pursuing a series of structural savings and structural reforms in order to build a stronger economy and also ensuring that our spending growth trajectory is more sustainable into the future. The virtue and the challenge with structural reforms and structural savings is that they start low and slow and build over time, which is why in this budget we have taken the view that it is necessary and

appropriate for all Australians to be asked to contribute, to make a special and immediate contribution, and a special and immediate effort to help put the federal budget in a stronger starting position to start repairing the budget mess that we have inherited from Labor.

Obviously and necessarily reducing government payments, reducing the spending growth trajectory, will impact on individuals, families, pensioners, organisations, states and territories that receive payments from the federal government. The judgement that we have made is that, in order to spread the budget repair effort as fairly and as equitably as possible, the only way to ensure that higher income earners who do not receive payments from government make their fair, additional contribution to the budget repair effort over the forward estimates is by making a change to the top marginal tax rate, effectively, the two per cent increase, for a period that is the subject of the bills that we are currently debating.

When it comes to company tax, as part of our plan to build a stronger, more prosperous economy we took a couple of policies to the last election. One was to reduce the company tax rate by 1.5 per cent, from 1 July 2015. Another was to impose a 1.5 per cent paid parental leave levy as part of the introduction of a fair dinkum paid parental leave scheme in relation to Australia's biggest and most profitable companies. That is also part of our plan to build a stronger, more prosperous economy and create more jobs. One of the structural challenges that we as an economy are facing is falling rates of workforce participation in the context of an ageing population. One thing we need to do is to lift workforce participation, in particular by women, and to lift productivity. The judgement that we have made is that in relation to the 3,000-odd companies, with a taxable income above \$5 million a year, the workforce participation benefits, the economic benefits overall, including the workforce participation benefits and the productivity benefits, outweigh the cost of, effectively, keeping the company tax rate at 30 per cent for those companies. So all companies not subject to the paid parental leave levy will see their company tax reduced to 28.5 per cent. All companies subject to the paid parental levy will effectively continue to pay at the same company tax rate. Increasing the company tax rate beyond the 30 per cent that is currently in place would hinder our efforts to build a stronger, more prosperous economy where everyone has the opportunity to get ahead. It would hinder our efforts to create more opportunities for business and individuals to be successful across Australia.

Finally, at the end of the day, businesses and companies are made up of individuals. What we are asking all individual Australians to do, whether they are receiving payments from government or whether they are taxpayers not receiving payments from government, is to contribute to the immediate effort to put Australia back onto a more sustainable footing.

I note in this context that, when we first flagged the proposition that there should be a temporary budget repair levy, a temporary Labor deficit levy—name it what you will—Mr Shorten's initial response was that it should be opposed: 'Oh, no, we're not going to be part of that. Labor will never be part of that. We are not going to support any increase in personal income tax under any circumstances.' Fast forward, a couple of weeks later, and of course, very quietly, Mr Shorten said, 'Yes, we're not going to oppose that.'

In this chamber we have had all sorts of people from the Labor side jumping up and down and making political assertions. I see Senator Dastyari is readying himself to jump up and get into fray and make a few comments. No doubt he will make an eloquent political speech about why everything this government is doing is bad and everything the previous government did was good, even though the previous government that he was a part of left Australia with \$191 billion of accumulated deficits in their first five budgets, \$123 billion in projected deficits in their last budget, and government debt heading for an unsustainable \$667 billion within a decade and growing beyond that—based on an assumption that there was not going to be any adjustment or correction for bracket creep.

Senator Macdonald, I appreciate the points that you raise. I also appreciate the consistency with which you have raised these arguments in the period of the previous government, as you are now in the period of this government. Essentially, we have had to make a whole range of judgements which seek to finely balance our aspiration and our objection to build a stronger, more prosperous economy where everyone can get ahead, while also seeking to repair the budget mess that we have inherited from our predecessors. It is in that context that we have obviously had to make some difficult decisions in order to reduce the spending growth trajectory that we have inherited. We are very mindful of the fact that these sorts of decisions necessarily impact only on those who receive payments from government, which is why we have sought to spread the effort over the forward estimates by also making the particular provision that is the subject of this bill.

The only alternative to not doing what we are proposing—which obviously must have dawned on Mr Shorten eventually as well—would be to ask those who receive payments from government to carry 100 per cent of the burden. But, from our point of view, in the context of the judgements that the government have made, we do not

think that it would help us in either building a stronger economic or repairing the budget if we increased company taxation in the way that Senator Macdonald has suggested.

**Senator IAN MACDONALD** (Queensland) (12:54): I thank the minister for his courteous response. I have to say that there is not a lot of what he said that I do not strongly agree with, but he still did not answer the question. He did raise the issue of the paid parental scheme—which I had not raised today. But, Minister, you cannot have it both ways. If there is, and I accept there is a debt crisis that requires people to contribute, whether it is the reduction of government assistance or additional tax for high-income earners, why is it that companies—and you have told me that there are 3,000 of them earning more than \$5 million a year, which is a bit of an advance on \$180,000, I might say—are not being asked to contribute to the accepted and acknowledged debt crisis Australia faces?

I could say to you, Minister, in purely crass political terms, that every dollar that could be raised from companies would be a dollar less that individual taxpayers—that is, voters—would have to pay. So it is a no-brainer to me, from a purely crass political perspective, but that is not why I am arguing the point. I am not suggesting that we should increase company beyond 30 per cent, and I accept, Minister, your comments about Australia wanting to welcome investment into Australian companies. I accept all that but, if we are doing that, why then are we introducing what many have said is a very generous paid parental scheme at a time when we have a debt crisis?

You could easily divert the \$5 billion that will be raised from the top 3,000 companies to pay off Labor's debt. That way, we perhaps may not need a three-year temporary levy on other Australians. We may not need to curtail other assistance that has had to be curtailed to pay off Labor's mismanagement and huge debt. If we could get more people contributing to the repair effort—which I accept is needed and which you have rightly explained, Minister—isn't that a good thing?

We clearly have this debt crisis. Labor, we know, were just appalling in the way they managed the country's finances. We are always left with the job of fixing that. As I say, I congratulate the government on the steps it has taken, but I do not think they go far enough. I was pleased to hear Mr Hockey say, 'The age of entitlement is finished.' So wouldn't this be an appropriate time—with the support of the Commission of Audit—to say, 'The paid parental scheme is a good goal to head towards. It is something that a wealthy, prosperous Australia could and should enter into, but perhaps now is not the right time because now, at this stage in our game, we are trying desperately to pay off Labor's debt'?

I repeat: we are doing that by getting additional tax from high-income earners and we are having to make very modest and moderate savings in other assistance measures because the age of entitlement is finished. Yet many have said to me that, with the paid parental scheme, the age of entitlement is finished. I will not enter into that. That is a debate for another place and another time. It is a debate, as I understand, is yet to be held. I read in the paper that there are—quoting the Deputy Prime Minister—'different issues' being looked at by the government in relation to the paid parental scheme. I look forward at some time to being taken into confidence by the government on just what is going to happen with it. But, as I say, that is another debate for another time.

My concern at the moment is that we have this debt crisis—and those are Mr Hockey and the Prime Minister's words. I accept them. You do not need to accept their words to know that, after six years of Labor—as after the Hawke-Keating years, 13 years of Labor—there will be a financial crisis. It has to be addressed. I agree with that. I have no issue at all with my government on that, but what I simply cannot understand—and, with respect, Minister, I know it is not totally your responsibility but you have not answered the question—is why companies do not pay this.

Let me ignore this current levy and go back to Labor's flood levy. You might find this easier to answer, Minister. The Labor Party introduced that levy to help Queensland recover from floods. Why was it that individuals had to pay but companies—like the company I have talked about but not named, which makes a profit out of sugar cane grown in Australia and, quite rightly, sends its profits in dividends to Singapore—were not asked to contribute to the flood levy? I know for a fact that its mill operations actually received some benefit from the flood levy that individual Australians were asked to pay. Why wasn't that company asked to pay? It cannot be because the dividends were going to Australian shareholders who had already paid, because they all go elsewhere. I just use that company as an example because it is an immediate one for me, easy for me to relate, but with BHP, Rio and Wesfarmers—you name it—I am sure a lot of their shareholders are overseas. Why aren't they being asked to contribute to paying off Labor's debt as every other Australian is being asked to? It just does not make sense to me.

I note that the Labor Party and, I think, the Greens are supporting this flawed, in my view, method of raising additional funds that are needed. Labor, of course, would support it, because they did this with the flood levy. I

indicate that I am opposed to the bill, because, with respect, Minister, neither you nor the Treasurer nor anyone has explained to me why it is that these 3,000 profitable companies earning \$5 million or more are not contributing to solving Labor's debt crisis. Perhaps you could do that, Minister, not that it matters—as I say, with Labor and, I think, the Greens supporting the government, this is going to go through regardless of how I vote. But I do want to make the point as strongly as I can so that, if we in the future need to raise money for particular issues, we do it in an honest way by increasing the general rate of taxation on the progressive scales we have in Australia, so that we can deal with these things that come up. And floods come up—I accept that. Debt crises come up—I accept that. After Labor rule, it is a given—you know there is going to be a crisis. But everyone should be contributing, and that includes companies, many of which are foreign owned and controlled and with foreign shareholders. Why shouldn't they contribute as well?

Minister, I hope you can find something new that would convince me I should support this bill. So far, I regret to say, you have not, and you are not alone in that. We have a \$5 billion bucket there that could be used to pay off Labor's debt, and we are apparently not using that. We are engaging in what some—not necessarily me—call an age-of-entitlement allowance to certain individual Australians. I hope, Minister, you will be able to persuade me. If not, I hope that, in the future, governments, be they of this persuasion or that persuasion, will have an honest tax system where additional money is raised and not this dodgy arrangement where we have a levy, not a tax, that is imposed on only a certain number of Australians and not on Australia's wealthiest companies.

**Senator CORMANN** (Western Australia—Minister for Finance) (13:05): I thank Senator Macdonald for his further remarks. I did do my absolute best to answer his previous questions as directly and relevantly as possible, but I will have another go. Senator Macdonald talks about the debt crisis that we inherited, and indeed Labor did leave behind a debt and deficit disaster, but, as I tried to point out in my earlier remarks, the debt and deficit disaster that Labor left behind was not the only challenge we inherited from the previous government. We also inherited some significant economic challenges. We inherited an economy growing below trend. We inherited an economy with rising unemployment. We inherited an economy with low consumer confidence. We inherited an economy where business investment had plateaued. The very direct answer to Senator Macdonald's question is, yes, we also inherited a budget in very bad shape and an unsustainable spending growth trajectory which needs fixing, but the way we fix the budget mess left behind by Labor cannot detract from our efforts to build a stronger, more prosperous economy where we can create more jobs, where we can attract more investment and where we can lift consumer confidence into the future.

In our judgement, to do what Senator Macdonald is suggesting would hamper our capacity to build a stronger, more prosperous economy and create more jobs and increase business investment. All these policies to build a stronger economy, create more jobs and create opportunity for everyone to get ahead, when properly implemented, will ultimately also lead to increased revenue for government, without the need to increase or implement new taxes.

So we are doing two things at the same time. We are working to put government expenditure on a more sustainable footing by reducing the spending growth trajectory we inherited from Labor, which was going to take us to 26.5 per cent of government spending as a share of GDP by 2023-24 or from \$409 billion this financial year to \$690 billion by 2023-24. We are significantly working to reduce that spending growth trajectory.

In order to spread the effort fairly and equitably, in the immediate effort required over the forward estimates beyond just those who receive payments from government we are also pursuing this budget repair levy, which effectively is an increase in tax of two per cent for individual Australians who earn more than \$180,000 a year. If we were to increase company tax, it would make it harder for us to grow, to get out of the situation we have inherited where the economy is growing below trend. It would make it harder for us to reverse the rising unemployment trend we inherited from our predecessors and it would make it harder for us to attract business investment.

In his further remarks, Senator Macdonald raised with me, as he did privately on various occasions, the Paid Parental Leave Scheme. The Paid Parental Leave Scheme is an integral part of our economic strategy to build a stronger, more prosperous economy. If you look at the two economic challenges we are facing as a nation, one relates to the falling terms of trade and the other relates to the implications which come with the ageing of the population. The ageing of the population, among other things, has led to falls in workforce participation, which is why in the budget we are pursuing initiatives to encourage older Australians to work longer. Also we need to pursue initiatives to lift workforce participation by women in order to help us build a stronger, more prosperous, more resilient economy. The two areas of policy which we need to get right in order to lift workforce participation are paid parental leave arrangements and childcare arrangements.

In relation to childcare arrangements, a Productivity Commission review, which is underway, will guide some of the government's thinking on the best way forward. But when it comes to paid parental leave, I know that it is

easy to look at paid parental leave as though it is just another welfare entitlement. In our view it is not that. To ensure that, up to an appropriate level, women are able to draw a replacement wage for a certain period while they are having a baby is essentially the same as somebody who goes on annual leave, on long service leave or on sick leave, while also being paid a replacement wage. Nobody would suggest that somebody who takes three months long service leave should somehow receive a welfare payment. Nobody would suggest that and neither they should. Nobody would suggest that somebody who goes on sick leave should be moved onto a welfare payment. Everybody would accept and acknowledge that it is quite appropriate, while on sick leave, that you should continue to be paid at your wage. Public servants right now here in Canberra are able to access their replacement wage when they have a baby. Indeed, many big businesses are providing paid parental leave benefits now. The problem is that small businesses, as they compete for a workforce, find it difficult to compete with Public Service or big business employers because they cannot afford to pay for that sort of workplace entitlement. That is why the scheme we are putting forward as part of our broader strategy to build a stronger, more prosperous economy, provides a fairer deal for small business and helps them to recruit and retain high-quality female workers.

We were very transparent in the lead-up to the last election on what we think needs to be done in order to build a stronger, more prosperous economy. Part of that strategy, of course, is scrapping all the bad Labor taxes like the carbon tax and the mining tax. Part of it is to implement a 1.5 per cent company tax cut and part of it is to implement this fair dinkum Paid Parental Leave Scheme, which will be funded significantly with a 1.5 per cent levy.

If we were to do what was suggested by Senator Macdonald—that is, effectively to increase company tax by two per cent in the same way as we are proposing through this bill to increase the top marginal tax rate for Australians earning more than \$180,000—we believe, based on all the information we have been able to review, that that would detract from growth and would make it harder for us to reverse the rising unemployment trend we have inherited. Ultimately, it would make it harder for us to repair the budget because rising unemployment means increased costs and less revenue than otherwise would be the case. So in all of the circumstances, we have not taken any of this lightly. We have made a series of very considered, deliberate decisions on how best and how most sensibly to reduce the spending growth trajectory we inherited. And that is never easy.

If somebody believes they are going to get a particular increase in their payment from government, nobody is going to like to hear the government say, 'We can't afford that. The previous government might have made these promises but we actually cannot afford to give you them because we are going to have to continue to borrow from our children and grandchildren in order to fund these benefits and your current lifestyle. Our children and grandchildren would have to pay back those costs, with interest.' So we have said we cannot do that and we have reduced the spending growth trajectory.

We have sought to spread the effort more equitably by putting forward this temporary budget repair levy. But to pursue the change to company tax arrangements that Senator Macdonald is suggesting, for all the reasons which I have done my best to outline as clearly and as explicitly as possible, we do not think would be in Australia's national interests or in the interests of growing a stronger, more prosperous economy, of creating more jobs, when we have inherited an economy growing below trend and rising unemployment. We would humbly put to the chamber that the budget that we have put forward, including this measure, is part of a package of initiatives that seeks to protect our living standards, build opportunity and prosperity in the future and finely balance the whole range of competing issues that we have to deal with.

**Senator IAN MACDONALD** (Queensland) (13:14): I will not continue on with this past this question. I acknowledge that Senator Dastyari has allowed me to finish my line of questioning, which I appreciate. Minister, thank you for that, but, with the very greatest of respect, can I just say that the arguments you raise really do not make sense. You said, 'If we were to increase company tax it would impact on our desire to build a stronger economy through additional investment.' Well, sorry, Minister—you are increasing the income tax on companies; you are increasing the company tax. As the coalition promised before the election, we were reducing company tax by 1½ per cent—a great initiative, to do everything you said, Minister. That is, we are going to build a stronger economy by encouraging investment. Yes, the 1½ per cent reduction was great for that. I supported that. So everyone gets a 1½ per cent reduction. But, hang on—for the top 3,000 companies the tax goes back. If it applies on one side it must apply on the other. So, by increasing the tax on those top 3,000 companies, you must be impacting on your desire to build a stronger economy through encouraging investment.

You also talked about falling terms of trade and ageing of populations. I am not quite sure what that has to do with the matter I am discussing. And, whilst I accept that women in the workforce do need encouragement to have their children and go back to work, there is already a scheme in place. It is a Labor scheme, so it cannot be particularly good, but it is there; it is in place.

**Senator McKenzie:** Public servants can double dip.

**Senator IAN MACDONALD:** And public servants can double dip. But, Minister—and this is where the logic fails in the argument that you put to me—you say that big business already has a very generous paid parental leave scheme. Maybe big business should have a look at their schemes. And why isn't the Public Service having the same sort of Paid Parental Leave scheme as every small business and every other Australian has? It is not brilliant, but it is a start.

We will get the economy back into the black. We will get it powering ahead. I know our government will do that, because we have the right policies and the right philosophy to do that. And we have done it before. It is a continuous cycle, be it at state or federal level: Labor gets in and smashes the economy; Liberals come back and improve the economy. We know that that is going to happen. And, when we have done that, then—perhaps instead of giving tax deductions—we can look at a properly funded, very good Paid Parental Leave scheme. And I would be the first to support it.

But arguing that big business is already doing that, and then giving them a cut in their income tax so that they do not then have to use their own funds to do their own Paid Parental Leave scheme, and then putting the 1½ per cent back so that we have this universal Paid Parental Leave scheme—don't you see that it just doesn't make sense? I have tried. But, with Labor supporting your proposals and, I think, the Greens, too—I cannot take this anymore. I do thank you, Minister—

**Senator Whish-Wilson:** Keep going—we're thoroughly enjoying it.

**Senator IAN MACDONALD:** Well, I hope you might not just enjoy it but think about it in the future, so that the next time your mates in the Labor Party want to introduce a flood levy on individuals and not on these big 3,000 companies, you might encourage your mates in the Labor Party not to do that. That is presupposing they ever get back into government, and that is a big presupposition.

But I just hope that people do learn something from this. To me, there is no valid argument why the top companies, with profits of more than \$5 million, are not contributing to the debt that Labor created—

**Senator Whish-Wilson:** Hear, hear!

**Senator IAN MACDONALD:** with the help of the Greens. There is that debt crisis there. We have to pay that debt back. Here is a way we could get the top 3,000 companies to do it. We are not doing it. I think it is a missed opportunity. But I cannot take it anymore. Minister, I thank you for your answers, although they have not convinced me.

**Senator Jacinta Collins:** Nonanswers.

**Senator IAN MACDONALD:** Well, no. I do appreciate, Minister, the answers you have given. They have not convinced me. But I really cannot take it much further.

**Senator DASTYARI** (New South Wales) (13:20): I had some questions and I certainly want to get to them, but, before I do, the question I have to raise is this. This is just extraordinary. What you have here is a very senior coalition senator—somebody who has actually been in this chamber longer than you and I, Minister, have been in the country—coming in here and saying that the arguments that are being made by his own government do not make sense, and disputing the entire claim about increasing income tax on companies. Frankly, Minister, you, with your arguments, are unable to convince your own government backbench, seven or eight months into government. They are coming in here and pleading with you, saying: 'Please, Minister, please—give us a reason to support you. We want to vote for you but you're making it so hard for us.' So my first question is this: Minister, if you cannot even convince your own backbench, your own MPs, to support your budget measures, why on earth should the rest of us support them?

**Senator CORMANN** (Western Australia—Minister for Finance) (13:21): I thank Senator Dastyari for that question. While, on this occasion, we may not have been able to convince my good friend and valued colleague Senator Macdonald, I would point out to Senator Dastyari that we have been able to convince Mr Shorten and the Labor Party and that all those on that side of the chamber will vote in support of the measure that is before us.

**Senator DASTYARI** (New South Wales) (13:22): I do appreciate that, Minister Cormann, and I think you are happy to acknowledge, and certainly you have, that once again the Labor Party has come to your rescue and once again the Labor Party is bailing you out. Just two words: thank you. All I am asking for you to say today is thank you. But, Minister, your own back bench is saying the arguments do not make sense. This was not going to be a debate about the paid parental leave but questions have been asked about it and you have answered questions relating to it, so I will ask a question within the context of this legislation. If you were to do what Senator Macdonald suggested and not pursue the paid parental leave measure, would this tax measures still be needed?

**Senator CORMANN** (Western Australia—Minister for Finance) (13:23): I have answered that question. The fair dinkum paid parental leave scheme is a very important, indeed central, part of our economic action strategy to

build a stronger, more prosperous economy where everyone can get ahead. The measures in these bills here before us are designed to help us spread the effort to repair the budget mess that Labor left behind fairly and equitably. The only alternative to the measures in this bill, which ultimately and eventually must have dawned on Mr Shorten, would be to impose that burden of fixing up Labor's mess only on those who receive payments from government. We did not think that would be fair and reasonable, which is why we are commending these bills to the chamber.

**Senator DASTYARI** (New South Wales) (13:24): I feel for once I am sharing the same concern that Senator Macdonald had, and that is that you are failing to convince me and failing to answer my questions. But let us be clear about what has actually gone on here. At this stage a government MP, a former minister, a senior member of your own team who you yourself say is valued and respected and has important significance, has actually got up in this chamber moments earlier and made it very clear that you have failed to convince them, your own government MPs, on these budget measures. Let us be clear about how these things normally happen. Normally there is enough faith, there is enough trust, there is enough dialogue within your own government that these conversations would happen behind closed doors. Has this government already, nine months in, fallen apart so much that your own back bench is now voting against the legislation?

**The TEMPORARY CHAIRMAN:** Minister? Senator Dastyari.

**Senator DASTYARI** (New South Wales) (13:25): I am amazed. I think the silence from the minister is deafening. The minister is in such an extraordinary situation now that he cannot even get up anymore and defend the stability of his own government. You cannot get up in anymore and say, 'This is a government that has unity, this is a government that has purpose, this is a government that has direction,' because there is so much disagreement, there is so much division, there is so much of a split within your own party. Let us be clear: you have already had one member—a senior member by your own words, not mine, although I accept he is senior—get up and say that he does not believe you, that you have not convinced him, that he feels that this is not a fair measure. This goes back to the heart of the problem with this budget, which is lack of fairness. I believe that if you wanted to tackle what you deem is some kind of a crisis, which has been manufactured, there were many better ways to do it. Do I think this is good legislation? No. Do I think it is perfect? No. I think it is nothing more than a fig leaf to cover the fact that this is a budget that you have designed that will hurt families, that will hurt lower-income earners, that will attack health care, that will attack education, that will attack the social fabric that holds this society together. And yes, as part of a fig leaf you put in one measure aimed towards higher income earners—

**Senator Cormann:** Which you will vote for.

**Senator DASTYARI:** Which I will support because I think it is better than a lot of the other measures. But if we were designing it we would have designed it a lot better than this. We would not have had a loophole so that what is a three-year measure will really only be paid for one actual year. We would have fixed up the fringe benefits tax. We would have looked at a proper program as part of a broader taxation review, not a fig leaf when we got to the end of a budget process and realised that, 'Oh, we are only attacking middle income earners, we are only attacking the young, we are only attacking the disabled, we are only attacking those who are in the bottom quartile of this society. We had better create something big and something exciting for the higher income earners so that we can say we are sharing the pain.' Well, Minister, the pain is not being shared. The pain is not being shared in this budget. It is an unfair budget, it is an unequal budget. That is why people are up in arms. That is why people out there in Australian society—you have seen the polling, you have seen the numbers—are outraged, because there is no fairness. You are now in a situation where even your own MPs, even your own back bench, are getting up and using this chamber to say, 'We are unhappy with this direction. We are unhappy with this budget. We are unhappy with these measures.' Minister, how can you deliver a budget when not even your own MPs support you?

**The TEMPORARY CHAIRMAN (Senator Gallacher):** The question is that the bills be agreed to without amendments or requests.

Question agreed to.

Bills reported without amendments; report adopted.

### Third Reading

**Senator CORMANN** (Western Australia—Minister for Finance) (13:30): I move:

That the bills be now read a third time.

Question agreed to.

**Social Security Legislation Amendment (Green Army Programme) Bill 2014****Second Reading**

Debate resumed on the motion:

That this bill be now read a second time.

**Senator PRATT** (Western Australia) (13:32): This afternoon I rise to speak on the Social Security Legislation Amendment (Green Army Programme) Bill 2014. From the outset, I would like to say that the legislation that we have before us this afternoon is only a small part of this program, providing the legislative change to give effect to the payment of an allowance for program participants, while the detail lies in the program guidelines and tender documents. I will keep my remarks to the broad breadth of the program this afternoon, not just the payment matters before us.

Labor does not oppose this bill, but in the very broad context we hold very significant concerns about the policy effectiveness of what the government is putting forward. We know, for example, that programs of this type have a long pedigree under governments on both sides of this chamber. The budget has given a significant amount of funding to establish the Green Army, but Labor thinks that this has been at the expense of more effective environment and conservation programs as well as the broader skills and training programs that have been cut elsewhere in the budget. This is on top of the \$2.55 billion that the government is committing to its Emissions Reduction Fund, which in Labor's view is just a slush fund to pay polluters. Indeed, experts in our nation widely agree that this slush fund will deliver no meaningful emissions reductions programs for our nation.

Labor strongly rejects Direct Action. We reject it as an ineffective, expensive policy that will have, in our view, a very negligible impact on emissions. The program before us is a component of the coalition's so-called Direct Action Plan. The government has pitched the Green Army as not just a youth unemployment program but a major environmental and conservation program. Let's take a look at what the government is saying here. Contrary to this assertion, Labor is concerned that the budget cuts almost \$500 million from Landcare. Any of the conservation benefits from the Green Army will be cancelled out by the valuable work of Landcare volunteers that will no longer proceed because of these significant cuts. This is funding that could have and should have been going to experienced community volunteers. Many of those volunteers are in rural, remote and regional Australia. Instead, the money is going to go to projects done by inexperienced young people and, in Labor's view, this will deliver inferior conservation results. That is of significant concern. Senators in this place have all seen how effective those Landcare volunteer programs are for environmental outcomes on the ground.

Further to this, Labor is also very concerned and sceptical of the Green Army's ability to deliver any meaningful training or employment outcomes, particularly in the context of a budget that cut a wide range of skills and training programs that had been previously established by Labor to link young people with training and employment opportunities. When you add that all up with this budget as a whole and you look at attacks on access to Newstart et cetera, it is part of an incredibly regressive package for our nation's young people. The government, in putting this program forward, has provided no evidence to this place that participants exiting the Green Army Program will have further training and employment opportunities made available to them or any capacity to extend the skills that they may have picked up through the Green Army program.

So the government has tried to give Labor assurances that the program's guidelines and contractual arrangements will address these concerns about training opportunities and, indeed, significant occupational health and safety issues. You have said we can monitor the program and the rollout closely to make sure the government is fulfilling its commitment that participants in this program have an opportunity to obtain formal qualifications. This is something we want to hold you to account on, and we will watch and wait and see. We have a number of concerns about the detail of the program that is founded on the extremely poor environmental record of this government.

You simply have no credibility when it comes to the environment. In my view, it is a record that makes one ask why the idea of an environment minister does not go the same way as you have sent the science minister in this government. You simply have no commitment to it, and it therefore might as well not exist. This record is astounding. It ranges from the fact that you have moved backwards on climate change to risking Australia's global reputation for protecting its World Heritage icons, as is currently taking place in Tasmania. Soon after coming to office the Abbott government was rushing through environmental approvals. The government disallowed the endangered community listing of the Murray River from the Darling to the sea. That was an incredible thing to do, in my view. You went above all reason and advice and sneakily—very sneakily—had the world's largest ever marine reserve system reproclaimed to undo the management plans that put into effect the world's largest marine parks. I am just appalled at the government's actions in that regard. It was an incredibly sneaky and retrograde step. It is one I am incredibly angry about



The government has also begun the process of handing over environmental approvals to the states, giving Campbell Newman control of the Great Barrier Reef and Colin Barnett control of Ningaloo Reef. This government has also all but abandoned efforts to have Queensland's Cape York added to the World Heritage list and has approved every request for development in the Great Barrier Reef catchment that has landed on the minister's desk. That is despite UNESCO threatening to list the Great Barrier Reef as in danger.

Sadly, it does not stop there. In my own home state of WA we have had sharks on the hit list, with the minister approving an exemption for the WA government to allow drum lining off the coast. This is despite the complete lack of evidence that it will have any effect. I know it has had no effect so far. It has caught none of the great whites which are the species that is implicated in the attacks.

**Senator Back:** Because they're not around from January to April.

**Senator PRATT:** Of course they are not around from January to April. So why have the drum lines out then at all? Your very allegation makes a mockery and establishes why it is such a ridiculous policy.

*Senator Back interjecting—*

**The ACTING DEPUTY PRESIDENT (Senator Gallacher):** Order! Senator Pratt, resume your seat. Interjections are disorderly. I remind senators of that. Senator Pratt.

**Senator PRATT:** Thank you. As I said, there is a complete lack of evidence that this policy has any effect. It was a clause designed to be used for national security issues; that is what the government used to implement this policy. This is despite the fact that more people in our nation die from bee stings than from shark attacks. If you are going to call a national emergency, why not call a national emergency on bees as well as sharks? It is just a ridiculous policy.

We have seen our nation go backwards on any number of environmental fronts and climate change. We here in Australia, who were once seen as progressive and forward thinking, are now the laughingstock on the world stage, winning an unprecedented five Fossil Awards at the climate change talks in Warsaw late last year. Most recently, the government has approached the World Heritage Committee to de-list some 74,000 hectares of Tasmanian Wilderness World Heritage Area. This is all while the new Liberal Premier of Tasmania has promised to tear up the Tasmanian forests agreement. This is a devastating outcome for the Tasmanian economy as well as the environment, and as a Western Australian I also think it sets a dangerous precedent for us. In my view it is a shameful record by any reckoning you make of it.

This is the very same government to which we will be entrusting our young people for this green army program. The government has been entrusted with one of the greatest honours in public life: to protect and promote Australia's wonderful natural assets. Instead, this government appears to be absolutely intent on destroying them. And our Prime Minister is not embarrassed for the whole world to know what he is doing. It is an appalling record.

Against that background of really poor environmental management—in fact, environmental destruction—Labor's concerns furthermore revolve around five other main themes. They are: work health and safety protections, workplace rights, the potential displacement of existing workers, training provisions and the transition of young people from the Green Army into meaningful training and employment.

Firstly, Labor is concerned that this bill does not provide adequate protections for participants in the Green Army scheme in the areas of occupational health and safety, workers compensation and rehabilitation. If the government was truly concerned about these things, as they say they are, they would ensure the participants are deemed to be proper employees and, as such, are covered by a range of Commonwealth laws that include the Fair Work Act, the Work Health and Safety Act and the Safety, Rehabilitation and Compensation Act. The government makes the point that people are to be paid a comparable training wage. If that is the case, why aren't these young people in this program to be treated as workers equivalent to those in other training programs?

The environment department has made it clear that organisations delivering the program will be required to have relevant insurance, so I guess that is a start, but it is by no means enough. We have been informed that the government will take out insurance to ensure that any participant who is injured in the workplace will receive the care and support they need. What we do not know is how difficult it will be for participants to make a claim, as this is likely to vary from state to state. So Australians have the right to be suspicious of this government's motives because the government has made it clear that health and safety are not a priority when it comes to this program. The government is seeking to deceive the Australian public into believing that this is an environmental program. Why does the government need to do that? Because it does not have a coherent environmental policy.

Make no mistake, this is an employment program and, as such, participants should be treated as employees. We acknowledge that Green Army participants will be paid at the equivalent of the training wage which, while not

overly generous, will be more than the income support payments many of them would otherwise receive. These payments will be similar to the training wages received by thousands of other young Australians who are in vocational education or training. But, unlike trainees or apprentices, those in the Green Army are under the supervision of the Commonwealth. Denying them the status of 'Commonwealth employee' leaves them in a no-man's land in terms of the employer-employee relationship, which is where a range of workplace rights, including the ones I have mentioned, should have come into play.

Labor also has significant concerns about the displacement of existing workers. The government must assure all the hardworking Australians in local government and other organisations that employers will not be able to displace them and rely upon Green Army participants to do their work. There is no justification for a program like the Green Army that can provide employment pathways if the participants then go on to displace existing workers. We have had some assurance through program documents that organisations cannot use the Green Army to undertake work they are legislated to do. Nevertheless, in Labor's view, that uncertainty remains. The potential displacement needs to be fully addressed by the government in its design of the program.

I will turn to some other points in the time I have left to speak. Unemployment, particularly long-term unemployment, causes great hardship to people, their families and communities. Entrenched unemployment also undermines the economic strength of Australia. Access to recognised training delivered by a registered training organisation under the AQF system is noted in program documentation for the Green Army as an optional component of the program—that is, to be negotiated with each participant. This gives me and Labor no confidence that participants will actually get access to training.

The government is very short on detail about the training components in the Green Army program: namely, which vocational skills are to be provided to participants and are these areas that have been identified by the Australian Workforce and Productivity Agency as areas of emerging skills need? It does not appear that that is the case. But, if that is the case, why select the Green Army as a place to put all of these young people? Why not give them more relevant skills that will help them in their future? The training needs to aim at providing our young people with real and marketable skills that are in demand by employers. There is no work experience better than paid work experience in a real workplace, with serious support mechanisms to ensure all young people can reach their potential.

Labor believes that environmental based work and training programs can be an effective pathway to work for many job seekers as well as providing environmental benefits. These programs have the potential, if they are well designed and implemented, to achieve both those goals. But we cannot just address youth unemployment; we know there are massive future costs not just in terms of welfare and social supports but also in terms of each individual's lost opportunity. Real employment is one of the cornerstones of sustainable communities and economic development. Access to quality employment promotes social inclusion and improves our living standards. Our jobs in life are not everything, of course, but they help give us our identity, security and opportunity in life.

In conclusion, Labor does not oppose this bill before the Senate and does not oppose the idea of a Green Army program in principle. But we are incredibly concerned about the ability of the program to deliver workplace rights and protections, meaningful and recognised training and employment outcomes for participants. We will be keenly watching the rollout of this program very much in the hope that these issues are addressed throughout the tender and delivery process.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (13:52): I rise to speak on the Social Security Legislation Amendment (Green Army Programme) Bill 2014. This bill purports to be a solution to climate change and to provide work for unemployed youth. On both counts the coalition's Green Army bill is ill-conceived and lacks vision. The bill does not provide the foundations to seriously combat global warming or youth unemployment. It is very unlikely to deliver genuine, lasting environmental outcomes, and it fails to support young people in finding meaningful work. Where is the vision in a program designed to temporarily deflect from the serious issue of abating climate change and slowing the effects of climate change? The Green Army bill appears to be little more than a clean-up program devised to keep youth off unemployment benefits for a brief period of time, with no thought to what happens to them afterwards. It is very likely to entrench young people in unemployment and poverty while diverting energy and resources away from more effective environmental programs. The bill devalues the work of those who have in fact been trained for and pursued careers in environmental protection and, due to the voluntary nature of the individual training component, offers no genuine pathways into ongoing employment for the participants of the program. For those who participate, there is no guarantee that this will be any more effective or less degrading than the previous incarnations of this program, such as Green Corps or Work for the Dole.

This program is also seriously compromised by the coalition government's cutting of funds to natural resource management and Landcare. The most the Green Army bill can hope to achieve is a temporary improvement while failing to effectively abate climate change or create a career for its participants. For all these reasons, the Greens do not support this bill. I am particularly disturbed by the government's approach to land management and climate abatement programs. The Green Army Program funding allocation is not all new money, and it should not be counted as new money when in part it replaces funds that were previously available to natural resource management groups and Landcare groups to undertake high-quality conservation work. In Senate estimates the Department of Agriculture confirmed that there was no money left in the Landcare bucket for new Landcare grant programs between now and 2018. The net effect of this program will be to transfer funding from skilled natural resource management workers and volunteers with a long-term focus to unskilled work-for-the-dole style volunteers and short-term projects. This is a devastating blow for local Landcare groups around the country, and it is an insult to spend \$525 million on the Green Army while destroying the Landcare program which has been delivering environmental outcomes for over three decades.

It is now becoming extremely clear that the carbon abatement scheme will be focused on tree planting—and not planting native trees that will last 100 years and are based on biodiversity principles but rather moving towards 25-year plantings in plantations. Maybe we will be going back to the old MIS days. By passing this bill, we are effectively just creating a labour force to plant trees in the landscape. We need to be doing better than that. We have a much more mature landscape management process in this country than that.

Apart from our broader concerns that this bill is just a smokescreen to cover up lack of action on climate change, we also have very specific concerns about the nature of this program and the way it will operate. While it may seem an improvement on its previous incarnations of Work for the Dole and Green Corps by introducing the option for flexible accredited training options, it still fails to guarantee appropriate training and support to the participants and applicants. Training is in fact an optional extra to be negotiated with each individual rather than a core feature of the program—which you would think it would have been, given all the government's rhetoric. This has the potential to be flexible and responsive to the individual needs of the program participant, if in fact it is done properly. However, as the National Union of Students noted in their submission:

We are concerned that young people looking for work will be in an unequal bargaining position when trying to negotiate training outcomes with providers.

It may be extremely difficult for young people who have been disengaged from learning and from the work force to be able to know in advance what their training needs might be and what will lead to a positive personal outcome when they first enter this program. This, coupled with the fact that there is no incentive within the program funding for program coordinators to introduce another level of complexity to their program by encouraging participants to develop a genuinely tailored training program for delivering specific outcomes, means it is unlikely that they will be motivated to negotiate these outcomes.

Nor are there periodic reviews of the individual participation agreements which could provide an opportunity for participants to seek additional training. These have not been built into the process. Rather than offering training as an optional extra, service providers and team supervisors should be contractually obligated to ensure that participants are fully informed of their training options and actively engaged, and they should be required to be provide training and to participate in training processes.

We are extremely concerned that participants in the Green Army Program will not have access to an appropriate number of hours or basic employment protections that other trainees are entitled to. Suspending access to income support payments is extremely problematic if the program does not at least meet the income provided through the social security payment. Because there is no guarantee of minimum hours, it is possible for individuals under the program to be worse-off than if they were on Youth Allowance. As the Australia Institute submission points out:

The program plans to pay people for up to 30 hours a week for up to 26 weeks but we do not know if the hours are to be regular nor how they are to be agreed between the 'employer' and participant. It would be a cruel outcome if participants were motivated to join but found they were earning less than they had been on Newstart because the hours were not there. Likewise someone who is sick or has other sudden family caring responsibilities may suffer a drop in income. It is not clear that there are leave arrangements that would be available to ordinary workers.

Debate interrupted.

## QUESTIONS WITHOUT NOTICE

### Paid Parental Leave

**Senator O'NEILL** (New South Wales) (14:00): My question is to the Minister representing the Prime Minister, Senator Abetz. Is the minister aware of comments made last week by Acting Prime Minister Warren

Truss that the government is talking with the National Farmers' Federation and rural women's groups on the Prime Minister's Paid Parental Leave Scheme? Can the minister confirm that the National Farmers' Federation and the Country Women's Association were not consulted about the scheme prior to Mr Truss making those comments?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:00): In answer to the honourable senator's question, I cannot detail the exact information that she is seeking, other than to say that we as a government believe that the Paid Parental Leave Scheme is a very important measure to assist in our nation's tasks around population, productivity and the participation of women in the workforce. These measures are important.

They were the three aspects of the policy that we believe is vitally important and that is why we took it to the elections in 2010 and 2013. We believe that it is a good policy for the productivity of our nation to increase the participation rate of women. That scheme, might I add, includes and sustains their superannuation contributions, which under the current Labor scheme are not even considered and are forgone. This is a very important scheme for the benefit of the working women of this nation to deal with the population task, the participation task and also the productivity task, which are just so important for our nation.

**Senator O'NEILL** (New South Wales) (14:02): Mr President, I ask a supplementary question. I think that confirms that, contrary to Mr Truss's comments, the National Farmers' Federation and the Country Women's Association were not consulted.

**The PRESIDENT:** No comments. What is the question?

**Senator O'NEILL:** My question is to Senator Abetz. I refer to data released by the Department of Social Services that shows the Prime Minister's Paid Parental Leave Scheme would overwhelmingly disadvantage National Party electorates, as compared to Liberal Party electorates. Does this not demonstrate that the Prime Minister's Paid Parental Leave Scheme only serves to exacerbate the inequality between rural and urban Australia?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:02): No, we do not come to that conclusion, like Senator O'Neill would seek to come to it. We believe that this is a fair scheme. This is a very fair scheme. We believe that our Paid Parental Leave Scheme means that women in regional Australia will be treated the same as their city counterparts by being able to access a genuine Paid Parental Leave Scheme. Farming mothers and women in regional communities should be entitled to paid parental leave at their actual wage or the minimum wage, whichever is greater, just like women who work for big companies in the city.

Might I simply add that public servants here in Canberra are the beneficiaries of a scheme that is very similar, if not identical, to that which the Prime Minister is seeking to introduce. The unions champion it for the public servants in Canberra, but the Labor Party cannot bring themselves to champion it— (*Time expired*)

**Senator O'NEILL** (New South Wales) (14:03): Mr President, I ask a further supplementary question. I refer to Senator Williams' comments that rural people believe that the Prime Minister's Paid Parental Leave Scheme is too generous, too expensive, unfair and putting a price on a baby. Why is the Prime Minister introducing a scheme that is too expensive, unfair and prices babies according to their mother's income?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:04): If the honourable senator wants a direct answer to that question, she should be directing it to my good friend Senator Williams, rather than to me. As I had the great pleasure of saying in question time yesterday, we in the coalition have a broad church. We actually represent differing views within the community and we bring them all together in our party room. That is unlike those opposite, who only allow one type of person into their party room and that person has to have the qualification of having been a trade union official. Without that, you are not allowed into the Labor Party in this joint. What else I might add is this: we actually believe in freedom of expression.

*Senator Conroy interjecting—*

**Senator ABETZ:** Senator Conroy comes in on cue, because we know what his views are on climate change but he cannot bring himself to express them. (*Time expired*)

**Senator Kim Carr:** Bring on the tea party!

**The PRESIDENT:** Order! On my left. I am waiting to give the call.

### Budget

**Senator DI NATALE** (Victoria) (14:05): My question is for the Minister for Finance, Senator Cormann. In your government's brutal budget, you have made cuts to health, welfare and education, you have saddled students with decades of debt, you have slashed funding to the states and you have left vulnerable people out in the cold—

all in the name of a contrived budget emergency. At the same time, Australia's tax concessions are the most generous in the world, amounting to \$115 billion last year. Why did the government rule out winding back generous tax concessions to the big end of town and instead target pensioners, people with disabilities, students and the sick?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:06): I thank Senator Di Natale for that question. What this government is doing is fixing the budget mess left behind by the Labor-Greens government. When we came into government in September last year, we inherited an economy growing below trend, which had rising unemployment, low consumer confidence and business investment that had plateaued. The budget was an absolute mess, with a spending growth trajectory that was unsustainable. Labor's carbon tax, mining tax and massive additional red tape had reduced the level of economic growth, which had flow-on implications for the revenue raised by government. We are fixing that.

The Labor and Green reckless approach to government spending put us on a spending growth trajectory that was going to take spending, as a share of GDP, to 26.5 per cent—up from 23.1 per cent in the last year of the Howard government. That is at a time when we are raising less than 22 per cent, as a share of GDP, in tax revenue, with a long-term average of about 23.7 per cent. You do not have to be Einstein to know that you cannot balance your budget by continuing to spend at the levels the previous government wants to spend at.

There is no easy way to cut and reduce an unsustainable, unaffordable spending growth trajectory, but we cannot keep spending money we have not got and we continue to borrow from our children and grandchildren in order to fund our lifestyle today. We are saying that it is not appropriate for us to continue to borrow in order to fund consumption today. We think that we owe it to our children and grandchildren to protect our living standards, to build prosperity and to build opportunity for the future so that we leave to them a country that is in at least the same position, if not a better position, as the country we inherited from our forefathers.

**Senator DI NATALE** (Victoria) (14:08): I have a supplementary question. Minister, your colleague the Treasurer, who often accuses his political opponents of waging class warfare, this week claimed the average Australian has to work for a month to pay for the welfare of his or her fellow Australians. Minister, can you confirm the reports today that the average Australian works for two days to pay for the unemployment benefits of others but nearly 10 days to pay for tax concessions that go to the wealthy?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:09): I thank Senator Di Natale for that follow-up question. The Treasurer's speech last week at the Sydney Institute was an outstanding speech, indeed. It explained the efforts of this budget to repair the budget mess that we have inherited from the Labor-Greens administration. We inherited a budget situation where Labor, in their first five years of government, accumulated \$191 billion in deficits.

**Senator Cash:** How much?

**Senator CORMANN:** They accumulated \$191 billion in deficits. Their last budget left behind another \$123 billion in projected deficits, and government debt was heading for \$667 billion. We are forced to pay \$1 billion a month in interest, just to service the debt that has been accumulated by the Labor Party. And remember, there was no government net debt in 2007; there was a \$20 billion surplus. There was money in the bank. In the last year of the Howard government, the government was collecting more than \$1 billion in net interest payments on the back of a positive net asset position.

**Senator DI NATALE** (Victoria) (14:10): I have a further supplementary question. Minister, this is a very straight-forward question. Why has the government chosen to prioritise concessions such as the \$5½ billion going in the form of fuel tax credits that benefit industry over medical services for sick people? Why have they done it? Minister, if the age of entitlement is over, why do mining companies at the big end of town continue to get handouts while ordinary people are forced to do the heavy lifting?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:10): I do not ever expect the Greens or Senator Di Natale to understand this—but guess what? A strong mining industry is actually in our national interest. A strong mining industry helps to create jobs. A strong mining industry helps to create opportunities for people to earn a living.

I say to you that I completely reject the assertion that, somehow, there are concessions provided to the mining industry. The senator well knows that the fuel tax arrangements are effectively a road-user charge and that the mining industry, farmers and others get a rebate in relation to off-road fuel use. Why should you be paying a road-user charge in relation to fuel that is not used on roads? It is a very simple proposition.

We are focusing on building a stronger, more prosperous economy where everyone has the opportunity to get ahead. That includes a competitive taxation arrangement, where businesses across Australia can be successful, because we understand that only if businesses are successful across Australia will the country be successful.

### Asylum Seekers

**Senator O'SULLIVAN** (Queensland) (14:11): My question is to Assistant Minister for Immigration and Border Protection Senator Cash. Can the minister update the Senate on the number of illegal maritime arrivals who have entered Australia since the commencement of Operation Sovereign Borders, and how this compares to the number of those who have voluntarily departed.

**Senator CASH** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:12): I thank Senator O'Sullivan for his question. I am pleased to advise the Senate that under Operation Sovereign Borders we are now approaching—we are within days—of six months since there was a successful people-smuggling venture to Australia.

The coalition promised the people of Australia that if we were elected to govern we would stop the boats, and the success of Operation Sovereign Borders to date shows the Australian people that we are delivering on that promise to them. For the period 20 December 2012 to 17 June 2013 inclusive, a total of 12,632 IMAs arrived in Australia, not including crew. The number of SIEVs during that same period was 188. The number of crew that arrived during that same period was 395.

For the period 20 December 2013 to 17 June 2014 inclusive, there have been no successful people-smuggling ventures to Australia. The number of SIEVs that have arrived during that same period is zero, and the number of crew that have arrived during that same period is zero. Again, we said to the people of Australia that if they elected us in September 2013 we would restore integrity to Australia's borders, and that is exactly what we have done.

In relation to the second part of the senator's question, I advise as follows. A total of \$1,127 people have voluntarily departed Australia since the commencement of Operation Sovereign Borders on 18 September last year. In that same period— (*Time expired*)

**Senator O'SULLIVAN** (Queensland) (14:14): I have supplementary question. Can the minister advise the Senate what has made Operation Sovereign Borders so successful in stopping the boats and preventing needless deaths at sea?

**Senator CASH** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:14): It is called resolve, it is called commitment, it is called having a spine—something that those on the other side continually lack when it comes to protecting Australia's borders. You need only see what happened in caucus today, which is that they want to reopen the debate in relation to offshore processing. There were dragged kicking and screaming to the table last time they had to sit next to us and support offshore processing. We know that they continue to be divided on this matter. The only thing that those on the other side will turn back, if they are ever elected to government again, is the strong border protection policies of the Howard and Abbott governments. The Australian people should be very, very afraid of Labor and their stance on border protection. We need only look at what the former minister for immigration, Mr O'Connor, said today— (*Time expired*)

**Senator O'SULLIVAN** (Queensland) (14:15): Mr President, I ask a supplementary question. Can the minister apprise senators of the results that can be achieved when a cohesive, determined and resolute approach is adopted in relation to illegal maritime arrivals?

**Senator CASH** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:16): Despite the protestations of those opposite, we know they are not committed to strong border protection measures. The former minister, Mr O'Connor, who used to have this portfolio, said this morning: 'There is no reason that the issue of offshore processing cannot be revisited in the future'. That should send a very clear sign to all Australians that those opposite do not care about the 1,000 people who were confirmed dead at sea under their policies. They could not care less about the 50,000 people who arrived on our shores at a cost of in excess of \$11.6 billion. There is only one government that is committed to stopping the boats, and it is the Abbott government.

### Budget

**Senator STEPHENS** (New South Wales) (14:16): My question is to the Minister Representing the Minister for Education. I refer to the Abbott government's decision to break its pre-election promise and rip at least \$1.2 billion out of New South Wales education funding. Does the minister agree with the assessment by the New South Wales education minister, Adrian Piccoli, that 'schools in regional areas, as well as disadvantaged and Aboriginal students, will be the hardest hit'?

**Senator PAYNE** (New South Wales—Minister for Human Services) (14:17): I thank Senator Stephens for her question. If one wanted to talk about money being removed from schools funding in Australia, I think the best

place to start would be the removal of \$1.2 billion from schools funding by the previous government when they failed to reach agreement with all the states and territories. That would have meant there was no additional funding for students in Queensland, Western Australia and the Northern Territory—a small technical point that it appears those on the other side are trying to avoid. What is in fact the case with our education announcements in the budget is that we are investing a record amount of \$64½ billion in recurrent funding for government and non-government schools over the next four years. The coalition has not only matched school funding dollar for dollar over the quadrennium of the previous government but increased it. That includes \$1.2 billion for schools, from 2014 to 2017, over and above the funding committed by the previous government.

**Senator Moore:** Mr President, on relevance: the question referred to a statement by the New South Wales education minister about concerns about \$1.2 billion out of the current New South Wales budget.

**The PRESIDENT:** There is no point of order at this stage. The minister still has 55 seconds remaining.

**Senator PAYNE:** As I was saying, we ensured that students in Queensland, Western Australia and the Northern Territory do not miss out. That of course means—QED, I would have to say—that students in New South Wales were in a good position, the position that was committed to by the previous government. The position now sees the other states and territories—which were not included by the previous government; and \$1.2 billion was removed from that funding—on an equal footing with states like New South Wales, South Australia and so on. That is the most important aspect of our funding program—to ensure that we are increasing funding, which we are, by a record amount of \$64.5 billion in recurrent funding for government and non-government schools over the next four years.

**Senator STEPHENS** (New South Wales) (14:20): I thank the minister. I am disappointed that she did not actually answer my question, which is: does the minister agree with the assessment by the New South Wales education minister, Adrian Piccoli, that schools in regional areas, as well as disadvantaged and Aboriginal students, will be the hardest hit by this cut?

**Senator PAYNE** (New South Wales—Minister for Human Services) (14:20): I thank Senator Stephens for her supplementary question. I think it is very important for the chamber and those opposite to recognise that schools in Australia, no matter what state or territory we are talking about, have not been short-changed. We have met our commitment to provide funding certainty over the next four years from 2014 to 2017. As I said in my previous response, this is \$1.2 billion more than schools would have received under the previous government. That is a convenient omission that they continue to make.

**Senator Wong:** Mr President, on relevance: this is the second occasion on which this minister has been specifically asked whether she agrees with the assessment by her colleague Minister Piccoli that schools in regional areas, as well as disadvantaged and Aboriginal students, will be the hardest hit. That is the only question that she was asked in the first supplementary. She has not come close to that question. I ask her to return to the subject matter, which she is trying to avoid, about which she was asked.

**The PRESIDENT:** There is no point of order at this stage. I am listening closely to the minister's answer. The minister still has 21 seconds.

**Senator PAYNE:** Thank you, Mr President. I think, if we reflect on the remarks I made previously, we will see that I made it very clear that schools in Australia have not been short-changed. That is an answer to the senator's question.

### Budget

**Senator STEPHENS** (New South Wales) (14:22): I refer to the New South Wales Nationals conference last weekend, where delegates called on the federal government to reverse its cuts and fund, as promised, the Gonski package for the full six years. I ask: won't cutting funding for regional schools for learning support for children with special needs and Indigenous students force up the costs of regional university courses and hurt people in Regional Australia?

**Senator PAYNE** (New South Wales—Minister for Human Services) (14:23): Let me refer initially to funding for students with a disability—students with special needs, in large part. The Australian government has already introduced a funding loading to support students with a disability, which began this year, 2014. It has provided for students with a disability, no matter where they live or where they go to school, so an assertion that students in regional areas with special needs are somehow disadvantaged by those opposite's interpretation of the government's budget measures is in fact fallacious and should be rejected. It is a scare tactic. It is not going to work, because it is simply not true. That is the bottom line. Those opposite do not want to think about the truth or utter the truth; they wanted to avoid the question.

*Opposition senators interjecting—*

**Senator PAYNE:** It is not true. We have budgeted \$4.8 billion for students within this budget.

*Opposition senators interjecting—*

**The PRESIDENT:** Senator Payne, resume your seat. You are entitled to be heard in silence. Order, on my left.

**Senator PAYNE:** It is disappointing that, having asked the question and having some opportunity to hear an explanation of the funding that is being distributed to students with a disability— *(Time expired)*

### **Aged Care**

**Senator BOYCE** (Queensland) (14:24): My question is to the Assistant Minister for Social Services, Senator Fifield. There are important changes to help older Australians coming into effect on 1 July. Could the minister outline to the Senate the key elements of these changes?

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:24): I thank Senator Boyce for the question and for her outstanding contribution as chair of the Senate Community Affairs Committee. I think all my colleagues know that Australia's population is ageing, and therefore we need to have an aged-care system that is fit for purpose for the long term. Commencing 1 July, there is a new arrangement, which seeks to create a more consumer-driven aged-care system, but I want to emphasise first and foremost that, for those people already in residential aged care—whether they be receiving care or accommodation—their existing arrangements will be grandfathered.

While there will always be a safety net, we are asking people who can afford to contribute to the cost of their aged care and accommodation. New means-testing arrangements will take effect from 1 July, which will see an asset and income test apply to both residential care and accommodation. There will also be annual and lifetime fee caps in place to make sure that the system is affordable over the longer term. For accommodation, the distinction between high care and low care is being removed, so consumers will have the option now of choosing a bond, a daily fee or a combination of the two—the choice will be theirs.

I should indicate that these changes were legislated under the administration of the previous government, and no minister in a new government inherits a clean slate. It may well have been the case that, had I been the minister in the middle of last year, some of these arrangements may have been a little different, but, nonetheless, in the broad, we do believe that these changes are a step in the right direction. I will, however, be monitoring the real-life working-out of these and listening to the views of consumers and providers.

**Senator BOYCE** (Queensland) (14:26): Mr President, I ask a supplementary question. Can the minister also outline to the Senate how these changes to the aged-care system on 1 July will create greater consumer awareness and empowerment?

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:27): As part of the 1 July changes, we are asking providers to offer greater consumer information to help consumers navigate through the aged-care system. I think all colleagues would be aware that one of the most common complaints from consumers and their families is how difficult it is to navigate the aged-care system, and those who have any personal family experience would certainly be able to attest to that.

The government's My Aged Care gateway will help empower consumers with the information that they need to make the decisions that are right for them. The contact centre and website will provide information on aged care; it will provide support for consumers to find services in their local areas and it will also provide referrals to assessment services and service providers. Callers to the My Aged Care call centre will, I should emphasise, be able to talk to a real person, which is so important for older Australians.

**Senator BOYCE** (Queensland) (14:28): Mr President, I ask a further supplementary question. Can the minister further inform the Senate of how these changes will lead to greater choice for older Australians and allow them to stay longer in their own homes?

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:28): I think, when most of us think about aged care, we tend to think about residential care, and people are often surprised when they discover that only five per cent of Australians over the age of 65 actually live in residential aged care. We know that most people want to live in their own home, and we want to support people to stay in their own homes. In order to do so, we are increasing the number of home-care packages, with an additional 80,000 over the next 10 years.

Crucially, these packages will all have to be delivered according to consumer-directed care, meaning that consumers will be at the centre and in control. That is the way that a system of care should be, and in the other part of my portfolio, with the NDIS, that is very much the case—the individual at the centre, in charge and



directing their dollars to the service providers of their choice. I should indicate that we will be monitoring these changes very carefully. (*Time expired*)

### Budget

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (14:29): My question is to the Minister representing the Minister for Social Services, Senator Fifield. During budget estimates, the Department of Social Services were unable to clearly explain some of the measures associated with the scheme to condemn people under 30 to a period of six months of no income support. Can the minister please confirm whether a member of a couple who are both unemployed and under the age of 30, with a child or children, could be denied income support? Could a pregnant woman under the age of 30 be denied income support more than six weeks before her due date? If so, what impact does the government consider this crippling poverty will have on the wellbeing of those families and their children?

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:30): I think it is important to recognise that there are some important exemptions in what we refer to as the earn or learn requirements that we are introducing for people under the age of 30. I will take the chamber through those. If an individual has a partial capacity to work less than 30 hours per week, they will be exempt. If a single parent is receiving family tax benefit for a child, they will be exempt. If they are in full-time education they will be exempt. If they are an apprentice they will be exempt. If they are a principal carer parent they will be exempt. If they are a stream 3 or stream 4 job seeker, or remote jobs and community program equivalent under current employment services arrangements, they will be exempt. Also, if someone is eligible for disability employment services they will be exempt. These are important exemptions which I think have not been given adequate ventilation in the post-budget period, so I think this is a good opportunity to highlight the fact that there are exemptions. The objective is to help those people who do have the capacity to work—

**Senator Siewert:** Mr President, I rise on a point of order. I do know those exemptions. I was asking about specific examples. Could I ask the minister, in his remaining 45 seconds, to please address those two specific examples and the question I asked about what impact the measures will have on them?

**The PRESIDENT:** I do draw the minister's attention to the question.

**Senator FIFIELD:** I think we always have to be very careful when we are relating specific examples—what you might call 'individual cameos'. Obviously there can be a range of variables. We are talking about a range of variables which you would need to know in order to give a definitive answer to a question about an individual circumstance.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (14:32): Mr President, I ask a supplementary question. I think I can take from that answer that, yes, pregnant women and families will be caught up under that measure. Can the minister confirm that people who have been denied income payments on the so-called Newstart nil payment will be required to apply for 40 jobs per month? How will they do this on no income—i.e., how will they be able to afford the phone calls—and what penalty will apply if they do not apply for 40 jobs per month?

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:33): We are introducing the Newstart changes, which come into effect from 1 January 2015, so that young people on unemployment benefits can be encouraged to earn or learn. That is the objective. We want to do whatever we can to help put people in a situation where they can find a job. People below the age of 30 are, we think, in a much better position to connect with the labour market. We all know that the longer someone is out of work the harder it is for them to get into work. We make no apology for the fact that we will be requiring people to undertake job interviews. We make no apology for the fact that we will be requiring people to directly seek to engage with employers. They will be required to do whatever they can to seek employment. We do not think that is a bad thing; we think that is a good thing.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (14:34): Mr President, I ask a further supplementary question. We are aware that the government has committed around \$229 million for emergency relief—an indication that this policy will have devastating consequences on young people. Could the minister confirm some of the details which were unable to be confirmed during estimates? For example, what are the provisions around that emergency relief, and will it include or involve food vouchers to young people under 30?

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:35): It is true that the government will be providing an additional \$229 million for job seekers for help and emergency assistance under the stronger participation incentives for job seekers under 30. That is the case, but it is important to emphasise that that is a figure over four years. We make no apology for the fact that we have a safety net and that we are adding to that safety net. There may be people who require

additional support, for whom circumstances are not working. I have already outlined the extensive exemptions that we have from the arrangements that were announced on budget night, but we do not apologise for the fact that we are providing \$229 million over four years to make sure that no-one falls through the gaps without support from the government. (*Time expired*)

### Budget

**Senator KIM CARR** (Victoria) (14:36): My question without notice is to the Minister representing the Minister for Education, Senator Payne. Is the minister aware that regional universities, including Newcastle university's vice-chancellor, Professor Caroline McMillen, have said that the proposed changes to university funding will benefit elite universities at the expense of institutions that attract students from poor, disadvantaged and regional backgrounds? Can the minister inform the Senate if any vice-chancellor of a regional university supports the government's extreme higher education policies?

**Senator PAYNE** (New South Wales—Minister for Human Services) (14:36): I thank Senator Carr for the question and for continuing the very constructive conversation we had over these matters during the estimates period. He is, as you know, always so very constructive in the estimates environment and this occasion was no different. I am sure my colleagues and Senator Back, who was chairing the committee, will agree with me on that matter. As we discussed extensively at estimates, the government's policies in relation to the changing of arrangements around higher education are designed to do a number of things; most importantly though, they are designed to ensure that Australia will be internationally competitive in the higher education space.

The policies are designed to ensure that students from areas such as those to which Senator Carr has referred through a number of mechanisms, including the sub-bachelor degree funding expansion and including support for institutions that provide those sorts of qualifications that are directed at students who may come from areas in Australia where it is not always easy to win or achieve on your first effort in a bachelor degree—exactly the sorts of students that Senator Carr was talking about. It is about spreading opportunity across Australia for students; it is about making sure that there are many more opportunities. And I think I have said in the chamber before—

**Senator Moore:** Mr President, I rise on a point of order: relevance. It was a very specific question about whether any vice-chancellor of a regional university supports the government's policy. I have now given quite a long time to have that question answered but we have not had that answer. Could I ask you to draw the minister's attention to the specific question.

**The PRESIDENT:** Order! I cannot tell the minister how to answer the question. I have said this on numerous occasions and it is the same on this occasion. The minister has 36 seconds to reaming to address the question that was asked by Senator Carr.

**Senator PAYNE:** I can, to assist those opposite, read a small contribution from a media release of May from the regional universities network which says:

The Regional Universities Network (RUN) welcomes the announcement in the budget of an ambitious program of reform for higher education which recognises the importance of the sector to Australia. The Treasurer and the minister are to be congratulated for highlighting the important role universities play in Australia's future.

**Senator KIM CARR** (Victoria) (14:39): Mr President, I rise to ask a supplementary question. I thank the minister, who cannot find one vice-chancellor that supports the package now. Why is the government cutting funding to courses that would see fees for a degree in agricultural science increase by over 48 per cent while negotiating trade agreements that require an increase in agricultural production?

*Honourable senators interjecting—*

**The PRESIDENT:** Order! When there is silence on both sides, I will call the minister.

**Senator PAYNE** (New South Wales—Minister for Human Services) (14:40): I thank Senator Carr for his supplementary question. If we do again go back to estimates—and a number of us were there for an extended period of time—the sorts of figures that Senator Carr is using and was using on that occasion were addressed by senior officers of the department, including the secretary, to explain why they were not necessarily an accurate representation of the position that Senator Carr is putting. That explanation was extremely detailed. It is on the *Hansard* from the estimates period, and I personally, as did my colleagues, valued the effort put in by the senior officers to explain those particular issues.

We actually believe in the transformational power of higher education. We actually believe that in pursuing these reforms we will be able to provide around \$37 billion in funding to higher education institutions over the next four financial years. We think that is an important contribution and we do not resile from that.

**Senator KIM CARR** (Victoria) (14:41): Mr President, I rise to ask a further supplementary question. Given that a university degree in agricultural science may well increase by 48 per cent, has the minister spoken with

members of the Nationals or indeed had any consultation with the Minister for Agriculture given the deritorious impact the government proposals will have for higher education for regional universities and for regional students?

*Honourable senators interjecting—*

**The PRESIDENT:** Order! When there is silence on both sides, we will proceed.

**Senator PAYNE** (New South Wales—Minister for Human Services) (14:42): I know it has been a while since estimates, at least only a week. I think Senator McKenzie was in estimates, and I think Senator McKenzie is in the Nationals. As I always say, some of my best friends are Nationals. It is something from which I will absolutely not resile. I was speaking to the Minister for Agriculture, Minister Joyce, when he was in Tamboora at a drought relief event recently. I spoke to him personally. If that answers the senator's questions, I hope that is helpful but—

*Honourable senators interjecting—*

**The PRESIDENT:** Order! Senator Payne, resume your seat. You are entitled to be heard in silence. If you wish to debate it, the time is after three o'clock.

**Senator PAYNE:** I was saying that of course I have regular communications with all of my colleagues in the strong and healthy coalition that we are. Senator McKenzie asks me questions in the chamber. We are as one on this issue. Thank you, Senator, for the question.

*Honourable senators interjecting—*

**The PRESIDENT:** Order! When there is silence on my left and on my right.

*Senator Conroy interjecting—*

*Senator Kim Carr interjecting—*

**The PRESIDENT:** Order! Senators Conroy and Carr.

### Budget

**Senator WILLIAMS** (New South Wales) (14:44): My question is to the Assistant Minister for Health, Senator Nash. Can the minister advise the Senate on how the government's recent budget will contribute to better health outcomes for rural and regional Australia?

*Honourable senators interjecting—*

**The PRESIDENT:** I remind honourable senators, when there is silence we will proceed.

**Senator NASH** (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:44): I thank the senator for his question and acknowledge his very real interest in rural and regional health. This government recognises the very real inequity that still exists between country and city when it comes to the provision of health. This government is committed to improving health outcomes in rural and regional areas, as we have shown through the recent budget. One of the things that is extremely important, and that we enabled to be provided—

*Honourable senators interjecting—*

**The PRESIDENT:** On my left and on my right, Senator Nash is entitled to be heard in silence.

**Senator NASH:** One of the things the government recognises is the importance of teaching and training medical students in rural and regional areas. There are a number of provisions in the budget that address that. One of these is the \$238.4 million of funding over five years that will double the Practice Incentives Program teaching payment. This will double the rate for general practices that provide teaching to medical students. That is recognition by this government of how important the job is that those general practices do. There is also a rural loading for that of 50 per cent for rural and regional areas. We have provided \$52.5 million over three years for the existing general practices for infrastructure grants so that they can improve their capacity to teach those medical students. We have also provided \$13.4 million over three years for an extra 500 scholarships for nursing and allied health, recognising that across the health sector in rural and regional areas it is vital that we take into account all of those professions that are providing such an important service for our rural and regional people. There is also an additional \$6 billion in the budget that those opposite may or may not know about for the very important work of the Royal Flying Doctor Service to expand their essential services, to ensure they can proceed as they need to. *(Time expired)*

**Senator WILLIAMS** (New South Wales) (14:47): Mr President, I ask a supplementary question. Can the minister elaborate on how the rural and regional teaching infrastructure grants announced in the budget will build capacity in the health system in rural and regional areas?

**Senator NASH** (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:47): This government is committed to improving health outcomes, particularly when it comes to front-line services. Unlike those opposite, this government, through the budget, has shown we are absolutely committed to moving away from bureaucracy, moving away from duplication and ensuring we are efficiently and effectively targeting those front-line services. One of the things in the budget is the \$52½ million for the rural and regional teaching infrastructure grants. They will provide 175 grants of up to \$300,000 each to medical practitioners in rural and remote areas so that those medical practitioners can improve their medical infrastructure, their teaching infrastructure, in those GP clinics. Many of my colleagues on this side of the chamber would have seen those clinics and know that there is a real need. The government has identified that and supported that through this program.

**Senator WILLIAMS** (New South Wales) (14:48): Mr President, I ask a further supplementary question. Can the minister also advise the Senate how the coalition's recent budget will improve health outcomes of rural and regional Australians through support for the nursing and allied health workers?

**Senator NASH** (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:48): As I indicated earlier, we need to focus on the entire health sector. We hear a lot about GPs, but we also recognise in this government the importance of nursing and allied health and the workforce there. We have provided \$13.4 million for additional scholarships for nursing and allied health. This is particularly going to target areas of workforce shortage. Unlike those opposite, this government recognises that there needs to be a focus on those areas of need. So there will be support for undergraduate and postgraduate students. There is support for continued professional development. There is support for transition to practice training and—very importantly for those on this side that recognise the need—support for people who have been nurses who are looking to re-enter the workforce. We know that is a particular need in rural and regional areas. This government, unlike those opposite, has recognised that. *(Time expired)*

### Budget

**Senator FURNER** (Queensland) (14:49): My question is to the minister representing the Minister for Infrastructure and Regional Development, Senator Johnston. I refer to the impact on regional Australia of the government's decision to index fuel excise. Can the minister respond to comments by the President of the National Farmers' Federation, Brett Finlay, that an increase in the fuel excise will hit rural and regional Australia hard. Is the NFF right?

**Senator JOHNSTON** (Western Australia—Minister for Defence) (14:50): Of course, he is not right.

*Opposition senators interjecting—*

**The PRESIDENT:** Order! On my left.

**Senator JOHNSTON:** The one thing you can rely on when it comes to fuel excise—and an understanding of how important excise-free fuel is to regional Australia that is actually out there doing positive things for this economy—is that the Labor Party will come along with a completely empty vessel of understanding of what is actually happening.

The proposals that we have put forward in the budget are responsible. They see Australia through difficult times when we are mopping up after one of the most profligate governments this country has ever seen. They sit over there, oblivious to the mayhem that they have delivered from portfolio to portfolio. These measures are absolutely essential to a sustainable, growing, positive economy; in stark contrast to the absolutely incompetent economic management and mismanagement that we observed for five very long and painful years from this profligate, incompetent opposition when they were in government.

**Senator FURNER** (Queensland) (13:27): Mr President, I ask a supplementary question. I thank the minister for his response identifying that the NFF is wrong. I ask the minister: is he aware that the Pastoralists and Graziers Association president, Tony Seabrook, has said that the fuel price hike will drive up the cost of production? He also said:

If government doesn't recognise the folly of increasing our productions costs, then this industry will become even less in the world market.

Why is the government forcing rural businesses to shoulder the burden of the coalition's cash grab?

**Senator JOHNSTON** (Western Australia—Minister for Defence) (14:53): I thank the senator. He may be surprised to know that I actually know Mr Tony Seabrook. And it may surprise him to know that my family have been in the pastoral industry, and they laboured long and hard under a Labor government of years gone by which was completely oblivious to the man on the land and what the man on the land had to confront in making an honest living.

This government is committed to working with regions to create dynamic, stable, secure—

*Opposition senators interjecting—*

**The PRESIDENT:** Senator Johnston, just resume your seat. Order!

**Senator JOHNSTON:** Mr President, we all know on this side that this government is committed to providing \$1 billion over five years in its new National Stronger Regions Fund, something that of course we never saw from those on the other side when they were in power. Funding is included in the budget from 2015-16. The program will invest in priority infrastructure in regional communities and will support livability and drive economic growth. *(Time expired)*

**Senator FURNER** (Queensland) (14:54): Mr President, I ask a further supplementary question. Can the minister confirm that this increase in the fuel excise resulted from the government's playing the Nats? What will the National Party roll over on next?

**The PRESIDENT:** Senator Heffernan?

*Senator Heffernan interjecting—*

**The PRESIDENT:** There is no point of order.

**Senator JOHNSTON** (Western Australia—Minister for Defence) (14:55): The short, obvious answer is no. This fund that we are looking at creating will make regional communities a place where more people choose to live as they pursue opportunities for themselves and their families. And, may I say, it is a very important initiative for those people living in extremely remote regions of my home state of Western Australia. Grants will be available to meet up to half the cost of infrastructure projects. This is a dynamic, innovative scheme to assist the people living in outback Western Australia. Projects with a strong economic focus, particularly those in disadvantaged regions, will receive priority for funding—and, after five years of Labor, most of those regions are very disadvantaged, may I say.

### Fair and Lawful Building Sites Code

**Senator KROGER** (Victoria—Chief Government Whip) (14:56): My question is to the Minister for Employment, Senator Abetz. Can the minister update the Senate on the effect of the government's proposed Fair and Lawful Building Sites Code and how it will save taxpayers' money on vital infrastructure projects?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:56): I thank Senator Kroger for her question. The new building code will promote best-practice workplace relations in the construction industry. Too often, contractors and large building companies have entered into lazy, unproductive agreements that create increased costs. These costs are not met by the building company but are passed on to those ultimately paying for the work—namely, the Australian taxpayer. If a contractor wants to undertake taxpayer funded work, the government requires that it be able to do that work efficiently and productively. The priority of the code is squarely on ensuring that taxpayers receive value for money.

The building and construction industry has been subject to either a legislative building code or administrative guidelines since 1998. Unfortunately, the strong code under the Howard government was emasculated by the previous government when the Leader of the Opposition was the Minister for Employment and Workplace Relations. The Productivity Commission's recently released draft report on public infrastructure recommended:

All Australian governments should adopt the Victorian building code guidelines—

those of the state from which Senator Kroger comes—

(or ones with an essentially similar framework) for their own major infrastructure purchases. The Australian Government should require compliance with these guidelines ...

The Fair and Lawful Building Sites Code is based on those 2006 federal guidelines. The new building code will put taxpayers' interests first, unlike Mr Shorten's building code, which put union bosses first.

**Senator KROGER** (Victoria—Chief Government Whip) (14:58): Mr President, I thank the minister for that considered answer, and I ask a supplementary question. Is the minister aware of any arrangements that may be in breach of the Fair and Lawful Building Sites Code and, if so, what are the potential consequences of breaching the code?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:58): Many media outlets today reported that various proposed pattern agreements in New South Wales and Victoria have been assessed as being noncompliant with the code. Agreements which limit the ability of an employer and its employees to determine when work can be performed will not meet the requirements of the code.

It is, unfortunately, common in the industry that where an employee wants to reschedule a rostered day off the union must also agree even where the employer and employee agree to work on a so-called lockdown weekend or to substitute a rostered day off. Other common arrangements that are not acceptable under the code include requiring contractors to employ a non-working shop steward or job delegate. And so the list goes on.

Construction companies that do not comply with the code will not help us get value for money and, as a result, will not be allowed to tender. (*Time expired*)

**Senator KROGER** (Victoria—Chief Government Whip) (15:00): Mr President, I ask a further supplementary question. Is the minister aware of any impediments to the implementation of a fair and lawful building sites code in my home state of Victoria?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:00): Yes, I am, Mr President. A major impediment is the misinformation of the CFMEU, which has recently been spread about the code. A recent flyer distributed by the Victorian branch of the CFMEU on Victorian building sites falsely claims the code would abolish penalty rates, ban rostered days off and ban union stickers. All these assertions are simply false. I note that the flyer is authorised by John Setka, the favourite union boss of the Victorian leader of the ALP, Daniel Andrews. Mr Setka's union has donated \$1 million to the Victorian division, which happens to also be Mr Shorten's state division, of the ALP since 2007—more than any other union.

When it comes to government-funded building work, we want to ensure value for money, whereas members opposite and Daniel Andrews are only interested in giving Mr Setka value for money. (*Time expired*)

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

## QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

### Paid Parental Leave

#### Budget

**Senator FURNER** (Queensland) (15:01): I move:

That the Senate take note of the answers given by ministers to questions without notice asked by Opposition senators today relating to the 2014-15 Budget.

Once again, today, we see in this chamber those opposite defending their insidious and horrid budget. Some of the questions in respect of what I will touch on today in answers provided by those opposite reflect the position that not only the Prime Minister but also the partners of the coalition have taken with regard to the concerns they have raised about this budget.

It was quite amusing and quite extraordinary to be in the chamber today to hear from the likes of Senator Macdonald when he was, to some degree, probing and questioning the position that the Minister for Finance, Senator Cormann, had taken in respect of the deficit bill that is currently before the chamber.

You only need to reflect, however, on the position that the Prime Minister has taken on this budget. In question time yesterday, in response to a question from the member for Hotham, he said:

We have done precisely what the people of Australia asked us to do ...

I am pretty certain, as I go around and talk to constituents and people in general in my state of Queensland, that they did not precisely ask to be lied to, to have their pensions cut, to have their health priorities cut, to have higher education and education cut, and to have a fuel excise put upon them. I would really question why the Prime Minister raised that type of response in question time as of yesterday.

But we do know this is a budget of Liberal-National Party values. It is a budget based on the values where the rich are rewarded, as opposed to the poor being pushed more and more into poverty. We heard, once again, today in questions and in defence by the Nationals here in this chamber of their position on the fuel excise increase. It would pay them to have some intestinal fortitude and to stand up to their partners in this chamber and oppose the fuel excise. You may recall, Mr Deputy President, in this chamber yesterday, my contribution to a debate where I spoke of a constituent of mine, who lives west of Barcaldine. He was complaining to my office about the fuel increase and not being able to afford to go to polo shows anymore. That seems to be a consistent line that rolls out through many emails that I receive in my office. I would also like to refer to an email from a constituent who lives in the Hinkler electorate. He wrote to the member for Hinkler, advising:

... I live in the Hinkler electorate and voted for you at the last election. However since the coalition took office their performance has been less than fair mainly because, of the 2014 budget.

He refers to concerns about other measures and how there are different ways of dealing with the current budget appropriations. He then ends the commentary by saying:

With the skyrocketing costs of energy, water, medical, food, transport, fuel etc. it is becoming increasingly difficult for the average family to make ends meet. Give us a break and tax those people, companies and organisations who don't pay tax and who can afford it. The Coalition's voter support may even increase instead of rapidly decreasing since the budget release.

Once again, we find the Prime Minister of this country, saying in a meeting with the US President recently, 'The fuel excise is a carbon tax on steroids.' He actually said to Barack Obama, during the wide-ranging private discussions in Washington that he had, that the fuel excise, which the government announced would increase in the budget, was acting like a carbon price signal.

On one hand, the coalition are wanting to do away with the carbon price but, on the other hand, they are here promoting a fuel excise. I can only imagine that they are claiming it will result in fewer people on the roads and will promote the fact there will be less carbon monoxide rising into the atmosphere. I imagine that is what they are promoting. But it is difficult to get in the heads of a National Party member or a senator and work out what they are really promoting when it comes to these sorts of comments that our Prime Minister made in the US recently.

The last comment I want to make, and I am running out of time, is the effect on the retail sector that has been—*(Time expired)*

**Senator MASON** (Queensland—Parliamentary Secretary to the Minister for Foreign Affairs) (15:07): I always enjoy Senator Furner's contributions. They are always considered—even if somewhat misguided. Let's just draw the broader picture of the budget. Let's give a little bit of context. At present as a proportion of debt to GDP, this nation is at about 14 per cent. Senator Furner is right—at least in this respect—that that is nothing shocking when looking at most of the OECD. That is true. The problem is not the amount; the problem is the trajectory of government debt. Funding Labor's future promises is the problem.

It is as simple as this: if we were to do nothing it would get so much worse. If we did nothing about the education funding, the Gonski funding, the NBN, the National Disability Insurance Scheme, the indexation of welfare and so forth the problem would be that government debt would rise and rise and rise.

*Senator Conroy interjecting—*

**Senator MASON:** The trajectory is like this, Senator Conroy: under your government, public debt in this country would have trebled in nine years. The steepest trajectory in the developed world is what that lot left us—the steepest trajectory of public debt in the entire developed world. It will treble within nine years. Debt will be at \$667 billion and interest payments will be about \$3 billion a month. On current projections, within a decade, every man, every woman and every child in this country will be in debt to the tune of \$25,000. That is on their projections. That is if we do nothing. For an average family, that is about \$100,000 for each family within nine years—virtually no time at all.

But, of course, Labor would be happy. Labor would be delighted, because at long last they would have achieved their great ambition—a public sector that eats up more and more of the national wealth. Labor would love that—government which decides, government which increasingly decides who are the new rent seekers, the new spivs, the new carpetbaggers and the new cronies they will play to. They love that. They want to be just like Western Europe. What a prognosis for a successful future! The Labor Party would finally get what they want—a little bit of Western Europe in South-East Asia. Wouldn't they love that! They would finally get what they want. What sort of prognosis is that for Australia's future? In the fastest developing part of the world, with the economies that are growing the fastest, we would have an economy something like a sclerotic economy, something like Western Europe—and it would happen within nine years.

That is the legacy of this lot, and they sit here and talk about fairness. I accept that Australians are being asked to give. That is true. And I suspect that there is some pain. But any difficulties, any pain, any complaints from anyone in this country will be nothing compared to the sacrifice that will have to be made in just nine short years if we do not fix this problem now. That is the problem that confronts this country. Is there some difficulty? Is there some pain right now? Yes, there is, but if we do not fix this problem it will be so much worse within three terms of parliament. That is all it is. On their figures, they have forecast \$667 billion of debt within nine years.

We do not even know any more whether Labor believe in balancing the budget. Mr Swan used to talk the talk though he could never walk the walk, but at least he said he believed in balancing the budget. When was the last time you heard Mr Shorten or Mr Bowen say they believe in balancing the budget, that they believe that generations should live within their means? When is the last time you heard that? They will all talk about, 'We should just go for broke'—which of course is economic surrender. I have heard 'Go for broke' spoken in French. I have heard 'Go for broke' spoken in Portuguese. I have heard 'Go for broke' spoken in Icelandic. I have heard 'Go for broke' spoken in Greek. Do you know why? Because it is always a surrender. It is always said in Greek: 'When you have got nothing to offer, go for broke.'

**Senator O'NEILL** (New South Wales) (15:12): I do not know if it is going for growth but we certainly had the enlargement of a voice, which was approaching screaming, here in the chamber. I think that it is a sign of that great Shakespearian saying, 'Methinks the lady doth protest too much.' This shouting, carrying on and nonsense is a distraction. This government want Australians to be distracted from what they are actually doing in terms of ripping away the fabric of this very society.

Yesterday the Prime Minister stood up in the House of Representatives and said, 'This budget is the budget that the Australian people elected us to bring down.' He could not be further from the truth. But there is something very powerful about his budget. It reveals the values of this Liberal-National coalition party and how wantonly and desperately they are under the influence of an ideology that would seek the destruction of Australia's social fabric—our egalitarian fabric about moving forward together.

This budget from this government reveals a complete lack of care for fairness—and we can see it most clearly in the questions that we asked today and the inadequate responses about the differences between people in the bush and people in the city and about failures of consultation with key stakeholders, including the National Farmers Federation and the Country Women's Association. Believe you me, when Nola Macleod, president of that great Australian organisation, the Country Women's Association, says, 'Warren Truss certainly didn't speak to us,' I will believe her every day over the stream of lies that the Australian people have now come to expect is the level of communication they can get from this federal government.

With particular regard to the answer given by Senator Abetz in response to my question about paid parental leave, it is not surprising that the minister was so quick to shoot down dissent from his own coalition partners, the Nationals, this question time. It is not surprising that the Nationals are standing up for their electorates as they watch the golden rivers of Tony Abbott's signature Paid Parental Leave Scheme flow into the inner city Liberal seats and only trickle to the regions.

Sadly, it is also not surprising that the Prime Minister and Senator Abetz are so quick to try and shut down any public dissent from the Nationals. But they are failing in that as much as they are failing this nation. With 700 women on the northern beaches of Sydney, in the electorate of Warringah, eligible for up to \$50,000 in Paid Parental Leave payments and only one-third of that number eligible in the electorate of Wide Bay, the Nationals have a right to be bemused by the equity of this Liberal Party policy. That is why we are seeing the complete unravelling of a dysfunctional, arrogant government that is not listening to the people of Australia and is still insisting on the budget that it brought down, the budget that is set to undo Medicare, the budget that takes money away from pensioners.

This budget is not the one that Australians believed that they were getting. It just reveals over and over again the big gap between what Australians think is fair and right and what this government is willing to inflict on ordinary people. The regional electorates were forgotten when this government came up with this policy. It did not consult. It does not care to. There is a constant failure of consultation. There is a constant failure to address the reality that inequity is absolutely in the genes of this Liberal Party, which is leading its coalition allies by the nose to a disgraceful position of inequity in Australian public policy.

With regard to school funding, in the time that remains to me I would like to put on the record that I am proud to be a New South Welsh woman when people in New South Wales—including the Nationals, at the New South Wales conference—are seeking to hold this federal Liberal government to account to honour its six-year commitment to school funding and to reverse the cuts. We had questions today put to the Minister representing the Minister for Education here in the Senate, Senator Marise Payne, who continued to roll out misinformation to try and deflect from the reality that an exit of \$30 billion of education funding has been confirmed. She might try and play the game with the pea and the thimbles, where you shift money around—they tried to get away with that with \$1.2 billion in education—but the reality is: this government is taking money from the poor— (*Time expired*)

**Senator BACK** (Western Australia—Second Deputy Government Whip in the Senate) (15:17): I am delighted to have the opportunity to comment on the proposed Paid Parental Leave program to promote post-parturition participation, to improve productivity and profitability, towards parity, in a particularly and peculiarly appropriate process. And how wrong Senator O'Neill is when she comments on the value of this particular program to rural women. As Sharman Stone, the member for Murray, said the other day, in response to a question from a female ABC interviewer: 'You enjoy these benefits, don't you? You in the ABC enjoy them. Commonwealth and state civil servants enjoy them. Employees in insurance companies, banks and big mining companies all enjoy them, don't they?' Do you know what the ABC interviewer did, Senator O'Neill? She was silent, simply because, as we all know, this is not a welfare payment; it is equally applicable to anybody across the spectrum. This Paid Parental Leave scheme is going to allow women to stay in small businesses. Over time, as we all know, women have left small businesses to join banks, insurance companies and the public sector. So, far from this being some sort of an accusation against rural and regional Australia—which is a little bit rich coming from the Labor Party, who would



not know where rural and regional Australia was—Mr Deputy President, I can say to you, after an entire life associated with rural and regional Australia, that the bush is very, very happy with the coalition.

Senator Furner asked a question about my friend Tony Seabrook, who may have made a comment about the diesel fuel excise. Let me tell you what Tony Seabrook said in June 2011, when then Prime Minister Gillard and then Agriculture Minister Joe Ludwig cut the knees and the legs out from under regional and rural Australia by banning the live export trade, affecting not just northern Australia but sheep producers, grain producers and, particularly, cattle producers and damaging the relationship with Indonesia, which Prime Minister Abbott, Foreign Minister Bishop and Defence Minister Johnston have only recently been able to start to repair.

I am delighted, as an ex-academic in a rural and regional university, to comment on the benefits of the higher education changes which have been brought in by the Minister for Education, Christopher Pyne. I met with one of the vice-chancellors yesterday, and we discussed the benefits of sub-bachelor degrees. I could speak for some time about how those young people who did not quite make it into university initially will be able to get financial support, through HELP, to do sub-bachelor degrees, which will start them on a process possibly even through to doctoral and postdoctoral studies, something which the Labor government, when it was in power, never, ever legislated for.

In the short time left to me, I would just like to comment on how Labor decimated the bush when they responded to the global financial crisis. We heard the nonsense from then Prime Minister Rudd and Treasurer Swan about how they saved the nation. There were four reasons this nation was saved.

**Senator Conroy:** Ah, yes!

**Senator BACK:** It certainly wasn't because of your NBN! The four reasons were these: firstly, Labor went in with a \$20 billion surplus; secondly, there were very good prudential regulations in place because of the efforts of the Howard-Costello government; thirdly, the Governor of the Reserve Bank had the opportunity to significantly reduce interest rates because, peculiarly, Australia had been in such a strong economic position that he could do that; and, fourthly, we had this place called China which so lavishly wanted to buy our resources—our coal, our iron ore and, eventually, our energy resources. Far from incurring debt on assets and activities that would add to the wealth creation of this nation, what did the Labor government spend Australia's wealth on? What did they incur debt on, borrowing money from overseas? Pink batts that led to deaths and house fires, and we are still paying; school halls which are now falling down and which did not add one element to the educational value for young people in Australia; and \$900 cheques, followed by \$1,200 cheques, which went straight to casinos, alcohol, drugs and Chinese television sets. There was nothing spent on adding to the wealth of this nation, nothing on mining exploration, nothing at all to add value to the future of Australia. (*Time expired*)

**Senator DASTYARI** (New South Wales) (15:22): I have to say, Senator Back, I would love to live in the world you seem to inhabit where everything is fantastic, where this glorious budget has been handed down, where as you walk through the streets of your community people throw flowers and rose petals at your feet and thank you for the amazing job you have done—when you have put a \$7 co-payment on Medicare, when you have cut funding to universities by 30 per cent, when you are putting in the Paid Parental Leave Scheme which is going to disproportionately hurt people in rural and regional Australia. Senator Back is shocked because clearly the people he is talking to keep telling him what a fantastic job the government have been doing. I would love to inhabit that world because no-one else appears to be there. You would be all alone.

In question time today we saw the government beginning to unravel. Just prior to question time, on the key government measure of a debt levy, a very senior former government minister—a backbencher who has been 30 years in this place and who, after 1 July, will be the longest serving member—said he had lost faith in this government on this issue, that he did not believe them and that the government could not convince its own MPs and its own backbench.

Senator Bernardi and Senator Williams are making clear their opposition to the Paid Parental Leave Scheme. Not only have they been backgrounding media about it but they have certainly been up front loading the media. I have to give them both credit. They have been quite upfront about their views. In this budget there are measures which are unfair, there are measures which are inequitable. This government cannot convince its own backbench. You wonder why so many Australians have so many doubts.

My state of New South Wales today handed down the state budget. We saw a figure in the vicinity of \$2 billion coming from money that has already been cut. This is not money that is going to come before the forward estimates, which is in the tens of millions, but already the impact that this government's cuts are going to have on New South Wales families. You have strong opposition from state Premiers including state Liberal Premiers. You have opposition from the Liberal Party backbench. There is opposition out there from the community and, apart from a few elements of the conservative media, no-one supports these measures.

The government have convinced themselves that the tougher they are the fairer they are being. They have convinced themselves that it is a tough budget with tough measures, but it is not that. This is an ideological budget. These are ideological measures. These are value statements. When you are doing something like PPL but you are cutting university funding and when you have a research fund but you are putting a \$7 tax on every time you go to a doctor, those are political decisions. They are value statements. The government have got it wrong on the values. They have got it wrong on their priorities. We now have a situation where even the coalition is starting to fray, with their own backbench are saying, 'This isn't fair, this isn't right, this isn't equitable.'

Earlier today a lot of us supported a measure that we were not happy with. If I had designed the debt levy, I would have made sure it was there for all three years. I would have fixed up the fringe benefit tax loophole and a few other measures as well, but we supported it because we are not opposed to action and we are not opposed to sharing the burden. We are opposed to inequitable measures like the PPL, measures that discriminate against those in bush, against lower income earners. We are opposed to increasing the Medicare levy which many Australians, especially those on lower income, cannot afford to pay. Today we saw the beginning of the government, certainly their Senate team, already starting to fall apart.

Question agreed to.

### Budget

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (15:27): I move:

That the Senate take note of the answer given by the Assistant Minister for Social Services (Senator Fifield) to a question without notice asked by Senator Siewert today relating to income support arrangements.

I asked a series of questions in a number of estimates committees about this particular measure and it became fairly obvious that not a lot of the detail about how this would operate had been worked out, that not a lot of thought had been given to how it would impact on young people, other than saying, 'We know it might have an impact so we'll provide emergency relief funding of \$229 million.' Hence my question today about how the emergency relief provision would apply to young people. It is an admission that this is going to have a fundamental impact on young people who are dumped off Newstart or youth allowance onto no income support at all for six months or potentially for longer. What impact is that going to have on people? It will have a devastating impact.

When I asked about how that emergency relief would be provided, we could not be told. When I asked today whether it would involve food vouchers, the government specifically would not rule that out. That is taking us down the line of the American so-called 'social security process'. Is that what this government are considering? If it is not, they should have taken the opportunity to exclusively rule it out. When I asked who this would apply to, the government again would not rule out that this could apply to pregnant women who are unemployed, who are more than six weeks before their due date. In other words, there is the potential that women who are six months pregnant could be put on Newstart nil payment. In other words, they could get no funding support—no income.

I asked about an unemployed couple with children under the age of 30: 'Would only the principal carer be exempt from this and not the other person, so that, therefore, you could have a family of, say, two adults and a couple of kids living on no income?' The government would not rule it out. How is somebody on no income supposed to meet the requirement of 40 job applications a month when they have no money for phone calls, no money for transport, no money for a computer and when even getting to the library is extremely difficult? Even buying a paper is extremely difficult when you have no money. What will happen? If they do not meet that magic number, 40, do they then get a compliance requirement? That would then add another month to their sentence—because that is what it is. This government is sentencing young people—condemning them—to poverty. And, if they miss these requirements, they will get another month on the six-months rule.

It is appalling that we could even be considering meeting the so-called budget crisis by condemning these young people to no income support. And then, potentially, they will have to go and ask for a food voucher. Emergency relief services around Australia are already under immense pressure. In my home state of Western Australia, in 2012, 20,000 requests for assistance were turned away. The government, in this \$229 million, is budgeting for around 550,000 requests for assistance. Already our emergency relief services are overtaxed. How did they come up with the magic number of \$229 million? When we asked in estimates, there was not really a satisfactory answer, other than: 'We thought, maybe, \$400 per person over the four years.' For people living on no income support, that is a drop in the ocean. I asked: 'How did you come up with the magic number of six months of no income support? Where is the evidence to support that as an incentive?' No answer was able to be provided because this is not based on evidence. It is appalling, cruel policy that condemns young people to lifelong consequences from the impact of living in poverty.

Question agreed to.

## NOTICES

### Presentation

**Senator Bernardi and Senator Faulkner to move:**

That the following matters be referred to the Committee of Privileges for inquiry and report:

In relation to the use of closed circuit television footage by officers of the Department of Parliamentary Services (DPS) for internal investigations involving DPS staff:

(a) whether there was any improper interference, or attempted improper interference, with the free performance by Senator Faulkner or any other senator of their duties as a senator;

(b) whether disciplinary action was taken against any person in connection with the provision of information to Senator Faulkner or any other senator; and

(c) if so, whether any contempts were committed in respect of those matters.

**Senator Furner to move:**

That the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity be authorised to hold a public meeting during the sitting of the Senate on Thursday, 19 June 2014, from 5 pm, to take evidence for the committee's inquiry into the jurisdiction of the Australian Commission for Law Enforcement Integrity.

**Senator Sterle to move:**

That the time for the presentation of the report of the Rural and Regional Affairs and Transport References Committee on the future of beekeeping and pollination service industries in Australia be extended to 25 June 2014.

**Senator Wright to move:**

That the Legal and Constitutional Affairs References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 19 June 2014, from 3.45 pm.

**Senator Waters to move:**

That the following matter be referred to the Environment and Communications References Committee for inquiry and report by the third sitting day in 2015:

The Abbott Government's attacks on Australia's environment, and their effects on our natural heritage and future prosperity, including:

(a) attacks on carbon pricing, the Clean Energy Finance Corporation, the Australian Renewable Energy Agency and the renewable energy target, the Climate Change Authority and the Climate Commission;

(b) attacks on federal environmental protection through handing approval powers over to state governments, which have poor track records and recent environment staff cuts;

(c) attacks on funding for community environment organisations and the Environmental Defenders Offices, abolition of the Biodiversity Fund, and cuts to programs including, Landcare and Caring for our Country;

(d) undermining Australia's compliance with the World Heritage Convention, the Convention on Biological Diversity, and the Ramsar Convention, in particular by attacking the Great Barrier Reef and the Tasmanian Wilderness World Heritage Areas; and

(e) any other related matters.

**Senator Milne and Senator Xenophon to move:**

That the Senate—

(a) notes that:

(i) the use of the term 'Occupied Palestinian Territories' is an internationally accepted term in use by the United Nations (UN),

(ii) the International Court of Justice and the UN General Assembly have deemed East Jerusalem part of the West Bank and an occupied territory,

(iii) Australia has historically supported UN Security Council and General Assembly resolutions regarding the Israel-Palestine conflict and the status of Jerusalem,

(iv) the voting patterns of Australia in relation to the Israel-Palestine conflict have shifted dramatically under the Abbott Government, and

(v) these shifts in the position of the Australian Government have caused diplomatic tensions with a number of countries, including the threat of potential sanctions; and

(b) calls on the Minister for Foreign Affairs (Ms Bishop) to publicly acknowledge that:

(i) the Israeli settlements in the Occupied Palestinian Territories are illegal and in breach of the Fourth Geneva Convention; and

(ii) East Jerusalem is an occupied territory.

**Senator Milne to move:**

That the Senate—

(a) recognises the commitment of the world's two largest emitters, the People's Republic of China and the United States of America, to limit and drive down their greenhouse pollution over the coming years;

(b) supports their cooperative approach to use international fora such as the G20 and the United Nations to ensure a global agreement is secured in the Paris Conference of the Parties in 2015;

(c) acknowledges these governments' preferred approach to drive down pollution is through market-based, cap and trade systems; and

(d) insists the Government stop making misleading statements that its 'direct action' plan is capable of significantly driving down Australia's emissions or is anyway comparable to the Obama Administration's Clean Power Plan.

**Senator Milne to move:**

That the Senate—

(a) acknowledges that Australian motorists can achieve significant hip-pocket savings at the petrol pump if mandatory fuel efficiency standards are gradually introduced for new vehicles;

(b) notes that new Australian cars consume more petrol than new vehicles sold in China, India, Europe and Japan;

(c) recognises that light passenger and commercial vehicles account for 10 per cent of Australia's total carbon pollution, but this can be easily reduced; and

(d) supports the introduction of mandatory fuel efficiency standards.

**Senator Rhiannon to move:**

That the Senate—

(a) notes:

(i) that National TAFE day will be held on 18 June 2014,

(ii) the proposed cuts to technical and further education (TAFE) budgets across Australia will have disastrous impacts on staff and students and Australia's economic future and social well-being,

(iii) the changes to TAFE are adversely impacting regional, rural and disadvantaged communities and people with varying abilities, and

(iv) the Senate inquiry into TAFE unearthed widespread concerns across industries and interests about the quality of education and training provided through the private vocational and education market; and

(b) calls on the federal and state governments to:

(i) reverse the harsh budget cuts to TAFE and to abandon changes proposed to vocational education and training that undermine TAFE as a public provider,

(ii) end the current competitive tendering model of government funding for vocational education and training,

(iii) support and expand the capacity of the public TAFE system to allow it to continue its historic role providing high quality technical and further education to Australians of all ages and backgrounds,

(iv) properly recognise the importance of TAFE in providing vocational and technical education in areas of high and low demand, in rural and remote areas and in supporting access and participation for disadvantaged learners, and

(v) work collaboratively to develop a national workforce strategy for the TAFE sector.

**Senator Cash to move:**

That the Senate—

(a) notes that on 15 December 2010, a vessel now known as SIEV 221 foundered on rocks at Rocky Point near Flying Fish Cove, Christmas Island, resulting in a significant search and rescue event and tragic loss of life; and

(b) acknowledges the:

(i) bravery of the crews of the Customs and Border Protection vessel, ACV Triton, and the Royal Australian Navy vessel, HMAS Pirie, and the people of Christmas Island who rescued 41 survivors in treacherous conditions at considerable risk to their own personal safety,

(ii) work done by officers of the Australian Customs and Border Protection Service and the Australian Navy who serve as part of Border Protection Command in protecting our borders, is recognised and appreciated, and

(iii) findings of the Joint Select Committee on the Christmas Island Tragedy in relation to the efforts of Customs, Navy and Australian Federal Police (AFP) on the day and that 'The committee believes the response by Customs, Navy and AFP on the day was a tremendous rescue effort made in atrocious circumstances'.

**Senator Hanson-Young to move:**

That the Senate—

(a) recognises that over 500 000 Iraqis have been displaced in the past week due to the ongoing deadly conflict in their country;

(b) recognises that this is a humanitarian crisis that will have flow on effects in our region; and

(c) calls on the Government to issue a moratorium on the return of any asylum seekers back to Iraq and offer a reprieve to those detained in immigration detention on Manus Island, Nauru and Christmas Island to allow them to apply for protection in Australia.

**Senator Xenophon** to move:

That the Export Legislation Amendment Bill 2014 and related bills be referred to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 10 July 2014.

**Senator Hanson-Young** to move:

That the Migration Amendment (2014 Measures No. 1) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 32 and made under the *Migration Act 1958*, be disallowed [F2014L00286].

**Senator Siewert** to move:

That the Senate—

(a) recognises the role that carers play in our community, particularly family carers and acknowledges the over \$40 billion of unpaid care that carers provide;

(b) celebrates the diversity of carers in our community, who may be caring for a spouse, a sibling, a parent or a child, and particularly recognises the contribution of our young carers; and

(c) calls on the Government to maintain its support of carers and ensure that its welfare reform process does not adversely affect carers or reduce their access to income support.

## PETITIONS

### Forced Adoption

**Senator MOORE** (Queensland) (15:35): by leave—I table this document which has been presented as a petition in a non-conforming way. This document is from the group Independent Regional Mothers in Victoria and is about a demand for accountability and justice for past sexual crimes, abduction of newborn babies and medical experimentation. I seek leave to make a short statement of one minute.

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

**Senator MOORE:** I thank the chamber. This document has come from a very strong group of women in Victoria known as the Independent Regional Mothers. Many of those in this chamber have met these women through a series of Senate community affairs committee inquiries.

Ms Brenda Coughlan is the spokesperson for this group. Over many years she has been strong about her own extremely sensitive and damaging personal experiences when she was a young woman who had her baby stolen. More particularly, she has very strong claims that, while she was young, she was subjected to a number of medical experiments with drugs and other activities. She feels very strongly that the medical profession in this nation has not been held to account for this kind of activity, and she continues her fight. This particular document is part of her ongoing battle. I strongly support her strength and the resilience, and I am very proud to be able to table this document in her name today.

## COMMITTEES

### Selection of Bills Committee

#### Report

**Senator KROGER** (Victoria—Chief Government Whip) (15:35): I present report No. 6 of 2014 of the Selection of Bills Committee.

Ordered that the report be adopted.

**Senator KROGER:** I seek leave to have the report incorporated in *Hansard*.

Leave granted.

*The report read as follows—*

#### SELECTION OF BILLS COMMITTEE

#### REPORT NO. 6 OF 2014

1. The committee met in private session on Monday, 16 June 2014 at 9.22 pm.

2. The committee resolved to recommend—That—

(a) the *provisions* of the Australian Citizenship Amendment (Intercountry Adoption) Bill 2014 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 26 August 2014 (see appendix 1 for a statement of reasons for referral);

(b) the Private Health Insurance Amendment (GP Services) Bill 2014 be ***referred immediately*** to the Community Affairs Legislation Committee for inquiry and report by 4 September 2014 (see appendix 2 for a statement of reasons for referral); and

(c) the ***provisions*** of the Social Security Legislation Amendment (Stronger Penalties for Serious Failures) Bill 2014 be ***referred immediately*** to the Community Affairs Legislation Committee for inquiry and report by 26 August 2014 (see appendix 3 for a statement of reasons for referral).

3. The committee resolved to recommend:

That the following bills *not* be referred to committees:

- Asset Recycling Fund (Consequential Amendments) Bill 2014
- Asset Recycling Fund Bill 2014
- Australian Workforce and Productivity Agency Repeal Bill 2014
- Customs Tariff Amendment (Product Stewardship for Oil) Bill 2014
- Excise Tariff Amendment (Product Stewardship for Oil) Bill 2014
- Family Assistance Legislation Amendment (Child Care Measures) Bill 2014
- Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment Bill 2014
- Offshore Petroleum and Greenhouse Gas Storage Amendment (Regulatory Powers and Other Measures) Bill 2014
- Public Governance, Performance and Accountability Amendment Bill 2014
- Tax and Superannuation Laws Amendment (2014 Measures No. 2) Bill 2014
- Tax and Superannuation Laws Amendment (2014 Measures No. 3) Bill 2014
- Tax Laws Amendment (Implementation of the FATCA Agreement) Bill 2014
- Textile, Clothing and Footwear Investment and Innovation Programs Amendment Bill 2014
- Trade Support Loans (Consequential Amendments) Bill 2014
- Trade Support Loans Bill 2014.

***The committee recommends accordingly.***

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

- Corporations Amendment (Simple Corporate Bonds and Other Measures) Bill 2014
- Save Our Sharks Bill 2014
- Business Services Wage Assessment Tool Payment Scheme (Consequential Amendments) Bill 2014
- Business Services Wage Assessment Tool Payment Scheme Bill 2014.

(Helen Kroger)

Chair

17 June 2014

Appendix 1

## APPENDIX 1

### SELECTION OF BILLS COMMITTEE

#### Proposal to refer a bill to a committee

##### Name of bill:

*Australian Citizenship Amendment (Intercountry Adoption) Bill 2014*

##### Reasons for referral/principal issues for consideration:

*It is critical to ensure that despite the best intentions of the Bill, there are not unintended consequences, namely the risk that any change to the current framework may put children at risk of being trafficked.*

##### Possible submissions or evidence from:

*Australian Intercountry Adoption Network*

*Intercountry Adoption Resources Network (Australia)*

*State based welfare agencies (e.g. Victorian Department of Human Services)*

*Commonwealth Children's Commissioner*

*Law Council of Australia*

*Children's Protection Society*

##### Committee to which bill is to be referred:

*Legal and Constitutional Affairs Legislation Committee***Possible hearing date(s):***To be set at Committee's convenience***Possible reporting date:***26 Aug 2014*

(signed)

Senator McEwen

Whip/Selection of Bills Committee Member

**APPENDIX 2****SELECTION OF BILLS COMMITTEE****Proposal to refer a bill to a committee****Name of bill:**

Private Health Insurance Amendment (GP Services) Bill 2014

**Reasons for referral/principal issues for consideration:**

To seek input from the medical community, industry and affected stakeholders on the impact of changes within the industry and the need for legislative reform.

**Possible submissions or evidence from:**

Australian Medical Association

Medibank Private

CHF

Bupa Australia

Consumers Health Forum

Department of Health

Private Healthcare Australia

Anne-Marie Boxall

Doctors Reform Society

Australian Healthcare and Hospitals Association

National Rural Health Alliance

Australian Health Care Reform Alliance

ACOSS

**Committee to which bill is to be referred:**

Community Affairs

**Possible hearing date(s):**

Tuesday 19th August

Thursday 21st August

**Possible reporting date:**

Thursday 4 September

(signed)

Senator Siewert

Whip/Selection of Bills Committee Member

**APPENDIX 3****SELECTION OF BILLS COMMITTEE****Proposal to refer a bill to a committee****Name of bill:**

Social Security Legislation Amendment (Stronger Penalties for Serious Failures) Bill 2014

**Reasons for referral/principal issues for consideration:**

Investigate the impact of this budget measure on income support recipients – particularly the potential consequences in terms of housing stress and food poverty for those who are penalised under these measures.

**Possible submissions or evidence from:**

ACOSS  
Welfare Rights  
Australian Lawyers Alliance  
Department of Social Services

**Committee to which bill is to be referred:**

Community Affairs

**Possible hearing date(s):**

25 July

**Possible reporting date:**

Aug 26

(signed)

Senator Siewert

Whip/Selection of Bills Committee Member

**BUSINESS****Leave of Absence**

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (15:35): by leave—I move:

That leave of absence for personal reasons be granted to Senator Sterle for today, 17 June 2014.

Question agreed to.

**NOTICES****Postponement**

The following items of business were postponed:

Business of the Senate notice of motion 1 standing in the name of Senator Rhiannon for today, proposing a reference to the Education and Employment References Committee, postponed till 18 June 2014.

Business of the Senate notice of motion 2 standing in the name of the Chair of the Community Affairs References Committee (Senator Siewert) for today, proposing a reference to the Community Affairs References Committee, postponed till 18 June 2014.

General business notice of motion no. 271 standing in the name of Senator Di Natale for today, proposing the establishment of a select committee on the Abbott Government's budget cuts, postponed till 18 June 2014.

**COMMITTEES****Community Affairs References Committee****Reporting Date**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (15:36): I seek leave to amend General Business Notice of Motion No. 252 before seeking to have the motion taken as a formal motion.

Leave granted.

**Senator SIEWERT:** I amend the motion by omitting, in paragraph (a) '15 July' and substituting '1 September' and move:

That the time for the presentation of reports of the Community Affairs References Committee be extended, as follows:

(a) speech pathology services—to 1 September 2014; and

(b) Australia's healthcare system—to 8 August 2014. —

Question agreed to.

**COMMITTEES****Corporations and Financial Services Committee****Meeting**

**Senator KROGER** (Victoria—Chief Government Whip) (15:37): At the request of Senator Fawcett, I move:

That the Parliamentary Joint Committee on Corporations and Financial Services be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Monday, 14 July 2014, from 11.30 am.

Question agreed to.



**Community Affairs Legislation Committee****Meeting**

**Senator KROGER** (Victoria—Chief Government Whip) (15:37): At the request of Senator Boyce, I move:

That the Community Affairs Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 19 June 2014, from 4.30 pm to 7.30 pm, to further examine the 2014-15 Budget estimates.

Question agreed to.

**Foreign Affairs, Defence and Trade Joint Committee****Meeting**

**Senator KROGER** (Victoria—Chief Government Whip) (15:37): On behalf of the Joint Committee on Foreign Affairs, Defence and Trade, I move:

That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold public meetings during the sittings of the Senate, as follows:

- (a) Wednesday, 18 June 2014;
- (b) Monday, 14 July 2014; and
- (c) Wednesday, 16 July 2014.

Question agreed to.

**Migration Committee****Meeting**

**Senator KROGER** (Victoria—Chief Government Whip) (15:37): At the request of Senator Dastyari, on behalf of the Joint Standing Committee on Migration, I move:

That the Joint Standing Committee on Migration be authorised to hold public meetings during the sittings of the Senate, from 9.30 am to 11 am, to take evidence for the committee's inquiry into the Business Innovation and Investment Programme, as follows:

- (a) Wednesday, 18 June 2014;
- (b) Wednesday, 25 June 2014; and
- (c) Wednesday, 16 July 2014.

Question agreed to.

**National Capital and External Territories Committee****Meeting**

**Senator KROGER** (Victoria—Chief Government Whip) (15:37): At the request of Senator Brown, I move:

That the Joint Standing Committee on the National Capital and External Territories be authorised to hold private meetings otherwise than in accordance with standing order 33(1), followed by public meetings, during the sittings of the Senate, as follows:

- (a) Thursday, 19 June 2014; and
- (b) Thursday, 26 June 2014.

Question agreed to.

**Environment and Communications References Committee****Meeting**

**Senator KROGER** (Victoria—Chief Government Whip) (15:37): At the request of Senator Thorp, I move:

That the Environment and Communications References Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 18 June 2014, from 1 pm to 2 pm, to take evidence for the committee's inquiry into environmental offsets.

Question agreed to.

**Constitutional Recognition of ATSIP****Meeting**

**Senator KROGER** (Victoria—Chief Government Whip) (15:37): At the request of Senator Peris, I move:

That the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 25 June 2014, from 10.30 am.

Question agreed to.

**Community Affairs Legislation Committee****Reporting Date**

**Senator KROGER** (Victoria—Chief Government Whip) (15:37): At the request of Senator Boyce, I move:

That the time for the presentation of the report of the Community Affairs Legislation Committee on the 2014-15 Budget estimates be extended to 26 June 2014.

Question agreed to.

**Education and Employment References Committee****Reporting Date**

**Senator KROGER** (Victoria—Chief Government Whip) (15:37): At the request of Senator Lines, I move:

That the time for the presentation of reports of the Education and Employment References Committee be extended, as follows:

- (a) delivery of quality and affordable early childhood education and care services—to 15 July 2014; and
- (b) immediate future of the childcare sector in Australia—to 15 July 2014.

Question agreed to.

**Economics References Committee****Reporting Date**

**Senator KROGER** (Victoria—Chief Government Whip) (15:37): At the request of Senator Bishop, I move:

That the time for the presentation of the report of the Economics References Committee on affordable housing be extended to 27 November 2014.

Question agreed to.

**Economics Legislation Committee****Reporting Date**

**Senator KROGER** (Victoria—Chief Government Whip) (15:37): On behalf of Senator Bushby, I move:

That the time for the presentation of reports of the Economics Legislation Committee be extended, as follows:

- (a) Competition and Consumer Amendment (Misuse of Market Power) Bill 2014—to 28 August 2014; and
- (b) Reserve Bank Amendment (Australian Reconstruction and Development Board) Bill 2013—to 28 August 2014.

Question agreed to.

**DOCUMENTS****Review of the Australian Curriculum****Order for the Production of Documents**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (15:38): At the request of Senator Wright, I move:

That there be laid on the table by the Minister representing the Minister for Education, by Tuesday, 24 June 2014, the preliminary report of the Review of the Australian Curriculum presented to the Minister for Education in accordance with the review's terms of reference.

**Senator RYAN** (Victoria—Parliamentary Secretary to the Minister for Education) (15:39): I seek leave to make a short statement.

**The DEPUTY PRESIDENT:** Is leave granted? Leave is granted for one minute, Senator Ryan.

**Senator RYAN:** The Curriculum Review was established in January 2014 regarding the development and implementation of the Australian curriculum, its robustness and balance and curriculum development processes. It is needed to ensure that the Australian curriculum is on track, meets Australia's long-term education needs and assesses criticisms that occurred prior to this review. The review is a long-time coalition election promise.

The government is happy with making the preliminary report public. It was advice from March on the progress of the review to date. It was released online earlier this afternoon and it is available on the curriculum page of the Students First website. The review is continuing to work so as to complete its report as promised by the end of July.

**Senator WRIGHT** (South Australia) (15:40): Mr Deputy President, I seek leave to make a short statement.

**The DEPUTY PRESIDENT:** Is leave granted? Leave is granted for one minute, Senator Wright.

**Senator WRIGHT:** I will be seeking leave to withdraw this notice now because I was informed just before this process that indeed the interim report of the curriculum review has now been placed online. I am pleased that that has now occurred and that this notice of motion is not needed, because there are certainly many people throughout Australia who have been waiting to see the nature and the content of that report and enable people to understand at least preliminary aspects of this rather troubling process.

**The DEPUTY PRESIDENT:** Senator Wright, you are seeking leave to have that notice of motion withdrawn. Leave granted.

**Senator WRIGHT** (South Australia) (15:41): I move:

That the motion be withdrawn.

Question agreed to.

## MOTIONS

### Sudan: Freedom of Religion

**Senator BERNARDI** (South Australia) (15:41): I, and on behalf of Senators Fawcett, O'Sullivan, Xenophon, Madigan and Seselja, move:

That the Senate—

- (a) supports freedom of religion as a universal human right;
- (b) does not support the imprisonment or persecution of individuals on the basis of their religious belief;
- (c) calls on the Sudanese authorities to release Mariam Yahya Ibrahim who was sentenced to 100 lashes and death because she was convicted of converting to Christianity and marrying a Christian man;
- (d) recognises:
  - (i) that this action is a breach of Sudan's international obligations, and
  - (ii) also that this case is currently subject to an appeal to Sudan's Court of Appeal and looks forward to due process being applied; and
- (e) stands in solidarity with Mariam Yahya Ibrahim, her family and all people who seek to practise their religion free from persecution.

Question agreed to.

### East West Link project

**Senator CONROY** (Victoria—Deputy Leader of the Opposition in the Senate) (15:42): I move:

That the Senate—

- (a) notes:
  - (i) evidence given during estimates That the budget provides for payment to the Victorian Government of \$0.5 billion by 30 June 2014 for Stage 1 of the East West Link and \$1.0 billion for Stage 2,
  - (ii) that this project is still classified by Infrastructure Australia as not 'ready to proceed',
  - (iii) that Infrastructure Australia has not received a full business case for assessment of Stage 1 and only received a request for funding of Stage 2 a few days before the budget and it was only accompanied by a 'conceptual business plan', and
  - (iv) That the responsible Minister, the Assistant Minister for Infrastructure and Regional Development said of project payments in June 2014: 'So we are driving the state governments very hard to give us timetables to ensure that we're meeting the expected time of delivery of these projects. That we're hitting milestones, that we're only making payments to states when they actually deliver the milestones, that they're not getting money in their bank account prior to milestones being delivered, because we want taxpayers to have accountability for what they're getting, but we also want projects on the ground and not being held up, unfortunately, or deliberately, for that matter' [Civil Contractors Federation speech, 6 June 2014]; and
- (b) calls for no payment to be made to Victoria for the East West Link project until these conditions are fulfilled and Infrastructure Australia assesses the project as 'ready to proceed'.

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

The Senate divided. [15:46]

(The President—Senator Hogg)

Ayes .....37  
 Noes .....30  
 Majority.....7

AYES

Bilyk, CL  
 Brown, CL

Bishop, TM  
 Carr, KJ

## AYES

Collins, JMA  
 Dastyari, S  
 Farrell, D  
 Furner, ML  
 Hanson-Young, SC  
 Lines, S  
 Ludwig, JW  
 Marshall, GM  
 McLucas, J  
 Moore, CM  
 Peris, N  
 Rhiannon, L  
 Singh, LM  
 Thorp, LE  
 Urquhart, AE  
 Whish-Wilson, PS  
 Xenophon, N

Conroy, SM  
 Di Natale, R  
 Faulkner, J  
 Gallacher, AM  
 Hogg, JJ  
 Ludlam, S  
 Lundy, KA  
 McEwen, A (teller)  
 Milne, C  
 O'Neill, DM  
 Pratt, LC  
 Siewert, R  
 Stephens, U  
 Tillem, M  
 Waters, LJ  
 Wright, PL

## NOES

Back, CJ  
 Birmingham, SJ  
 Boyce, SK  
 Bushby, DC  
 Colbeck, R  
 Eggleston, A  
 Fierravanti-Wells, C  
 Heffernan, W  
 Kroger, H (teller)  
 Mason, B  
 Nash, F  
 Parry, S  
 Ruston, A  
 Seselja, Z  
 Smith, D

Bernardi, C  
 Boswell, RLD  
 Brandis, GH  
 Cash, MC  
 Edwards, S  
 Fawcett, DJ  
 Fifield, MP  
 Johnston, D  
 Macdonald, ID  
 McKenzie, B  
 O'Sullivan, B  
 Payne, MA  
 Ryan, SM  
 Sinodinos, A  
 Williams, JR

## PAIRS

Cameron, DN  
 Polley, H  
 Sterle, G  
 Wong, P

Cormann, M  
 Ronaldson, M  
 Abetz, E  
 Scullion, NG

Question agreed to.

## MOTIONS

## Consideration of Legislation

**Senator MILNE** (Tasmania—Leader of the Australian Greens) (15:49): I move:

That on and from Tuesday, 17 June 2014, the Clean Energy Finance Corporation (Abolition) Bill 2013 [No. 2] have precedence over all other government business until determined.

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:49): I seek leave to make a statement.

**The PRESIDENT:** Leave is granted for two minutes.

**Senator FIFIELD:** As motions go, this one is a little peculiar. We are in the first Senate sitting week after the budget, and yet we have a non-government party seeking to determine the priorities in government business legislation time. It is a generally accepted convention in this place that, in the ordinary course of events, the government gets to determine what is occurring in government business time—and I would have thought that that would be even more the case in the first Senate sitting week after the budget. I would expect that the Labor Party would not support this motion given that Mr Burke, from the other place, earlier this week was protesting that there should indeed be more time for the consideration of government bills. With Mr Burke, the Manager of Opposition Business in the other place, arguing at the start of the week that there should be more time for consideration of budget bills, it would be perverse if his colleagues in the Senate supported a motion that would in fact delay the consideration of further budget bills. I would like to make two points. Firstly, I think the ordinary

convention should be observed that the government gets to determine, in an orderly and methodical way, the priorities in government business time. Secondly, I think the opposition should be consistent and follow the instruction of Mr Burke, from the other place, that it is appropriate that budget bills have precedence at this time, particularly in the first Senate sitting week after the budget.

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

The Senate divided. [15:52]

(The President—Senator Hogg)

Ayes .....37  
Noes .....30  
Majority.....7

#### AYES

Bilyk, CL  
Brown, CL  
Collins, JMA  
Dastyari, S  
Farrell, D  
Furner, ML  
Hanson-Young, SC  
Lines, S  
Ludwig, JW  
Marshall, GM  
McLucas, J  
Moore, CM  
Peris, N  
Rhannon, L  
Singh, LM  
Thorp, LE  
Urquhart, AE  
Whish-Wilson, PS  
Xenophon, N

Bishop, TM  
Carr, KJ  
Conroy, SM  
Di Natale, R  
Faulkner, J  
Gallacher, AM  
Hogg, JJ  
Ludlam, S  
Lundy, KA  
McEwen, A (teller)  
Milne, C  
O'Neill, DM  
Pratt, LC  
Siewert, R  
Stephens, U  
Tillem, M  
Waters, LJ  
Wright, PL

#### NOES

Back, CJ  
Birmingham, SJ  
Boyce, SK  
Bushby, DC  
Colbeck, R  
Eggleston, A  
Fierravanti-Wells, C  
Heffernan, W  
Kroger, H (teller)  
Mason, B  
Nash, F  
Parry, S  
Ruston, A  
Seselja, Z  
Smith, D

Bernardi, C  
Boswell, RLD  
Brandis, GH  
Cash, MC  
Edwards, S  
Fawcett, DJ  
Fifield, MP  
Johnston, D  
Macdonald, ID  
McKenzie, B  
O'Sullivan, B  
Payne, MA  
Ryan, SM  
Sinodinos, A  
Williams, JR

#### PAIRS

Cameron, DN  
Polley, H  
Sterle, G  
Wong, P

Cormann, M  
Ronaldson, M  
Abetz, E  
Scullion, NG

Question agreed to.

### Seemanpillai, Mr Leo

**Senator HANSON-YOUNG** (South Australia) (15:54): by leave—I, and also on behalf of Senator Di Natale, move:

That the Senate—

(a) extends its condolences to the family and friends of Mr Leo Seemanpillai, a Tamil refugee who died tragically in Geelong on 1 June 2014 as a result of self-immolating;

- (b) calls on the Minister for Immigration and Border Protection (Mr Morrison) to urgently intervene in the case to ensure that Mr Seemanpillai's family receives visas enabling them to attend his funeral in Australia; and
- (c) expresses its gratitude for Mr Seemanpillai's decision to become an organ donor and to give several other Australians a new chance at life.

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:55): I seek leave to make a short statement.

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

**Senator FIFIELD:** The government extends its sympathies to the family and friends of Mr Seemanpillai. The Australia Asylum Seekers Assistance Scheme service provider has been in ongoing contact with the family and friends of Mr Seemanpillai regarding funeral arrangements. An offer of repatriation was made; however, the family preferred that a funeral take place in Australia. I understand that the funeral service will take place on Wednesday 18 June at noon at St Mary of the Angels Basilica in Geelong and that the funeral costs are covered through the Asylum Seeker Assistance Scheme.

The issuing of documents for nationals of other countries is a matter for those countries. To make a visa application valid, travel documents are required. Family members need to hold valid visas to enter Australia. Any application for a visa is assessed by the department against relevant criteria. The Minister for Immigration has no power to intervene in the granting of a visa in the circumstances that relate to the case of Mr Seemanpillai's brother.

**Senator DI NATALE** (Victoria) (15:56): I seek leave to make a short statement.

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

**Senator DI NATALE:** I take a special interest in this case, because Leo was a gentleman who resided in Geelong. The minister does have the power to intervene here and to introduce a special purpose visa. I think something should be known about a decision that Leo made, and that is the decision to become an organ donor. We have this debate in the abstract. What we should also know is that, because of the decision that he made, there are now Australians who have a kidney where they previously did not have one, and they have functioning lungs, because he has donated his lungs to ordinary Australians. He has donated a cornea so that Australians can live the life that he was denied. The very least we can do is give the opportunity for his family to come to this country to grieve and say goodbye to their son, who has given his life so that others in Australia can have the opportunities that he was denied.

Question agreed to.

## MATTERS OF URGENCY

### Shipbuilding Industry

**The DEPUTY PRESIDENT** (15:57): I inform the Senate that the President has received a letter from Senator Moore proposing that a definite matter of public importance be submitted to the Senate for discussion, namely:

"The Abbott Government's failure to honour its election promises to support Australia's Defence manufacturing industry by excluding Australian ship building companies from tendering for two new Naval supply ships and refusing to commit to building 12 Future Submarines in Australia; and

The need for the Government to keep its election promises and take action to avoid sending thousands of Australian ship building jobs overseas and putting at risk Australia's strategically vital ship building industry".

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—

**Senator Kim Carr:** They are not going to make you defend this are they? How embarrassing!

**The DEPUTY PRESIDENT:** Order! The sooner I can complete my spiel, the sooner you can get into the debate. I understand that informal arrangements have been made to allocate specific times to each of the speakers in today's debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

**Senator CONROY** (Victoria—Deputy Leader of the Opposition in the Senate) (15:54): I move:

That, in the opinion of the Senate, the following is a matter of urgency:

The Abbott Government's failure to honour its election promises to support Australia's Defence manufacturing industry by excluding Australian ship building companies from tendering for two new Naval supply ships and refusing to commit to building 12 Future Submarines in Australia; and

The need for the Government to keep its election promises and take action to avoid sending thousands of Australian ship building jobs overseas and putting at risk Australia's strategically vital ship building industry.

I rise to support this motion because this government is putting the Australian shipbuilding industry in peril. Australia's shipbuilding industry is a vital strategic asset for our Navy and for our country. The shipyards in Newcastle, Melbourne, Adelaide and Perth form the backbone of this vital industry. It would be grossly irresponsible for any government to take decisions that put these vital assets at risk, but that is what this government is doing.

The Abbott government have excluded Australian companies from tendering to build two replacement supply ships for the Royal Australian Navy. They have excluded them from bidding at all. They claim that Australia cannot do it. The minister claims that our shipyards and their workers are not good enough. It is clear that the government is no longer happy just talking down our economy; they are now talking down entire industries. At the last election Labor proposed, at a minimum, a hybrid build—and potentially a complete local build—of these two important vessels as a key plank in our plan to bridge what has come to be referred to as the 'valley of death'. We knew from advice that we received in government that this was feasible and that work could have begun in the first quarter of 2016 if the government had followed Labor's plan. But rather than acting quickly after coming to government, those opposite have sat on their hands for nine months. We announced a plan in the election campaign that you could have started after the election. But no. Nine months later, we had the minister pretending to the Australian public that he had a plan. In March, this minister boasted on the front page of *The Australian Financial Review* that he had a plan; he had a plan to fix the valley of death. That is what he said on the front page of the *Fin Review* in March of this year. Minister, you do not fix the valley of death by sending Australian shipbuilding jobs to Spain or South Korea. But that is what this minister announced a week ago. No Australian companies are allowed to bid; we are building the ships in Spain or South Korea. The minister even went so far as to declare this an 'exciting' announcement. He was excited for shipbuilding workers in South Korea and Spain but he just could not give a proverbial about Australian shipworkers.

Let me tell you, Mr Deputy President: I do not think that shipping high-skilled jobs to other countries is exciting. The Labor Party does not think it is exciting, and the Australian public do not think it is exciting. This is not just a bad decision; it is another Abbott government broken promise. Let me recap the history on this. Before the election, on 9 August 2013, now Minister Johnston went up to Newcastle in election campaign mode, and he went on the local ABC radio station in Newcastle and said:

I get really fired up when I find us giving away our manufacturing base in the Defence space to foreign manufacturers, it's just not on.

Yet here he is, nine months later, doing the exact opposite. He is excluding Australian businesses from tendering for a major shipbuilding project. He says one thing before the election, misleads voters in Newcastle and all around the country. This is just another Liberal lie. It is another broken promise.

I would love to say that that was the only lie the Liberal government has been engaged in recently. But, just before the election, the Liberals made another promise. On 8 May 2013, Senator Johnston went to ASC shipbuilding yard in South Australia—and I am willing to bet that Senator Birmingham was standing next to him when he said the following regarding Australia's future submarine project: 'We will deliver these submarines from right here at the ASC in South Australia. The coalition today is committed to building 12 new submarines here in Adelaide.' That is what he said—I am willing bet he was standing next to a couple of those senators opposite—in May last year. And yet yesterday, when I asked him to repeat that promise in this chamber, he ran and hid. He refused to do it. He refused to commit to 12 submarines, and he has refused to commit to having them built in Australia. That is another Liberal lie; another Liberal broken promise.

Australia needs a domestic shipbuilding industry. Over the next 30 years the Australian Defence Force needs 48 ships at a cost of \$60 billion to \$80 billion, with an additional \$180 billion to \$200 billion for the through-life support that these ships will need. Among the vessels we need are submarines, frigates, patrol boats, mine hunters, survey vessels and heavy landing craft—and do not tell me we cannot build these in Australia. The Anzac frigate project was an outstanding success—built in Australia with world-class ships delivered to the Royal Australian Navy. At present we have three air warfare destroyers and two landing helicopter docks under construction. These are the most sophisticated ships built or assembled in Australia.

**Senator Birmingham:** Yeah, who started that?

**Senator CONROY:** Do not believe the minister when he claims that they are failing projects. The AWDs remain within their funding envelope. The LHDs are on track to be delivered in 2014 and 2016. The Labor government invested heavily to provide industry with the means to recover the skills lost during the Howard years and to steadily improve productivity. But this government wants to junk this investment and these jobs.

I will take that interjection from Senator Birmingham because it is true, Senator Birmingham, that the Howard government—on one of the very few occasions—had a forward vision on this. They accepted that we needed to

start the program; they accepted that that would be because we were starting from scratch and we had to upskill an entire sector so we were ready for the future. All those ships I talked about were—to be fair to the Howard government—a legacy. But what we have seen in the last few weeks is endangering thousands of jobs. All that extra investment, all those extra costs that were incurred to get us up to world-class standard were all thrown out the window because the minister got rolled in cabinet again. In March he said, 'I have got a plan to fix this.' He could have just done what Labor called on to happen and was planning to do after the election—that is, start the project. Nine months were wasted, the minister got rolled and jobs were lost. (*Time expired*)

**Senator BIRMINGHAM** (South Australia—Parliamentary Secretary to the Minister for the Environment) (16:08): The sheer front, the sheer hypocrisy of those opposite seems to know absolutely no bounds. Senator Conroy came in here hectoring and lecturing, and I am sure Senator Carr in Senator Gallacher will do likewise. We heard the hysteria of Senator Wong yesterday on this topic. For six long years the government of those opposite did nothing to help naval capability in this country and did nothing to actually sign any contracts or develop any further delivery of work to Australia's shipbuilding industry. We had nothing from the government of those opposite and now they come in here and talk about what has happened in nine months.

The so-called 'valley of death' that may exist for Australia's defence industries is entirely the making of six years of failure by the Labor government to make a decision, sign a contract or fund a project. It was entirely the fault of those opposite. If you listened carefully to Senator Conroy's nine minutes, you would have realised that, in that entire nine-minute period, never was he able to talk about a project that was initiated, started and with work commenced by the Labor government. I issue this challenge to further Labor speakers in this debate: tell us, in the naval shipbuilding space, of the projects that your government initiated, funded and contracted. Name one. Please, during this debate tell us where you started work like the Howard government started the work on the AWDs. Those opposite were too damn busy defending each other from their own attacks within to worry about the successful and effective defence of the country.

Let us look back at the record of those opposite because, when Senator Conroy wants to talk about promises, I remember promises. I remember 19 August 2007 when then opposition leader, Kevin Rudd, went to Adelaide and promised that there would be submarines built by the ASC with construction to begin in 2017. In 2007, he said:

Starting the process this year will guarantee continuity of work for South Australia's defence industry and those employed in the sector. It will also provide a big boost to South Australia's growing knowledge and skills base and its reputation as the defence state.

Well, I am sure if the project had started after the election of Mr Rudd as Prime Minister in 2007, those words may have come true. But, of course, it did not start then, did it? Far from it. Another two years it took until 2009. What did we then get? We got a promise to a commitment for 12 submarines. That was it, no funding, no detail, no contract. After two years of hard work by that Labor administration, they had gone from Rudd's election promise where work was going to start in 2007 to two years later in 2009 and they could now say it would be 12 submarines. That was all. And there was a promise that there would be initial operating capacity by 2025-26.

Then what happened? Another few years rolled forward until last year, 2013, when, because of the complete inactivity of the government to fund any work on developing those submarines, they had to push back the date for the operating capability by another four years. So the 2007 promise saw nothing happen until 2009 and then saw nothing happen until 2013 and then again got delayed further. Of course, nothing ever happened. What the Labor Party did for naval shipbuilding in this country during six long years was zero, zip, nada, nothing at all. The challenge remains to those opposite to come in here and demonstrate that they delivered anything.

Senator Conroy had the gall to come in here and say that at the last election Labor proposed something. Well, for God's sake. At the 2010 election Labor proposed something and did not deliver; at the 2013 election Labor proposed something and did not deliver. Why on earth should we believe that they would have delivered had they actually been re-elected in 2013? Because for the previous six years, they had delivered absolutely nothing at all. In fact, in the defence space, what had they done? They cut \$16 billion from the defence budget. The share of GDP spent on defence fell to 1.56 per cent—its lowest level since 1938. They want to talk about investing in defence industries but, when they were in government, they drove investment in defence down to its lowest share of our economy since 1938.

In 2012-13 the government of those opposite made the single largest cut to the defence budget since the end of the Korean conflict. They cut 10½ per cent from the defence budget. There is little wonder that they were not able to make any decisions to fund shipbuilding, because they were cutting the budget and cutting the funding that you need to commit to make those decisions. They had no budget there to be able to make decisions or commitments. As a result of their disregard, it was not just the submarine projects that suffered the fate of deferral and inaction and an inability to be delivered. Overall some 119 different Defence projects were delayed, 43 different Defence projects were reduced and eight were cancelled altogether.



This is the chaos that Senator Johnston as Defence minister in our government inherited in the Defence portfolio. It is the utter chaos and mismanagement that saw funds bled from Defence, projects deferred—and continued announcements, of course. The announcements never stopped. They were always very good at going out and doing press conferences and making announcements. They could just never deliver on them at all.

We are getting on with two tasks here. Firstly, we are delivering for Defence—for their capabilities and what they need for their naval capabilities in the future. Secondly, we are trying to put naval shipbuilding in Australia back on a sustainable footing that we hope and trust can be a sustainable footing for the long term, not just the type of ad hoc approach that reflects the decision making of those opposite.

In terms of delivering for Defence, and for the Navy in particular, that has required us to make some difficult decisions. The truth is that the Navy needs new supply vessels, they need them urgently and they are of a size and scale that cannot be cost-competitively delivered in Australia. The estimates are that for the two vessels that the minister announced we would procure—decisions that could have been taken by those opposite but were not—it would have cost an additional \$300 million to \$500 million for just those two vessels alone to be built in Australia.

Knowing that that is a difficult decision—and I would rather, of course, have seen them built in Australia if it were cost competitive to do so—we have committed to try to get the Australian naval shipbuilding industry back in a competitive position so that the overwhelming majority of future work may be bid for and hopefully won by Australia's naval shipbuilding industry. That is why some \$78.2 million has been brought forward to begin preliminary engineering and design work so that future frigates may be built in Australia. It is why we have given a commitment to construct more than 20 Pacific Patrol Boats here in Australia. It is why we are working hard to get the AWD contract under control so that ultimately the delivery of those air warfare destroyers will be a success and will be something that the ASC and the other partners in that contract can use to earn support for winning future contracts and ensuring they get work in Adelaide and elsewhere around Australia.

So, as a government, we are working to a very clear plan. Unlike those opposite, we have made decisions. Unlike those opposite, we have funded those decisions. Unlike those opposite, we will enter into contracts to deliver upon those decisions. Unlike those opposite, those working in the naval shipbuilding industries and those companies involved in those industries can see a clear plan and a clear pathway from this government, which is working through towards the delivery next year of our naval capability plan as part of the new Defence white paper that will give certainty for the long haul. They can have certainty that when this government says it will do something and says it will build something, we will follow through and we will deliver for our Defence industries, unlike the six years of malaise they suffered previously.

**Senator XENOPHON** (South Australia) (16:18): I only have three minutes to make a contribution on this very important issue because I want my colleague Senator Madigan to speak on behalf of his state of Victoria. In relation to my state of South Australia, this is a bad decision made by the government. I am sick of the blame shifting and the finger pointing as to who should have done what or who could have done what over the last few years and over the last nine months of this government. The fact is this: two supply ships will not be built in Australia. It could have avoided the valley of death. As decent and as good and as capable a Defence minister as Senator Johnston—who, I believe, is a good man grappling with a very difficult portfolio—is, I believe a fundamental mistake has been made by the government.

To say, as Senator Birmingham has said, that we cannot build ships of this size and scale cost-competitively in Australia when we have not even allowed the Australian industry to tender for these ships is a fundamental flaw in the argument of the government. This is what I do not understand: I do not understand why you will not even give Australian industry a go. I understand that the ASC shipbuilding in Adelaide was in a position to deliver these ships in cooperation with an overseas shipbuilder to assist where necessary. I believe they have the capacity to do so, yet they will not even have a chance to tender for these ships, and that is something which baffles me. If, at the end of a tender process, it was simply too expensive or not cost competitive, then I think that Australian manufacturers could wear that. But they were not even given an opportunity to fight for Australian jobs and Australian industry.

Why is it important in my home state of South Australia? It is this: we are losing Holden. We are losing one of the last original automotive manufacturers in the state. We are facing a critical situation in South Australia with manufacturing jobs, and these are good jobs in shipbuilding. There is a transference of skills. There is a transference of decent jobs where people can put food on the table for their families and have good productive jobs. We are losing even the chance to tender for those jobs.

I must say this: I do not have an axe to grind against the Treasurer, Mr Hockey, but what he said last year when he basically taunted Holden—'Are you going to stay or are you going to go?'—was reckless. It was reckless

because it destroyed a bipartisan consensus for our auto industry in this country, and I believe it hastened the demise of Holden. Now we are faced with a critical situation where our shipbuilding sector is not even given an opportunity to tender for these two supply ships. The valley of death is a valley of destruction of jobs, it is a valley of destroyed lives, it is a valley of losing skills in this country that we will never, ever get back again. That is why I urge Senator Johnston—a decent man with a good heart—to reconsider this decision as a matter of absolute urgency before it is too late.

**Senator GALLACHER** (South Australia) (16:21): I rise to make a contribution in support of this resolution. I have just a couple of points very early on. Senator Macdonald, in an earlier contribution today, complained about the lack of honesty and the fact that the legislation did not make a lot of sense. I think that could be appropriately applied in this case to the contribution from Senator Birmingham. The facts are that successive governments have accepted that the building of these ships would involve a premium over and above building them overseas. It has been the decision of successive governments to build shipbuilding capability in Australia—to get the people, train them, get the experience up and build a decent product.

In an earlier contribution on this matter, I raised an issue of the Australian National Audit Office report on this capability. I also raised at the same time the fact that the embargoed report had been written about profusely in *The Financial Review* the night before, and I inquired as to whether Senator Johnston or his office had anything to do with that. No answer was forthcoming on that. But it is really interesting. The simple facts are that there is an early release of an audit report and a dark cloud of 'blow-out in productivity', and all of a sudden the whole world thinks that the workers are not going to work on time; the workers are not doing the work on time; the workers must be badly trained; or there is some other inherent lack of capacity in the workforce. But when you actually read the audit report you realise that nothing could be further from the truth. Nothing could be further from the truth. The workers who are doing these jobs—these highly paid, high-skilled, extremely worthy jobs—are not at fault in any of this.

The minister's office is not leaping to the front saying what the core of the problems of productivity in this sector is. But, if you just glance at the audit report, you see that the total number of construction drawings for the Hobart class DDG was 2,132, and the total number of revisions issued at October 2013 was 6,071. In this argument, what has been missed is that no-one is seeking to address the core problem. There have been multiple revisions of the plans after the work has been done, and in some cases—about 20 per cent of the time—the work has had to be redone. That has got this aura of: 'We can't do it. Australians can't make it.' Well, we can make it. Very clearly we can make it. And, if you are doing something two or three times and you only have a 20 per cent loss of productivity, perhaps that is not a bad effort.

As Senator Xenophon has rightly said, we are not even getting a chance to tender, despite all of the lessons that have been learnt in this process; despite successive governments, going back a long way, backing this industry to give us the capability, to give us the skills; and despite a very complete audit report highlighting the deficiencies. I accept that design is part of productivity. I hasten to say that you cannot label a workforce as unproductive when it has to do something twice or three times because there has been a change in design from the Spanish Navantia corporation. When are we going to get down to brass tacks here?

Senator Birmingham will go over, ad infinitum, five or six years of Labor's allegedly poor decision making. That is not relevant, nine months after the coalition winning government, to those people who work in this industry. It is not relevant to those companies seeking to make an investment in this industry. What is relevant is a government that actually allows the industry to compete. Why would they not be allowed to competitively tender? They may have the answers to some of these problems that have come up in the Australian National Audit Office report. They may well have learnt very good and valuable lessons, so those mistakes will not be replicated in the next round. But they will not be given a chance.

What is it about this government that it so dislikes manufacturing? What is it about Senator Birmingham in particular, who shows no empathy for the workers in his own state? I think one of the things you need to do in the Senate is bring your home game. You have to bat for your state. You have to bat for South Australian jobs—or, in Senator Carr's case, Victorian jobs—and, as a senator, for all Australian jobs.

But Senator Birmingham comes in and gives us about seven minutes of his time, not talking about the way to fix the problem, the way to go forward and actually get good Australian well-paid jobs and successful companies into our economy to build and grow our own home states. He talks about the alleged failings of the previous government, and then he spends a little bit of time saying, 'We have to make some tough decisions.'

You have to make tough decisions, but at least tell the truth. Are you changing the philosophy that successive governments in this country have had about building Defence capability, about building Defence warships, about building submarines? Are you throwing all of that out? Is the work of your predecessors, the contribution of those

South Australian senators of the conservative variety who really did get this, who really did want to make South Australia the Defence state, all to be thrown out the window, Senator Birmingham, because you need to make a hard decision?

All government decisions are essentially hard decisions, but they should be made in the clear, cold, hard light of day, taking into account all of the things that need to be addressed. And very clearly what needs to be addressed in this arena is this audit report. It would seem to me that it is heavily weighted to those a bit further up the food chain. The problems are coming from people a little bit further up the food chain than the actual workers in South Australia, who go to work, do a damned good job, really take pride in their work, want their company to be successful, want their workplace to grow and want to achieve an outstanding result for Australia's Defence forces. The disgraceful fact that they are not even allowed to tender for additional work is almost beyond the pale.

Not to give Senator Xenophon too much credit, but he probably is a little bit on the mark here. Have they such a hatred for manufacturing that they told GMH to go away and now they are not allowing good Australian workers, good Australian companies, spread right across this country to even tender. They are not even allowed to put in a price. These are people who have actually done good work, who have learnt valuable lessons, who have only one motivation and that is to be successful at the job they are doing, in a successful company, getting a successful result for the defence industry.

This government should be ashamed of itself. It will not even allow people to tender in those circumstances. The workers in these places will hear Senator Birmingham's contribution, but they will treat it as nothing more than a speech about partisan politics. It does not address the issue. Look at the audit report, fix the problems and build these ships here.

**Senator FAWCETT** (South Australia) (16:30): I rise to address this urgency motion, in three areas. One, to just rebut some of the political points that have been made by speakers opposite. Second, to talk about some of the areas of shipbuilding where this coalition government is already taking steps to put shipbuilding onto a sustainable footing. Third, to talk about some areas of defence reform that we need to be looking at to ensure defence industry is on a sustainable footing into the future.

Firstly, I go to the political points. We have just had a speech from Senator Gallagher where one of his main points was that Australian industry did not get a chance to tender. Can I take him back to JP 2048, phase 3 of the Amphibious Watercraft Program, which was the only naval construction program for ships that the Labor government, under Prime Ministers Rudd and Gillard, approved. And that was sent to Spain. I deliberately asked in last estimates whether ASC and others had the opportunity to be consulted, to talk about it, to put in a bid. Senator Gallagher is walking out; he does not want to hear this. What was confirmed by ASC was that they had no chance, that work was not tendered in Australia. The ALP sent that work to Spain, as opposed to allowing Australian industry to pick it up.

The other side of the argument, which the ALP do not like to recognise, is that when we realised a new icebreaker was required, they let a tender. In this case they put out a RFT and it included Australian industry. Two companies came back and said, 'Yes, we can build the ship, but it will be built overseas.' The Labor Party never even got around to funding it but nor did they require that that ship be built here in Australia. My rebuttal of the key argument around the fact that we have not allowed Australian companies to tender is not supported by the ALP's own actions when they were in government.

I hear Senator Xenophon's view around the valley of death and the impact on my own state of South Australia. I, like other senators here from all sides, am a passionate advocate of seeing good, high-skilled jobs retained in South Australia in manufacturing, as well as in other areas. Again, in estimates I asked the head of ASC about the time line for the project of their warfare destroyer and looked at the peak of the workforce, which is on us now—almost past it—and asked about the decision points that led to that.

In 2005 the Howard government chose ASC to be the builder of the air warfare destroyer. In 2007 Navantia was chosen to be the designer of the ship. We are now in 2014. If we are concerned about a valley of death in 2016-17, then decisions had to be made years ago, not months ago. That is one of the key flaws in the argument from the opposition on this matter. Both speakers today have talked about the fact that the coalition has now been in government for nine months, so why isn't there follow-on work? It is because the time required from decision, and commitment to funding, to having people actually cutting metal and building ships is measured in years. Take the air warfare destroyer as an example. That is between five and seven years.

Why has the government taken the decision that the best way to get Australia onto a sustainable footing for shipbuilding is to look at the Future Frigate program. It goes to the issue of productivity. Unlike the comments from Senator Gallagher, the criticism is not of the workforce; it is of the enterprise as a whole. Whether you look at the UK, the US or Australia—even the Anzac program, which was correctly mentioned before, was very

successful in Australia—the first ship is horrendously expensive. It happens in the US, in the UK and here. Over time, with enough ships in the fleet, you bring down that cost, which is why DMO, when they put together the Air Warfare Destroyer program, set a target of 80 man-hours per tonne, which is still 20 above world's best practice, but that was the target they set for the program. So they realised it would take some time to bring that target down. The issue with short builds—just one-off ships or maybe two—is that you do not get the chance with a new design to bring that target down. With Anzac, we did. Over time we brought that down and Anzac ships were being produced at a productivity that was better than world's best practice, better than benchmarks. That is where we can also end up with the air warfare destroyer.

The government, by bringing the \$78 million forward for engineering a design work, is allowing us to look at the option of taking the Navantia hull, which is being used for the air warfare destroyer, originally designed for a vessel to be a subhunter and, once that design work is done, to look at the integration of an Australian system, CEA's CEAFAR radar, and at the option of integrating Australian design and supported ship control systems like those produced by Saab in South Australia. Then we can start bringing forward the manufacture of hull blocks, because the hull is the same design as the platform. That means that we can continue to draw value from the investment we have made in infrastructure and, more importantly, in the skills of the workforce not only those on the production line but in the design area. By building on that air warfare destroyer program for future frigates, over time we will drive that productivity right down and, like the Anzac class, to world's best practice benchmarks. That is how we put Australian shipbuilding onto a sustainable footing. Setting people up to fail and costing the taxpayer a motza in the meantime is not a way to gain the confidence of the public, the media or the parliament around shipbuilding in Australia.

How we move forward for defence as a whole I believe fundamentally comes back to rethinking how we look at defence industry. For far too many years across both sides of politics defence industry policy has sat separate to defence's capability planning. Defence, in their capability development manual and procurement approach, look at what they call the fundamental inputs to capability—the people, the organisational structures, the training, the equipment and the doctrine that is required. One of those fundamental inputs is industry. The way that we will put defence industry onto a sustainable footing is not seeing it as a job-creation place, not seeing it as something that is there for its own benefit; we will put it there by saying, 'What does defence capability need over time?' Then when we take first and second pass decisions to government, built into those cases should be a clear articulation of the skill sets within industry, the manufacturing and repair capabilities within industry, that we need such that government procurement decisions are informed as opposed to saying, 'We want this particular piece of equipment and we will decide down the track whether Australian industry has a role.' That should be fundamental part of our decision process as to what we will buy and how we will buy it.

One of the critical things to enable that to work is to overcome the objections of the central agencies when they consider best value for money, which at the moment looks at an off-the-shelf price and compares that to the price of the enterprise here in Australia. That is not an appropriate comparison. If you look at the work of people like Professor Goran Roos, it is very clear on a global scale—from work on things like the Anzac project, the Collins here in Australia, or shipbuilding in the UK, or KPMG in Canada, who have done good work—that for every dollar spent on a defence project, particularly something large like shipbuilding, the taxpayer, over a 10-year period, gets a substantial return. So the true value-for-money comparison has to be done on the 10-year return to the Commonwealth and to our society—all those spill-over effects or second-order effects in terms of training, other industry opportunities, improvements in quality. That is the comparison.

When you put that together with a defence capability plan that sees industry as one of its fundamental inputs, we then start to get to a place where we will have a procurement plan, a defence capability plan, that will look at sustaining the skill sets that Australia needs—not only to make sure that the men and women in our defence force have the very best capability but also to make sure that we retain the sovereign capability we need to make the decisions that are in Australia's best interests about our defence equipment and the skills of our defence and industry personnel.

**Senator MADIGAN (Victoria) (16:40):** What we see today is what we see every day in this place—the blame game unfolding before us and two sides attempting to outdo each other on who is less responsible for the damage being done to our nation and, in particular today, to our shipbuilding industry. I am not speaking in favour of this motion; however, the government should not take that to mean that I support the lack of clear vision they seem to have for our shipbuilding industry. The fact of the matter is that this motion attempts to chastise the government for not building these vessels in Australia in order to protect our industry from the valley of death. However, my understanding is that building two supply vessels will only go a little of the way to saving the shipbuilding industry in this country. As much as I believe that we must build the future submarines in Australia, the way this government is going it will not be them who even makes the decision. Submarines are still years away.

What we need to be talking about today are other potential options—bringing forward the Future Frigate project, replacing the Armadales with steel-hulled boats built in our shipyards. We need to be talking about how our shipbuilding industry can be competitive on a world scale so we can also export. A strong shipbuilding industry does not simply rely on a strong skills base. We need to make sure that energy is affordable as well and that infrastructure at the yards has been upgraded and modernised to meet the requirements of the new multibillion dollar projects that are before us.

So, as much as I think today's motion is a cheap shot across the bow, I believe that this government must take all meaningful steps to help our shipbuilding industry to grow so that, when the time comes for the building phase of the submarine project, Australia will seem the most likely sensible option. What we need are long-term strategic decisions to be made and commitments with a 10-, 20-, 30-, 40- or 50-year vision—vision that was displayed by Ben Chifley with the Snowy Mountains project. We need to think of the abilities and skills that have been built up at the naval dockyards at Williamstown over generations and at the Australian Submarine Corporation in Adelaide. We need to be thinking about upgrading the slipways. Infrastructure such as this takes years to build and to design. It is not just about skills, as in the tradesmen; it is about the benefits to real people, communities and the nation. *(Time expired)*

**Senator KIM CARR** (Victoria) (16:43): I support the motion. I am concerned that the government's decision with regard to the procurement of these two vessels entirely from overseas suppliers without Australian industry being given the opportunity to even tender, suggests an approach to industry policy which we have seen reflected in so many decisions by this government to date. The most powerful comparison of course is the government's approach to the automotive industry, but we have also seen it in the food processing industry, in other transport areas and we have seen it in the statements by the Treasurer about his view that support for building industry capabilities is really a version of corporate welfare. We have seen it argued by the Treasurer that the government's job is not to level the playing field. There is almost an acknowledgement that the playing field is not level, but the government's attitude—the attitude of the North Shore Sydney bankers that run this government—is that governments should not intervene to level the playing field.

We have, essentially, an approach to industry policy which demonstrates a profound ignorance of the way in which manufacturing works and the requirement to sustain manufacturing capabilities in an advanced industrial country such as ours—an attitude that is not held by any other advanced industrial country. These are not the rules the Americans use. These are not the rules the Europeans use. These are not the rules the Japanese use. These are certainly not the rules that a country like China would use. We have this abstract notion that, somehow or other, Australia will not be able to be competitive or be capable of providing these industrial skills because of cost disadvantages or productivity or whatever the argument happens to be—it varies from place to place. But in essence there is a neoclassical assumption that, in a perfect competitive market, Australia does not measure up. That is, of course, nonsense, because, in real-world economics, the textbook theories of the university seminar just do not apply. In the real world, in terms of strategy and social and political constraints, particularly when it comes to defence procurement, those perfect competitive market scenarios simply do not apply.

This government is trying to suggest that our economy is not able to provide economic diversity in its way of life or its economic capacities and that we should concentrate on mining, tourism and agriculture—this idea that we can be a farm, a quarry and a beach. The reality is very different, because all competitive advantage is built. In every country in the world, that is how it works. You actually have to go out and develop the strategic capabilities. They come about as a product of real investment, real innovation, the development of new technologies, education, research, building industrial clusters and ensuring that the appropriate networks are in place so that you have the advantages that build upon experience. The reality of real-world economics is that, the more you do things, the better you get at them. This notion that we can somehow or other just go offshore and get, off the shelf, a major defence platform, and that will not have any real consequences for Australia, is something that I very strongly reject.

Last Thursday I was at Hoffmans in Bendigo. Hoffmans is an advanced engineering firm that has been attracted to Bendigo as a direct result of government support. It has taken over part of the Thales plant, which used to be ADI. It has renovated equipment and developed skills and is able to participate in the ship repair work that is so important for the Collins class submarine. There, on the floor—it was wrapped up, ready to be delivered—was the drive shaft for a Collins submarine, developed out of Bendigo. Those capacities are built, developed by a large number of people working cooperatively together to ensure that we are able not just to build ships but to repair them. Those capacities can only be developed as a direct result of government action and ingenuity and innovation to have the capacities of our workforce developed in Australia. Shipbuilding is at the cutting edge of science, technology and innovation. That is why it is so important—just like in the automotive industry—that governments invest in these capacities, so that we can constantly adapt, design new solutions to problems and ensure that we

have the very best kit this country is able to produce and the skills necessary to ensure a way of life for many thousands of people.

I reject the notion that is often put on the other side, that this is all about job creation. It is about the development of this nation and ensuring that we can do things independently of other people, particularly in defence industries, in times of acute crisis, when we will not be able to rely on other people, when we have to rely upon the capacities in this country. That is why I find this attitude so extraordinary, where the government tries to suggest, 'Oh, we'll look at it in the future; we'll try to do something in the future.' When they had the decision before them, they took the option to offshore the jobs, offshore this particular contract, rather than saying, 'As part of the ongoing process, we need to develop the capacities in this country so that we have the skills and the technological applications to do the things necessary for this country and, in times of real crisis, we can sustain them.'

We know how innovative shipbuilding is. We know that the manufacturing sector benefits enormously from it in skills development, new applications, new discoveries and high-performance capacities. It can only do that if the Australian government works with industry to ensure that those skills are able to be developed. I take the view that this government essentially wants to turn its back on manufacturing. This government has a notion, in terms of the model economic theory, that it does not really matter. That is a position which essentially is economic vandalism. If the government were genuinely committed to our naval strategic plan, we would be in the business of ensuring that these crucial industries were developed so that the skills were kept in Australia. This is the attitude—this reckless North Shore Sydney merchant banker attitude—that cost us the automotive industry. This is the attitude where the government has turned its back on food processing. This is the attitude where the government now seems to be in the process of turning its back on advanced ship manufacturing and ship repair. It is to the long-term detriment of this country that such an attitude is pursued by this government, and it is not just—*(Time expired)*

**Senator IAN MACDONALD** (Queensland) (16:52): Where, oh where was Senator Carr when as industry minister in the last government he presided over the greatest decline in manufacturing that Australia has ever seen. The man you have just been listening to, with all those fine words about developing Australia's capacity in manufacturing and in defence procurement, was the minister in charge of manufacturing when Holden, heading towards bankruptcy, shut down, and when Ford shut down, when manufacturing across Australia went overseas because the then government completely priced Australian manufacturers out of the game with their carbon tax, their mining tax and all the other taxes. Where were Senator Carr's fine words when he was the minister able to do something about it? Where was Senator Carr when his government singlehandedly destroyed what had been, for 20 to 30 years, a very vibrant, successful and prosperous shipbuilding industry in Cairns?

I know Senator Carr has a thing against Cairns. Just last week he slagged off at James Cook University of Townsville and Cairns, saying it was not a university capable of doing good research work and saying the grant for the Australian Institute of Tropical Health and Medicine—a world-class facility—to build upon JCU's world-class reputation in tropical research, was 'pork barrelling'. If anyone were inclined to believe anything the previous speaker said, they should just look at his attitude towards Townsville and Cairns in the university area. More importantly, they should look at what Senator Carr did when the Labor government in Queensland and the Labor government in Canberra shut down what had been a very successful shipbuilding industry in Cairns.

Senator Carr comes in here and sheds crocodile tears over the demise of the shipbuilding industry, but where were you, Senator, when you could have done something about it? Where was your colleague Senator McLucas when the Australian shipbuilding industry in Cairns was brought to its knees by a deliberate decision of the Labor government in Queensland and the Labor government here? Perhaps I am wronging Senator Faulkner who was at the time the defence minister because I know that Senator Faulkner was prepared to sign the contract for Cairns to build certain sections of the hulls of the air warfare destroyers—the shipbuilding work with which the 'southern rust bucket states' are currently experiencing difficulty in building. Cairns was going to be part of that and on the eve of signing the contract with North Queensland Engineers and Agents, the company which had built the patrol boats and had built survey craft and had done a lot of shipbuilding work, the Queensland Labor government pulled rug out from under them, withdrawing the bond it had been asked to pick up, a lousy \$20 million. And did we hear one squeak from Senator Carr when that vibrant shipbuilding industry was sent to the wall? There was not a word from Senator Carr and regrettably not a word from Senator McLucas, who claims to be based in the City of Cairns, where this very vibrant shipbuilding industry was based. I would love Senator Carr to explain why, despite all the fine words he has just delivered in support of Australian manufacturing, he did not put his words into action when he was the minister and could have done something about it? And where was Senator Carr when the Cairns shipbuilding industry, which employed lots of skilled workers in the shipbuilding trade, had the rug pulled out from under them by the Queensland Labor government and by the federal Labor government? It is

okay to get up here in the chamber and deliver all these fine words about what should be done with shipbuilding in Australia and what should be done with manufacturing, but Senator Carr, who just spoke on those things, was in a position to do something about it. He was the minister who, as I said, presided over the greatest ever downturn in the manufacturing industry in Australia. So how can anyone take any notice of what Senator Carr has said?

I say to Senator Madigan that he would be pleased to see that this government has brought forward the proposals to get proper drawings done for the Pacific Patrol Boat program and some other shipbuilding work, things which the previous Labor government should have done but did not get around to doing. Senator Madigan, you should be congratulating Senator Johnston and this government for what they have done in relation to getting some work for the Australian shipbuilding industry. I conclude by again asking Senator Carr: where were you when you could have done something about it? Where were you when you singlehandedly destroyed the Cairns shipbuilding industry? And where was Senator McLucas, a Cairns based senator, when she could have done something to help the Cairns shipbuilding industry.

I have a few seconds to go but I may stop now. I suspect people have not come into the chamber to hear my oratory. I finish this speech with some sadness in acknowledging that it precedes what I know will be a fine speech from a fine Australian, a fine Queenslander, a guy who has done so much for all Australians. It is a great pleasure to be a colleague of Senator Boswell's and to be in the Senate to hear what I know will be a magnificent valedictory speech.

Question agreed to.

## PARLIAMENTARY REPRESENTATION

### Valedictories

**Senator BOSWELL** (Queensland) (17:00): Parliamentary service is a privilege. I will have served 31 years and 118 days when my term expires on 30 June. *Hansard* notes that I have made over 1,100 contributions. Now is the time to dismount and hand over the reins. I have enjoyed my time in parliament, every minute of it. I have enjoyed the friendships I have made on both sides of the House.

Everyone comes into this place with the very best of intentions to do their best for this nation. To be part of this great Australian institution, the federal Parliament of Australia, is an absolute privilege and honour—to represent Australians from all walks of life. While it is a privilege, it is also a great responsibility.

I have always tried to represent the people who have elected me. In my first speech on 25 May 1983, I committed to being a voice for small business, primary industry and family values. I believe I have kept my promise and stood by those commitments. It is important to have these views heard loud and clear in this parliament.

I have faced the people seven times, running on a separate ticket, going for that third and last conservative position. It was only the last time I ran that I had the luxury of a joint Senate ticket. Having to pick up that third conservative seat focuses the mind on representing your constituents and delivering for them.

Small business is the heart and soul of Australia's have-a-go, egalitarian society. Farming and fishing are small businesses, too, even though they have some extra, unpredictable factors like weather and world prices thrown in.

I understand small business. I believe this has stood me in good stead throughout my parliamentary career. I was an agent representing manufacturers from the southern states. My original contact with the parliamentary process came when deregulation of trading hours was being debated in Queensland in the early eighties.

I was asked by 16 retail peak bodies—pharmacies, butchers, grocers and others—to take a deputation to the Premier, Joh Bjelke-Petersen, to oppose the deregulation of trading hours. We told the Premier that deregulating trading hours would destroy small business, would destroy country towns and would destroy family life.

To make my point, I said: 'Premier, if you un-restrict trading hours, these people will have to work on Saturdays and Sundays. They won't have a family life, and they won't be able to go to church on Sunday.' His reply was clear: 'That would be a desecration of Sunday.' He said it would never happen while he was Premier, and it never did.

After that delegation, I was the contact point for small business, representing them at a state level. That deputation of 16 retailers eventually led me into successfully running for the Senate in 1983.

I do not have a formal degree, but there can be no better qualification for serving in parliament than actually having run your own business. The microbusiness of R Boswell & Co employed nine and taught me how a business must run, to keep control of spending, the interaction between staff, good times, hard times, making sales—because that keeps your staff in jobs. It was a great training ground.

Because I understood it so well, I joined many fights in this place and battles on behalf of small business. Labor Senator Chris Schacht and I successfully amended the Trade Practices Act so you could not substantially lessen competition in a substantial market. That amendment changed the face of business in Australia. It was a big win for small business.

There is much more work to be done on the competition policy. The coalition has established a review with wide terms of reference. Small business will be making strong submissions, as will the dairy industry and other primary industries.

Recently, Woolworths were reported to be trying to pass costs on to fruit and vegetable growers to fund Woolworths' Jamie Oliver TV advertising campaign. This is the sort of thing the ACCC should have the power to investigate. It is wrong for Woolworths to demand growers pay Woolworths' advertising bills. The ACCC must be given the legislative teeth to balance market power and assess the claims made by food processors, farmers and other contractors. It must be given the teeth to take court action under section 46, on the abuse of market power—something it has never had. Also, we must have an 'effects test': that is, based on the effect of anticompetitive behaviour, rather than trying to prove intent. I wish I was going to be here to drive that debate.

I know that Bruce Billson, the Minister for Small Business, is going to receive a buffeting on these issues from big business and their friends—but he has to stay strong, stay the course, and continue to stand up for the rights of small business, and I am confident he will do so.

Just last month, the major chain stores were pressing on with their everlasting quest to further deregulate trading hours, this time under the pretext of helping the federal government reduce red tape. I told the party room that trading hours are a state issue, nothing but tears for us and to keep well and truly out of it.

A strong voice in the party room is so important. This is the advice I always give new parliamentarians. You must speak up in support of your cause in the party room. Drive the debate in the party room.

One of the hardest battles I ever successfully fought was to maintain pharmacies as standalone businesses—owned and operated by pharmacists—and not incorporated into supermarkets. Recently I had to remind my Liberal colleagues in the joint party room of the statement of their founder, Sir Robert Menzies, in 1970. He said:

Australian Liberals are not the exponents of an open go, for if we are all to have an open go each for himself and the devil take the hindmost, anarchy will result and both security and progress disappear.

Just keep remembering it. These are prophetic words. The Liberal Party founder was saying that deregulation is not the answer to all problems and the free market will not always produce the best outcomes.

Let me talk a little bit about primary producers, the backbone of the National Party and people of whom I am so fond. They include farmers and fishermen and others who represent the very best in Australian character, physically courageous, battling the elements and the unforgiving environment and prepared to work hard in remote locations to create wealth for the country. These people reflect the true Australian spirit of taking a risk, having a go and persevering when times are tough. Working with my colleagues, we have had some great wins for regional and rural Australia. I think of telecommunications, Roads to Recovery, sensible management of marine parks, work on behalf of the sugar, banana, ginger, pineapple and tobacco growers and helping beef producers retain control of sustainability issues.

A highlight of my career—and something that benefits everyone living in rural and remote areas—was bringing modern telephone, email and internet services to the bush, services on a par with those in the city. I was reminded recently of the importance of telecommunications in the bush. Sadly, someone I knew was killed in a car accident on a remote stretch of road in Queensland. However, the other occupants of the vehicle, some of whom were hurt, were able to telephone for help. Getting a telephone signal would have been impossible in that part of Queensland 15 years ago.

On marine parks, a major achievement recently for the coalition was to reverse Labor's and the Greens' planned bans on fishing in 2.3 million square kilometres of water in 40 new marine parks right round Australia. This was a huge win that saved literally thousands of jobs. Under their plan, from 1 July, just a couple of weeks from now, not only professional fishermen, and some are in the gallery, would have lost their livelihoods but also charter-boat operators, tackle shops, seafood processors, wholesalers, ship's chandlers, repair facilities, and other suppliers of goods and services. Prior to the September election, I worked closely with professional and recreational fishing groups, especially the Australian Recreational Fishing Foundation and its CEO, Allan Hansard. Guided also by my colleague Senator Richard Colbeck, the Liberal-National coalition developed a policy to keep the marine parks but remove the fishing bans till scientists could take a sensible look at how these parks should be managed. In government, we kept our promise and have removed the fishing bans. I am enormously proud of that achievement.



I have always opposed the destructive behaviour of powerful, well-funded local and international environmental activists. They make their living by frightening people into believing that the environment is being threatened one way or another by the activities of our farmers, fishermen, miners or even Aboriginal communities. I am proud to say I have given the 'big environment' groups a bloody nose on more than one occasion. This includes maintaining Aboriginal access to minerals and other resources in Cape York by standing side-by-side with people like Noel and Gerhardt Pearson and Richie Ahmat to stop World Heritage and Wild Rivers legislation on Cape York. I share their aspirations to see a strong future for Aborigines and Torres Strait Islanders in Far North Queensland, on their own land, and not force them to be welfare-dependent. I am enormously pleased and proud that this very morning the Federal Court of Australia found the Wild Rivers declarations for the Archer, Lockhart and Stewart Rivers were invalid. This is a magnificent victory for the Aboriginal people of Cape York. This process began in 2009 and 2010 with questions on notice and a Senate inquiry that exposed the lack of due process by the then Labor government in Queensland, and provided material for the successful court action. It is a great demonstration of the effectiveness of the Senate system. I worked closely on this issue with Terry Piper from Balkanu. I welcome Terry and Richard Aiken, Chairman of the Balkanu Cape York Development Corporation, to the gallery on what has been such a wonderful day for them and all the Aboriginal people of Cape York.

I am also proud of having helped keep the beef industry out of the clutches of World Wildlife Fund and other environmental activists. Don't have any doubt: the World Wildlife Fund wants to ultimately control how seafood, timber, beef and every other primary product is marketed in Australia and round the world. I have detailed their schemes before and won't repeat them now. My Queensland colleague Senator Barry O'Sullivan shares my deep concern about the activities of WWF. Together, we were able to drive debate on this issue, engage the rural media and alert cattle producers to the threat they faced. It gives me enormous satisfaction to have seen beef producers get together on 23 May and begin to develop their own industry-driven program to verify sustainability of Australian beef. This will mean our red meat customers won't have to go to organisations controlled by the WWF to verify sustainability. This is a major achievement and a very important win for primary industry.

I have always been a voice for traditional family values and a defender of the unborn. I have stood up for these values in debates on issues such as abortion, RU-486, stem cell research, pornography and euthanasia. Politics is an honourable calling but will remain so only if politicians have the courage of their convictions. In 1988, I tackled the League of Rights, a far-right-wing, anti-Semitic organisation I saw as trying to exert influence over the churches and other areas of society.

For me, this was a defining moment: to be taken seriously, you have to stand for something. In the fight of my life, against Pauline Hanson, I risked everything to stand up against her aggressive, narrow view of Australia. Defeating Pauline Hanson and One Nation in 2001 has been my greatest political achievement.

I will now say something about the National Party. The Nationals are as important as ever in representing rural and regional Australia and small business at a time when primary industry is playing a vital role in sustaining the Australian economy and jobs. I have been a proud member of the National Party since 1970. I have been loyal to them and they have been loyal to me. Loyalty is a hallmark of the National Party. It comes from that time-honoured tradition of helping your neighbour when things are tough—and its spirit carries through to today. It was the National Party that the farmers, fishermen and miners called on last month, when the diesel fuel rebate was under threat, in preparation for the federal budget—and under threat it was; believe me, there was no subterfuge about it. The rallying call went out to the National Party from the mining industry, the farming industry and the fishing industry—and the diesel fuel rebate stayed.

While there have been great achievements in the past three decades, there is always more to do. Each of us in this place steps in, and out, on one page of a continuing history; it is for others to write the future. There is still much to achieve; the job is never-ending. For example, we have to ensure that independently owned post offices receive enough income to maintain the vital community service they provide. We must abolish the carbon tax and the renewable energy targets. I was the first member of the coalition to speak out against the carbon tax. I believe also that RETs are costing Australian jobs; you cannot have a manufacturing sector if you have high energy costs.

I am handing over the reins to Senator Barry O'Sullivan and Senator-elect Matthew Canavan, who is in the gallery, to carry on. I am confident they will represent the enduring principles espoused by The Nationals for more than 100 years. I know they will provide a strong voice in the party room and in parliament. They have big shoes to fill—Earle Page, Doug Anthony, Flo Bjelke-Petersen, "Black Jack" McEwen and many others—but I believe they are up to the job. The party has been written-off more than once but it endures because it is needed. I have tried to mentor new members in the Senate and prospective candidates because, good or bad, there is no teacher like experience. On reflection, one of the things that has given me the greatest pleasure is seeing Barnaby Joyce emerge as a statesman, a fine minister, a future Leader of the National Party and a future Deputy Prime Minister.

One of the great joys of being in this place has been working with my fellow members of parliament. There are too many colleagues, past and present, to mention them all. However, it has been a special privilege to work with former leader John Anderson, with whom I remain great mates, and with our current leader, Warren Truss. Warren shouldered the burden of leadership at a very difficult time for this party and has done a wonderful job. It is a feature of Warren's leadership that he allows vigorous party room debates, another tradition in the National Party, and he has the total loyalty and respect of everyone in the party room.

I must single out John Howard. In delivering gun control, he took the most courageous action I have seen in my time in politics. Every time I hear about another gun massacre in America, I know that bringing in those gun control laws was the right thing to do and I give thanks for his courage and leadership. He also understood small business and the ethos of the bush. John Howard was the best Prime Minister the Nationals ever had.

I have also enjoyed working with senators on the other side of the chamber—people like John Button, Peter Walsh and Chris Schacht—and, on the crossbench, Brian Harradine, John Madigan and Nick Xenophon. For 18 years, I had the privilege of being Leader of the Nationals in the Senate. This position gave me enormous leverage to achieve things for regional and rural Australia. The role is now being ably filled by Nigel Scullion. Nigel has a real feeling for his role as Minister for Indigenous Affairs and is doing a wonderful job.

Parliament has been like a second home to me. We spend approximately five months of the year here, and the parliament has been made more hospitable and homely by the officers and staff. Whether they be Comcar drivers, library staff, clerks, committee staff, Hansard reporters, attendants or dining room staff, they all give their very best to make our life as easy as possible.

I also want to pay tribute to another group of people who play an essential role in parliament and, in fact, an essential role in the protection of a transparent and vigorous democracy, and that is the media. I have known many journalists in my three decades in parliament and they have been thoroughly professional. At this time, when some of the icons have left and others are approaching retirement, I say to those journalists coming through that they have a great tradition to uphold.

No parliamentarian is ever successful without personal staff who are completely dedicated and committed to the cause. I have been particularly fortunate in the people that have worked with me over the years. Joanne Newbery started with me in the first year and remained for 23 years. She was a great speechwriter, tactician and friend. In fact, she did the work on the Wild Rivers. Prue Regan was another one who started with me when I began. She was a solicitor, she was able to interpret legislation, and did some spectacular work. Prue's maiden name was Page. Her grandfather was Sir Earle Page, the first leader of the Country Party. The National Party is in her DNA. My present staff are here in the advisers' box. They are all great people who have worked really hard because they believe that, through parliament, changes can be made. I thank Lisa Gambaro, Yvonne Tran, Martin Bowerman, Geoff Harrison and Peter Newbery for the wonderful friendship and hard toil they have put in.

I want to give particular acknowledgement to Mike and Pam Tyquin in the gallery. Mike helped me establish my own manufacturer's agency business all those many years ago, and he helped me again in a tight campaign with those famous roadside signs: 'Ron Boswell. He's not pretty ... but he's pretty effective.' I would never have got here without Michael.

I also want to acknowledge David Goodwin, Isaac Moody and Damien Tessman. They are all here tonight with their families. I believe their time will come and they too will represent the people of Australia in this parliament.

I especially want to acknowledge my gratitude to Lady Flo and the late Sir Joh Bjelke-Petersen, both great Queenslanders. Sir Joh did so much for Queensland, including building up the mining industry and getting rid of death duties. They both displayed complete support, loyalty and friendship to me throughout my political career.

My wife, Leita; my daughter, Cathy, and her husband, Kent; and my grandchildren Sophie and Will are all here tonight. Cathy, Kent, Sophie, Will and my other grandson, Tom, are the delight of our lives. Thank you, Leita, for the wonderful support you have given me. You were always there to encourage me, to lift me up when things went wrong. I always looked forward to coming back to a peaceful, tranquil home after weeks in parliament, travelling or campaigning. I could never have got to the Senate, nor remained here as long as I have, without you.

Someone who is not here tonight is our son, Stephen. He passed away when Leita and I were on a parliamentary trip to Taiwan. He was proud of me being a senator and we miss him every day. We wish he could be here now.

In the Senate, I have always sought guidance and help from my God, and I acknowledge He has always had a guiding hand on my career. In the parliament of Australia, in the assembly of His people, I have always received constant help, and I offer my thanks.

Ultimately, politics is about the power to endure. I go from this place undefeated, at a time of my own choosing, the sixth longest-serving member of the Senate.

I will end with these words of Saint Paul: 'My time of departure is at hand. I have fought the good fight. I have run the race. I have kept the faith.' Thank you very much. God bless and goodbye.

**Senator MARK BISHOP** (Western Australia) (17:29): Almost two decades ago, I entered this place. Not for a moment have I regretted that decision. Everything about this place—its history, its culture, its officials, its very special place in our parliamentary system, the engagement with colleagues from all sides, and the committee system—have combined to make it a workplace like no other. I am privileged to have played a part.

Let me turn to some of the more personal aspects of my time in Canberra. Firstly to my wife, Fran Marsh, who has served every moment of the three Senate terms with me. She mostly served her time in Perth, working as a lawyer and raising our two daughters, Gabrielle and Georgia. Fran did an excellent job, and the girls have matured into beautiful, intelligent, well-balanced, capable young women, knowing they have been well parented and loved. This December I will be attending Gabrielle's graduation from the ANU—the first such ceremony during the girls' education that I have been available to enjoy and, more importantly, to attend. Western Australians are used to fly in, fly out parents but a term of 18 years has been a big ask. Fran has accepted and answered the call on all fronts. I thank her for the love, the support and the patience.

We live in the federal seat of Curtin, and our girls attended a local school. It was common knowledge at the school that one of their parents was a politician working in Canberra. After continual queries they finally agreed that, yes, they were Julie Bishop's daughters. Playing that card allowed them to bask continually in the glory from whichever side was in government. Seriously, though, it will not be news to anyone in this chamber to hear that all time in politics is served by the entire family—particularly so out of Perth, Western Australia, the most remote capital city in the world.

Next I wish to express my thanks to those staff who have served with me. As you all know, politicians do not work in isolation. I am very pleased to say that most of my staff were 'stayers'. In particular, I sincerely thank Sheryn McLaughlin, Marie Dias, Marie Liau and Peter Reece, for their loyalty, dedication, patience, expertise and contribution throughout my three terms. There were others during that time of course, and I mention two, Amanda Dowling and Lydia Roberts, who had integral roles in my office. I thank them also. Again, to all my staff, I particularly say thank you for your patience.

For many years I worked on the Senate Foreign Affairs, Defence and Trade Committee and, in more recent times, the Senate Economics Committee. For nearly all that time, the secretary of both committees has been Dr Kathleen Dermody. She is a remarkable woman. Her professionalism, expertise, counsel and support is exceptional. I signed off on many reports, possibly hundreds. In nearly all cases I explored ideas and came to conclusions after consultation with Dr Dermody. I value her input greatly and simply say thank you.

Colleagues, too many to mention, come and go as is the nature of our occupation. I have enjoyed working with colleagues and opponents alike. I thank those men and women for their contribution, their friendship and their support. I have just a quick word regarding Steve Hutchins, former senator from New South Wales. In his valedictory speech he relayed the story of telling one of his daughters that he was due to meet the Bishop at the Holy Grail. She remarked to her mother, 'When did Dad get so religious?' I have to confess that I too have missed our late night prayer sessions at the Holy Grail led by 'Father' Meldrum.

Why federal politics rather than state? It certainly would have been more convenient going home every evening. My interests have been and are federal in nature, hence Canberra was always the destination. My work here has been in communications, veterans' affairs, defence procurement, trade, foreign affairs and, more latterly, economics. I took an interest over many years in two particular areas: military justice and defence procurement—a bit esoteric for most. These areas separately offered challenge, complexity, human emotion and the satisfaction of reform and justice. Sadly, I know that in the area of military justice, more public reform is needed. I see that military culture is changing. However, that change will not be complete until all of those senior officers and all of those senior NCOs who abuse their power are removed once and for all. We need young men and women to join the armed forces, confident that they are safe and protected and that they can advance in their careers without any fear of inappropriate treatment or behaviour from their peers, NCOs or more senior officers.

Some refer to the Senate in pejorative terms; as ineffectual and not of equal value to the House. The Senate accommodates a different facet of political life. I refer particularly to the unending committee work. Last week alone, I signed off on seven reports for the Labor Party. Next week I will deliver my final Senate committee report. It addresses, inter alia, the efficiency and effectiveness of ASIC. I thought my last six months in office would be relatively less demanding. However, while in the United States late last year, my Labor colleagues unanimously agreed that the chairmanship of that inquiry should be adjourned until I returned to Australia.

Accordingly, the last six months have been hectic. I thank those Labor colleagues for their foresight and consideration. The inquiry has been fascinating and has captured public interest and a lot of press attention, and rightly so.

In some respects, the Senate committee system can be the final court of appeal. This report will engender close review of our entire financial services industry, the approach of major players, the utility of our public regulators and a new interpretation of the word 'inappropriate'. I commend that report in due course. The work of the Senate committee system will be fully on display.

Interests in the policy areas of defence, foreign affairs and trade require engagement domestically and overseas. I have led a number of delegations on defence matters overseas, primarily in the United States, Europe and the United Kingdom. I have come to appreciate the high regard in which Australia is held in all of these countries. They value our growth orientated economic system, the ability to invest in business, the excellence of our regulatory system and our capacity to offer serious policy advice. Time and time again officials have taken me aside and expressed private thanks on the part of their government for our contribution in a particular forum.

It is little understood in this country the significance of thirty years of continuing economic growth, commenced under Hawke and continued under all governments since. We are arguably the richest country in the world, certainly on a per capita basis. Growth has come from reform. Reform came from ingenuity, discipline and a policy focus. In the not too distant future this will be a country of forty million people and a net capital exporter. That will impose a different set of demands and our response will need to be more outward focused and less selfish. That will be our challenge and there is no reason it cannot be done. Our views are valued. Our views are sought. This facet of our contribution is undervalued here in Australia. It is with pride I have led these delegations.

I now turn to my home state of Western Australia. A friend, a once friend of mine, used to refer to his home town of Badgerys Creek as the 'centre of the Western civilization'. He said it in all seriousness and could never understand everyone's outburst of mirth. Ironically, Badgerys Creek has since become the focal point for airport development in New South Wales and its fame has spread. Similarly, Western Australia regards itself in the same terms, in all seriousness and without the mirth.

Some have noted that from time to time I use strong language to express disapproval of some decisions of my federal colleagues. Those comments were never accidental. They were considered remarks because I fear too many in our party choose not to understand Western Australia and hence dismiss lightly legitimate concerns. Labor cannot be in government whilst it holds a mere three federal seats out of a total of fifteen—soon to be 16. The head start is too much. It is akin to giving a 30-metre start to your opponent in a 100-metre race. This is a development only of the last ten years. In 2001 the Australian Labor Party held nine seats out of 14 in Western Australia, 60 per cent of all available seats—a remarkable effort in a non-manufacturing state where the majority of the population works in mining or service industries. Those six seats were given away for free. The challenge for Labor in the west is to revitalise and re-engage on terms attractive to the Western Australian community. Views in the Labor Party are relatively homogeneous. It does not matter if it is Victoria or Western Australia. The political views are remarkably similar. However, community views in Western Australia are different to those on the eastern seaboard. Why is this? The answer is simple. The size, distance and wealth of Western Australia means community views gestate and grow in a different context. Labor in the west needs to embrace our federal system and accommodate regional perspectives. That is our failing. The west cannot be ignored in our quest to regain government.

In the last few months there has been a radical turnaround in the polls. I for one did not expect such a quick return to favour. The question is whether this return is permanent or just a passing fancy. The answer to that question is in the history books. In early 1996, we made some critical decisions to run away from a lot of the economic reforms of the previous 13 years. Successive decisions in those 11 years of opposition led us further from the grail of continuing economic reform.

Mr Shorten and our front bench have done very well so far, very well indeed, and I congratulate them. I believe mere noise and total opposition to any and all government proposals will be ultimately self-defeating. Soon we need to prove our capacity to be in government in the short term. I say unequivocally, let the major opposition party lead the debate and be the opposition party—isolating the rest. I hold to the view that the party or parties that control a majority on the floor of the House should govern in both places. The same principle should have applied for the last six years and the same principle should apply again when we again occupy the Treasury benches. I wish Mr Shorten and Senator Wong all the best to in their respective roles as leaders. They have earned their opportunity to lead. That is the politics done.

Now turning to my personal future. I led my first strike forty years ago. I have been an activist in the labour movement all that time. Fran and I will move to the Northern hemisphere for six months. Work, study, travel,

leisure will be the order of the day but not particularly in that order. Then, upon our return to Australia in December or early next year, I will be resuming employment in the private sector. I understand that a few of my retiring colleagues have similar plans. We will be wise and silent men and women at a distance. I wish everyone well. It has been a privilege. Thank you very much.

**Senator SCULLION** (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (17:47): Bish, it is with some deal of regret that we are farewelling you from this place, mate. My colleagues from all sides of politics would agree that Senator Bishop has made a significant contribution in his time in the Senate. I make my comments without any mischief, but, Senator Bishop, many on our side of politics were surprised that you were not afforded the opportunity of the front bench. Certainly, with your talents and the high regard with which you are seen on this side of the place, we were not sure why that had not happened. Your capacity has particularly been highlighted by your service as the shadow minister for defence. You have just touched on the excellent work that I and many of us watched for so long in terms of justice. Coming from a garrison town, I can guarantee you that the circumstances that you have driven have really changed the culture across the Defence Force, so congratulations. One only has to turn to your parliamentary web page to see some of the value of the contribution you made to various committees. If there were an award for contributions at committees, Bish, you win that absolutely hands down.

Mark, as a friend and as a colleague, I have enjoyed many a drink with the deadly duo, with yourself and Hutchie, at the Holy Grail. We had plenty of prayers together and I enjoyed them very much. I wish you all the best in the future. You are a true gentleman.

Senator Boswell, I rise not to farewell my friend and my mentor, Senator Boswell, Bozzie, but because I do not think my friendship will change. I take this opportunity to pay tribute to his career that has spanned several decades across several governments. There are a few things about Bozzie that are inexplicable. Whilst I knew Bozzie quite well, I can remember the first time I came to parliament. I arrived at some hotel somewhere. I was a fisherman, but I knew how to get here. I got to the Ministerial Entrance because that is the way I had always come. Nobody knew I was coming. I was coming in here to see John Anderson. I arrived at the Ministerial Entrance—nobody knew I was going to be here—and Boswell appeared at the door. He swung the door open and said, 'Nige, come this way,' and we went through security—the normal stuff that I would get used to. I never gleaned an explanation about how he knew that I was arriving at the Ministerial Entrance at that time. He sat me down and told me that this was such an important task because of the changes that I could make to people's lives.

Bozzie has seen many events in this place since he was first elected in May 1983, but at the forefront he has always cared about what such events meant for his constituents and for Australians generally. I will go on to talk about his career more specifically, but it is impossible to talk about the man without talking about his political side. To Bozzie, everything is political. It is political and it is important because he cares deeply about ordinary Australians and how decisions impact on their day-to-day life. Whilst he sees himself as ordinary, I can assure you that he is not. Bozzie's influence and impact on the fabric of Australian society should not be underestimated, even if he considers himself, as he is, a truly humble man. He is a man of conviction and he has always worked away quietly—I have observed somewhat more loudly—but always for others. This humility and authenticity is something that we as politicians and representatives in 2014 can learn from.

As has been indicated, he led the National Party for nearly 18 years in this place. He has been a formidable leader and his leadership has been informed by his conviction that we all have a purpose in making the world a better place. I refer to his speech in the Senate on 25 May 1983, in which he tried to capture the essence of the National Party. He stated:

The National Party of Australia can trace its origins back to 1893 when the circumstances of the day demonstrated the need for a party to look after the political needs of the small businessman, the struggling settler and the people who wanted jobs.

These values have been at the core of Bozzie's approach to his leadership even today. They are values that are as pertinent as ever. He has been strongly motivated to speak for those in our community he considers voiceless, taking up causes that are not always considered fashionable. Some of us may not have agreed with all his views, but it is difficult not to admire a man whose convictions stem from a place wanting a strong and better future for generations to follow.

Lest we rush to the conclusion that Senator Boswell is a man who can simply be characterised as conservative, his approaches have defied definition. For me, as for many of us here, he represents a real paradox. A social conservative but someone who is also a progressive, Bozzie has fought against the far right political movement in Australia, epitomised in the November 2001 federal election, when he refused to preference One Nation. He was able to compete directly with Pauline Hanson and retain his Queensland Senate seat and in the process removed the far right from the Australian political landscape—no mean feat. Bozzie's views on matters of race have always

been informed by a basic sense of decency and fairness. When he believes in something strongly, he is truly an irresistible force.

In other areas, Senator Boswell has been a real warrior for family values. As he indicated in his speech, he has opposed human embryonic stem cells for research in Australia and advocated instead of adult stem cell research as a safer, pro-life way forward for this type of progressive science. In 2006 he secured a \$22 million federal grant to establish a world-first adult stem cell centre at Griffith University in Brisbane. I have often wondered where Bozzie's inner strength and energy come from. I am convinced that he is driven by his sense of justice, because he is a man of deep faith. He sees himself a man for others, and all life is sacred.

There are few areas of national endeavour that Senator Boswell has not been involved in. In February 1998 he was chosen as the Nationals representative at the constitutional convention, leading the 'no' vote campaign for the referendum on whether Australia should become a republic in November 1999. As a counterpoint to this conservative stance, a decade earlier he campaigned to enable disallowance of mergers between large companies by changing the mergers test in the Trade Practices Act. Bozzie believed in promoting greater competition in Australian consumer markets and giving small businesses an ability to compete.

His other major contributions involved providing better communications for regional areas, enabling collective businesses and farms, campaigning against dumped and highly subsidised imported foodstuffs, providing exceptional circumstances funds for regional and rural dwellers during times of prolonged drought, securing assistance packages for the restructuring of rural industries like dairy, sugar and commercial and recreational fishing, and taking up the case for independent newsagents, service station operators, grocers, farmers, hoteliers and other small businesses in light of the growth of the large retailers. In this place he railed against the unions and academics across the other side who he considered did not understand small business. As always, he wanted to see the creation of jobs, jobs and more jobs, not, as he stated in the Senate, public centre pump priming.

I guess our bromance was really cemented in his support for commercial and recreational fishing. His indefatigable efforts contributed to the reversal of the proposed ban that would have locked out fishing from 1.3 million square kilometres of ocean around Australia. He urged instead for a rational and scientific examination of what was needed in marine parks to ensure genuine consultation. As ever, he was the voice of common sense and refused to bow to alarmism. That is his appeal; he is the everyman.

While in some areas, as I have already indicated, he was a social conservative, in many others I regard him as a visionary. When I first entered parliament he looked at me on that very same day and he said, 'I think you're pretty green.' He was right; I had an awful lot to learn. I have often spoken in this place about the importance of achieving reconciliation with Indigenous people based on promoting Indigenous business and industry. The way out of poverty for disadvantaged Indigenous people is real and meaningful work. But Bozzie was well ahead of me. In June 2006 he gave a memorable speech entitled 'Pathway for reconciliation' in which he said it all. His speech congratulated the Gidarjil Land Development Corporation, which was to take possession of Gaythorne Station. He also recognised Gerhardt Pearson of the Balkanu Cape York Development Corporation and Gay Voss from the AGL Petronas Consortium, involved with the gas pipeline project. In working together, Senator Boswell spoke of the group as achieving reconciliation of substance. I think it is apposite to read from that speech in 2006 which could just as well have been the current government's foundation on the way forward for Aboriginal and Torres Strait Islander people. He stated the handover of Gaythorne Station:

... is about not just handing land over but a workable future that goes along with it. Tomorrow puts in place the ability to forge a sustainable economic future for traditional landowners.

He continued:

Maybe if you're looking for a one word definition of reconciliation, you can look to "tomorrow" – one word that means a future for black and white Australians.

... ..

And hope can only exist where there is safety, education and employment.

Sound familiar? Today it would serve us well to go back to that fine speech, to reactivate that message of hope and reconciliation and to refocus on the government's current priorities that echo Senator Boswell's call to reconciliation of substance through getting kids to school, getting adults to work and creating safer communities. I know that every single parliamentarian in both houses would support those fine goals.

But it is Indigenous people themselves who have bestowed on the senator the greatest recognition for his work on wild rivers and their attempt to protect their rights to make decisions about their own land. In October 2013 Cape York traditional owners and Indigenous communities, along with Gerhardt Pearson and Richie Ah Mat, gifted Senator Boswell with a plaque calling him 'a champion of our people' for his work on the wild rivers. To appreciate how significant this gesture is one needs to understand that few white Australians ever receive such

recognition, let alone a Nationals senator or member of parliament. It must be with some satisfaction that Senator Boswell was able to tell us today that Indigenous groups are celebrating the Federal Court win against development restrictions imposed by the former Queensland government's wild rivers laws. Again his efforts have achieved results.

Bozzie was never in this for recognition, that is for sure. I will share a short anecdote. It was a little bit like coming into parliament and not really understanding why I was there. I was involved in a Defence Force Parliamentary Program. I was in Timor and I was wobbling around exhausted and stumbled out of the jungle in a place called Vikeke. There were a few school kids running around. I put the pack on the ground, slowly recovered, had a few lollies and talked to the kids. Then I was talking to this guy who said, 'How's it going as a soldier?' I said, 'I'm not really a soldier, mate, I'm a dud, a fake—I'm actually a senator at home.' He said: 'An Australian senator? You built the school here.' I looked around and said, 'I don't think we did that, it might be foreign aid money.' He said, 'No, the Australian Senate built this.' I said I wasn't sure about that, but he went off, scurried around to a few blokes and then said, 'Senator Boswell.' I came back to Australia determined to work it out. 'Bozzie,' I said, 'what've you done? I went to this school and they reckoned you built it.' He said: 'Yeah, I did. My family and me invested in our future and built this school.' That goes to the stamp of the man, the sort of contribution that he is happy to make for others and have absolutely no recognition for it.

Before entering parliament, as we all know, Bozzie was a great salesman and he goes to great lengths to tell us that he was a manufacturer's agent, he sold paintbrushes, he sold rubbish bins to councils. I think he brought his sales pitch to parliament. He was an incredible salesman when he was here. Any of those who have been subjected to his 'We're going to do this' and who thought there was any other way would know exactly what salesmen were about. He remained faithful to his origins in keeping at the forefront of public debate the importance of small business and the independent retail sectors.

In his free time, of which there has been little, he has been a very keen yachtsman. There has not been a dull day when I have spent it with Bozzie. I would not mind a dollar for every time he said, 'Your mother only had to carry you for the nine months, Nige, I've had to carry you for 10 years!'—which would normally be the start of quite a long lecture about how I hadn't got it right. His MO since I have known him here is simply, when he comes up against any opposition, to just keep crunching at it until it crumbles. He is a Herculean political force.

I have another quick anecdote, and some in the National Party may recall this—it was one of those monumental Bozzie moments. We were gathered in his suite. He is not much of a drinker and he blames the fact he had a couple of sips of Scotch on my emergence in parliament, but we decided to have a scotch—if quite a few of the National Party people were around we would have a quiet scotch. There was a new bottle but, we discovered, no ice. So Bozzie said, 'Well, let's get some ice!' So Paul, the staffer at the time, rang the Hyatt and went to get some ice while we continued talking. The Hyatt deposited a \$5 bag of ice in one of those caddies, so Paul came in with a caddy to much derision from Bozzie: 'You blokes would never survive in private industry. I was a paint salesman. When I want an iceberg ...'

I thought that deserved a very well crafted bill to Bozzie the next day from the Hyatt—a very authentic bill for \$450 for ice! It was going to be just one of those practical jokes that you play. The 'bill' went into his in-tray with the number to call for the Hyatt. Of course, it was my number, but I had forgotten that Bozzie doesn't use the phone—it was: push 9, 'Get me the Hyatt.' I arrived, after there had been explosions downstairs and panic calls, to see this fairly diminutive person from the Hyatt getting their ears pinned back. We settled it all down and Bozzie took it in absolutely tremendous humour—and I understand he still has that invoice.

I think it is only appropriate as well to acknowledge that Senator Boswell's achievements were as they were because Leita was always there. It is a partnership forged of many successes and also some of their sorrows. Their faith in one another and their ideals have seen them through ups and downs. Leita knows more than anyone that the reason Senator Boswell has continued to give of himself and his time to public life is because it is not really a job, it is a vocation—it is who he is. Leita has borne the sacrifice of having a partner who often belongs to Queensland, the National Party and sometimes the entire country. Sadly, I expect that in retirement not a lot of that will change. Helping and listening to others is just who he is, regardless of what position he may hold.

Bozzie, we will always miss your larger-than-life presence in this place. We have been honoured to work and serve with you. You so richly deserve to enjoy a fantastic retirement in good health, surrounded by your loved ones—Leita, Cathy and your grandchildren. I personally thank you for all your guidance, for transferring to me your great love of this nation and the National Party and your belief in a just and fair Australia, where people, no matter their colour or race, can enjoy the fruits of this country. Your legacy will endure in this parliament and beyond.

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (18:04): Can I start by thanking the Leader of the Opposition in this place for her forbearance in allowing the Leader of the National Party and me to speak first. Each senator who serves here adds something to the practice and debate and therefore every senator contributes to the good of Australia, regardless of the length of time they serve. Tonight we farewell two who have had distinguished careers and, if I might say, for a considerable period of time.

I must say that 18 years does not sound much in comparison to 31 years, but 18 years is a fair stint and I will address a few comments first to departing senator Mark Bishop. He has been here for three terms and re-elected twice to represent the people of Western Australia. He made a worthy contribution to this chamber, especially in the fields of defence, defence personnel and veterans affairs, for which for a period of time he was the shadow minister. Like Senator Scullion I will not go into the vagaries and the dark art of how the Labor Party chooses its front bench in government, but I believe that you were a talent that was overlooked.

Senator Bishop gained the respect of all the senators, including those on this side. He was clearly a very strong advocate for his state, Western Australia, and was willing on the odd time to speak out against the party line in his defence of Western Australia, which of course is in the finest traditions of this place, the Senate, the states house. I am sure one thing Senator Bishop will not miss are the long flights across the Nullarbor Plain, to and from Canberra.

Senator Bishop, you were solid on some of the more important issues which we dealt with across the chamber. I simply say that I believe your replacement will share similar views in relation to those matters. I wish you every success for the future and thank you for your contribution.

I turn to Senator Boswell, a great senator, a fellow who is now the Father of the Senate and will continue to be so for only a few more days. Having served for 31 years, that clearly entitles him to the position Father of the Senate. He has seen six prime ministerships—I will not go into how many leaders of the opposition. He is the fifth longest serving senator since Federation. By any measure that is a remarkable parliamentary career—pretty good for a self-effacing senator who just says he is a humble paintbrush salesman. Senator Boswell always says that he is an ordinary bloke. Yes, he is. Can I just add a few letters before that: you are an extraordinary bloke. You really are. You have done yourself and your family proud by your contributions.

You are a wonderful colleague. The gallery bore testament to the sort of people that you are able to attract to this place to pay tribute to this your last speech. You had the fisher of men in Reverend Peter Rose, the parliamentary chaplain. You had the fisher of fishers in David Carter. And you had a whole lot of people in between, all anxious to be here to pay tribute to the wonderful contribution that you have made. I also note former senator Sandy Macdonald in the gallery, who I know was exceptionally fond of Senator Boswell. Sandy Macdonald provided me with a number of the one-liners that Bozzie used to deliver. The leader of the National Party provided the one that said, 'Your mother only carried you for nine months; I've been carrying you for years and years.' There was another one when he commented on Labor ministers who were in strife. He would say, 'Those whom the gods condemn they first turn mad.' In relation to his longevity as leader of the National Party he would say, with a few words deleted, 'But they still haven't realised that if they just keep voting for themselves I will just remain being leader.' He had a very good self-effacing sense of humour, but even when he had a cutting sense of humour to a colleague or those opposite it was the humour that was important—there was never any malice or ill will in the wonderful turn of phrase that this self-described paintbrush salesman brought to this place.

It is your character as well that I think has endeared you to colleagues right around this chamber but especially in the coalition. Will I miss Senator Boswell shuffling into my office demanding a question, and saying, 'Well, sorry, Bozzie, all the questions are already lined up—bad luck'? And he would say, 'But I've told *The Australian*. It's going to be on the front page tomorrow. It's got to be asked.' So the paintbrush salesman always got his way. One wonders if he employed those sorts of tactics to get pity when he sold his paintbrushes and rubbish bins. I do not know. But clearly you are very successful in every endeavour of your life.

Your speech this evening confirmed exactly the reason why you got into politics: you believed in things. You wanted to fight for things. You believed in people. You wanted to fight for people. Your first speech 31 years ago was full of that sort of content. Here tonight you gave us a whirlwind tour of all the ills of the world in relation to the ACCC, small business, fishing, farming, shopping hours, marine parks, the Greens, the renewable energy target, carbon tax—you name it, you went through them all. You touched on something else as well, and I want to dwell on this a bit. You did also dwell on your fundamental belief in the Christian faith and your commitment to the sanctity of life, be it at the very commencement of life or at the latter stages of life. In this place you were able to show to your colleagues the very importance of having a world view as a foundation for all your beliefs that then informed your moral values, and then how those moral values should be translated into public policy, into law and into regulations. That is why I think you stand out as a beacon amongst many of the colleagues here,



because there was that consistency and there was that solid foundation. You knew exactly where you were coming from and what you were seeking to achieve.

You were one who wanted to change opinion polls, as opposed to some who are involved in politics who simply want to follow opinion polls. You did change the opinion polls. What is more, you also saw off from the parliamentary sphere organisations such as the League of Rights and One Nation. That took courage; that took guts; that took a belief that there were greater causes to be fought for other than cheap, short-term popularity. You did that so exceptionally well with great effect.

There are many Australians right across this country in all sorts of communities, be it in the Christian church faith communities, be it in the fishing industry, be it in farming, be it in the live export cattle trade. No matter where, you have friends all around Australia.

I still recall one day driving with my wife on the east coast of Tasmania and saying, 'I cannot believe this. No, it can't be.' Sure enough, it was Bozzie walking down the road in a pair of shorts and a sloppy jumper. You would not believe the sight. I am completely jealous of his hair. If I had hair like Senator Boswell, I would be combing it every day—unlike Senator Boswell. I think it sees a comb once a week! It is a great crop of hair he has.

That aside—I distracted myself—Senator Boswell, in the few times you spent in Tasmania with Leita and my wife, there was no doubt about your sincerity. You are genuine and you are authentic. You have a love of family. You made a wonderful tribute to your wife, daughter and grandchildren. We all know about them because whenever we sit down with you it does not take very long for the conversation with you to turn to family and how very thankful you are for them.

Bozzie, on behalf of all of your coalition colleagues I wish you good health and happiness. You can look forward to 1 July when you can look in the shaving mirror as citizen Boswell instead of Senator Boswell and can be well and truly satisfied that you served your nation, your party, your coalition and your state of Queensland. Above all, you have remained true to your faith. I simply say: God bless.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (18:16): We have had a number of speeches and we are going to have a number more, as we have a real changing of the guard in the Senate in the lead-up to the end of June. Tonight I want first pay tribute to my Labor colleague Senator Mark Bishop from Western Australia. Senator Bishop was actually born in Adelaide. He completed his undergraduate degree there. I have forgiven him for leaving town and going to Western Australia.

I think those who represent Western Australia—and probably the Northern Territory, but I often think of WA—do deserve special thanks in this place because I think many people would think that if they had to do that sort of travel from Western Australia then they would rather go into state politics or do something different. Senator Bishop did reference that in his speech tonight and said that the reason he wanted to go into federal politics and not state politics was that he was interested in federal issues. I think everyone in this place does make a sacrifice for the honour of representing their state, but those from Western Australia really do pay a very big price in terms of time with family.

As has been said, Senator Bishop was first elected in 1996 and was re-elected in 2001 and 2007. He has made a comprehensive contribution to the Australian Labor Party and the Senate during his 18 years in the chamber, although I have to confess I was not aware of the Holy Grail evening prayers until tonight. I do note that his contribution has been extensive both as a frontbencher and in the context of an extraordinary amount of committee work.

There are four areas that I want to mark about Senator Bishop's contributions. Firstly, the enormously important work that he did in the areas of military justice and Defence procurement. He is a senator who understands Australia's place in the world and he has worked on the relevant committees. He is a senator who has a very good understanding of economics—and I want to come back to that—and he has been a passionate advocate for the state of Western Australia.

As Senator Bishop outlined in his speech, military justice and Defence procurement were areas that he had a great interest in. He certainly demonstrated that both as a frontbencher and in terms of his committee work. During the period in particular when he served on the front bench of the Labor Party—a time when Australia's military commitments were escalating—having someone like Senator Bishop to articulate Labor's support for our Defence personnel and for veterans was very important.

As has been said, he has given extensive service on those committees of the Senate and of the parliament. He is the Chair of the Senate Economics References Committee and previously the Economics Legislation Committee. Can I add a personal note here. As Minister for Finance and as the Minister representing the Treasurer, I was often grateful for Senator Bishop's intervention as chair when things might have got a little difficult in those committees. Certainly, I think as Chair of the Economics References Committee he made a very important

contribution. As someone who has been involved in the economics portfolio for a number of years, I do want to say how much I valued the role that Senator Bishop played in this regard and the fact that he was one of the senators on Labor's side who I could turn to and say, 'We really need someone to speak on this issue and deal with this issue,' and he was able to do that.

In that context, it is also the case that Senator Bishop has been an advocate for economic reform. He again referenced that tonight in his contribution. There is a lot of merit in what he says. I am one who does believe that Labor must always be the party of reform, both social and economic, and that is not always an easy task. Sometimes we do better and sometimes we do less well, but maintaining that capacity and will to reform is an important part of what it means to be Labor. I thank him for his continued advocacy for that proposition and that fact.

As I said, Australia's place in the world has also been a focus of Senator Bishop's work here, particularly in the context of the Senate and joint standing committees on foreign affairs, defence and trade. I want to reference also, again, Senator Bishop's advocacy for his state. I was interested tonight to listen to Senator Bishop talk about times when he has voiced disapproval at his federal colleagues. He said it quite well. He said, 'When I did, it was always considered.' One of the barbs or interjections Senator Abetz often throws at me is that, unlike the Labor Party, the Liberal Party values differences of opinion. We do value different views; we just do not agree with demonstrating them on the floor of the Senate chamber in a vote. But whatever people's views, and whether or not they agreed with Senator Bishop, we could always count on Senator Bishop and others from Western Australia to put a view about the perspective of the people he represents—and has represented for 18 years in Western Australia. And that is enormously important for our party.

I was elected to this place in 2001. Over the period I have been here I have seen the shift in the voting patterns that Senator Bishop has described, and we do have a responsibility on this side of the parliament to address that. So I thank him for his willingness to engage respectfully on those issues.

In relation to Senator Boswell, Bozzie is one of the great characters of the Senate. I went up to Senator Boswell after his speech and said, 'The place really won't look the same without you.' I was reflecting, as Senator Boswell spoke, on his election in 1983 and I was trying to think where people might have been at that time. I think Senator Birmingham is one of the youngest; he was probably in primary school at that time. Would that be right? I was in high school and probably only just starting to understand something about politics in year 9 or year 10.

So it is an extraordinary period of service from that election in 1983 through to now. He faced the people, I think, seven times. It is meritorious service to this place and to our country. I assume also, given the dates, that Senator Boswell must be one of the last senators—if not the last senator—to have served in the Senate chamber of the Old Parliament House. Senator Boswell, that is, perhaps, a mark of the generational change that your leaving this place demonstrates.

There are many things that can be said about Senator Boswell. I think he had one of the best re-election slogans I have ever seen: not pretty, but pretty effective. I thought that was fantastic. I disagreed with it, obviously.

*Honourable senators interjecting—*

**Senator WONG:** I actually meant that I disagreed with the 'pretty effective' part, not the 'not pretty' part. Anyway, I am glad you took it that way.

There were a number of things that you said in your speech tonight, Senator Boswell, which really resonated. One of them was that you have been a strong voice in your party room. There is no doubting that. Sometimes, frankly, we have enjoyed that and sometimes it has been more difficult for us. You have really taken the maxim that one has to be a strong voice inside one's party as a core political creed.

Others have made more extensive contributions about Senator Boswell's service to the party and to the parliament, including his leadership of the Nationals in this place for some 17 years, which is an exceptional achievement, in itself. I want to focus my remarks on one aspect of Senator Boswell's career. He said tonight in his speech that politicians must have the courage of their convictions. I agree with this. Senator Boswell showed the courage of his convictions when he stood up against right-wing extremism. He deserves enormous credit for his stand against the far Right of the kind that was symbolised by Pauline Hanson.

Others have spoken—as has Senator Boswell—of the long fight against the far Right political movement, probably culminating in the 2001 federal election, which was the election when I was elected to this place. That was when Senator Boswell vindicated his position by refusing the preference One Nation. Senator Boswell competed directly with Pauline Hanson—the woman who famously said that Australia was being over-run by people who looked like me—and defeated her to retain his Queensland Senate seat, again relegating the far Right to the political wilderness.

That was a time when many in the then Howard government were countenancing accommodating these perspectives. Senator Boswell instead took a principled stand against what Ms Hanson stood for. As a senator who represented Ms Hanson's home state of Queensland, and as a national senator with a particular connection to many of the constituencies that Ms Hanson sought to influence, this really did take political courage. I can recall that there were backbenchers, and even some frontbenchers, in his coalition party at the time who did not rule out doing preference deals. Senator Boswell faced defeat at the hands of Pauline Hanson herself in the Senate race of 2001 but he said that he would refuse, point blank, to swap preferences with a One Nation leader.

I say to you, Senator Boswell, that for this principled stand you deserve not only my thanks but the thanks of the parliament and of the Australian people. At a time when debates about racism and freedom of speech are still present in this country I think all of us would do well to remember Senator Boswell's position. I wish him well in his retirement.

I again turn to my friend and colleague Mark Bishop. I wish you and your family all the very best for the future.

**Senator MILNE** (Tasmania—Leader of the Australian Greens) (18:27): I rise tonight to wish our colleagues Senator Boswell and Senator Bishop all the very best for the next phase of their lives. Often those in this place think a lot about the sacrifices that people make in order to serve the country. We all, from our various perspectives, reflect upon the things we miss. I share the concern you have, Senator Bishop, about missing some important occasions that you would have liked to be at. I hope you enjoy the graduation that you will attend and the time that you are able to spend away.

I thank you for the work that you have done on committees over the years. Chairing committees is a skill that takes a while to develop and I think you have shown what it means to be an effective and diligent chair. So thank you for your work and good luck with your future.

Senator Boswell, you and I will disagree to the end on the environment, on the need to address sustainability and on global warming. But I do want to acknowledge the work that we have done together, particularly on biosecurity

That is something on which Senator Boswell and I have shared a number of Senate committee inquiries in the rural and regional committee over many years. As I said to Senator Boswell, we worked together on bananas, on ginger and on a range of issues through that committee, and Senator Boswell and I shared a common view about the absolute need to protect Australia from incursions of pests and disease coming from elsewhere and the incredible damage that it will do not only to our primary industry sector but to the natural environment when we see these incursions get away from us. I think I can speak for both Senator Boswell when I say that we have had extreme frustration about how this has continued to get away from us in some cases. The rust that is now spreading across national parks in Queensland, in particular, is one that I feel very strongly about. I know Senator Boswell will continue to have a passion about biosecurity, as will we, because we will not look after our environment in Australia nor protect our primary producers without it. So I wish you all the very best, Senator Boswell, for your future. I hope you really do enjoy the time with your family and community henceforth, and the same to you Senator Bishop.

**Senator O'SULLIVAN** (Queensland) (18:30): Firstly—and briefly—to Senator Bishop, I have not served with you here for any length of time. But, as your name has been mentioned amongst colleagues, they have treated your character with great respect. It is often when those conversations happen without you—and particularly in this place in opposition—that you can take that with you. You are very well regarded, and I wish you and your wife the very best. I can see that your service to this nation will continue through another prism, and I wish you the very best in your retirement.

Whilst I have so much to say about Senator Boswell, I realised that time would not allow that. So I have afforded my chance to speak to Senator Boswell's beautiful wife, Leita. Whilst it is my voice, it is Leita's words that we will hear for the next couple of minutes:

"Love" was the instigator of Ron's life into politics spreading across some 50 years. It was our love for one another and our marriage that started the journey.

My father, Bill Beattie, was a fruit and vegetable grower, later becoming the then Chairman of the Fruit and Vegetable Growers. He was an active member of the then Country Party.

The very first political activity that Ron and I attended together was when Dad was awarded Life Membership of the then Country Party.

It was Dad and I who mentored Ron into the understanding, ethos and structure of the then Country Party. Now it is Ron who mentors others.

Ron joined the Country Party in 1974 and like everything he does became fully involved at every level. We both remain committed to the Party—although with a changed name, some 40 years on.

His passion outside of his immediate family, Cathy, Stephen and me and competitive yachting, was to advocate the needs of small business and fruit and vegetable growers to government.

With our blessing, he was a candidate for the 1982 Senate election, taking his seat in 1983 when Cathy was 15 and Stephen 13. Since then we've supported him on 6 separate occasions as a candidate for the Senate, and more generally with 15 Federal campaigns and 14 State campaigns. We truly were and are his "true believers", his cheer squad, and unofficial advisers.

Stephen as a young lawyer had a big role in helping Ron with his advocacy for small business. He explained to his father, the intricacies of the then Trade Practices Act—particularly Section 45 D—and the meaning of 'unconscionable conduct' in the context of small businesses.

Across the 31 years, we have not measured Ron's political life in the number of speeches, deputations, meetings, visits to towns and communities or the extensive advocacy work but in terms of our family milestones—exams passed, graduations, jobs secured, yachting, birthdays, anniversaries, holidays, weddings, the birth of three darling grandchildren, Tom, Sophie and William, and, the tragic loss of our beloved Stephen to Heaven.

Like all husbands and fathers involved in the Parliamentary Service of our State and Nation, duty frequently calls them away at the time of special occasions. And, there have been many such occasions when Ron was elsewhere and we wished he was with us.

Although absent, we knew that wherever he was in rural and regional Australia, whatever he was doing, it was a worthwhile cause. Likewise, Ron knew that the family always stood firmly behind him.

The political journey is ending—and for us, it is with pride in Ron's role as a Senator for Queensland. We, Cathy, Kent, Tom, Sophie and William and I, proudly, lovingly and sweetly welcome Ron home.

But, I suspect, that the inner eye of the champion and competitive yachtsman will espy another challenge. In this case I will not be the instigator. Whatever it is, we will love and support him.

They are Leita's words, Ron.

**Senator NASH** (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (18:35): I too rise to make a contribution this evening. I firstly also want to acknowledge Senator Bishop and concur with the remarks of our leader earlier that he certainly does have our respect, and I wish him very well for his future path. But I just wanted to make a few brief comments about Senator Boswell—or Bozzie. I first came into this place nearly nine years ago. As new senators would remember, you come in and you feel a bit like, well, where is the tuckshop and where do I put my schoolbag, and you are looking to those around you who have been here for a while for guidance as to how you do things. Bozzie was larger than life and we knew that he housed all of the knowledge of the world for us newbies—or that is certainly how it seemed anyway—and we very much looked to him.

I remember one particular day. When I came in, I think Bozzie sort of knew my name. I think for a while there I was 'the girl from New South Wales'. But there was one particular day after I had been here for quite some time. All you really want is some respect from Bozzie when you come into this place, and the day I really clearly remember was the day he called me 'mate'. That was when I knew I had really managed to get myself into the Nationals Senate team, and it really was a beautiful moment.

It is very, very hard to say no to Bozzie. Sorry, I am not using 'Senator Boswell'; it is very hard to say 'Senator Boswell'. It is very hard to say no to Bozzie. I remember one of my very, very early joint party meetings. I am not going to talk very much about what happened in there, but we were discussing an issue relating to ethanol. This was in my very early days. John Howard was Prime Minister. It was a big party room. This issue came up, and Bozzie said, 'You're going to have to speak on this,' and I remember being completely terrified. But you just cannot say no to Senator Boswell, so up I got, and it was the start of many a contribution.

Bozzie mentioned earlier that he was the first to speak out against the ETS, and he was absolutely right. I know because I was sitting there. It was during an MPI on a Wednesday, and I was sitting in front of him. Bozzie stood up and gave this great speech about the ETS—at that point, I had very little idea of what he was talking about—and that started a path that changed the course of history. For that, Bozzie, we all thank you for your leadership in knowing that what you were doing was right. We followed you, and we won. Thank you, Bozzie, for that.

Continuing on the theme of it being very hard to say no to Senator Boswell, it is hard to say no to him not only because he is like a steamroller—it is very hard to say no to Bozzie, as my colleagues know—but because he is very, very often right. We had an issue in the early days of being in opposition relating to some carbon sink legislation that was giving tax breaks to the big end of town. Bozzie understood this. We inherently, because of Bozzie's knowledge and understanding, came to learn very, very quickly that he was absolutely right. With that, we had a piece of legislation that was coming in here—I think it was a disallowable instrument. One of the phrases that has not been used that Bozzie used to use a lot was, 'I'm blowing the whistle; we're going over the

top!' Bozzie said that and we all rapped with him—Senator Williams and I did—and we actually voted with the Greens against the other major parties. I subsequently got sacked from the front bench. Clearly it has been a long way back—thanks, Bozzie! But, while that had very serious consequences, it was absolutely the right thing to do. It was Bozzie that first pegged that that was the right thing to do. It was a wonderful thing to follow and walk with him when he blew that whistle and we went over the top.

Bozzie, we can only aspire to change the course of the nation's history in the way that you have. Even if we come some small way to changing the course of history in the way that you have, we will all have done very, very well. We love you. We will miss you. But your legacy and your spirit will be here with us always. Thank you.

**Senator COLBECK** (Tasmania—Parliamentary Secretary to the Minister for Agriculture) (18:40): Firstly, I would like to associate myself with comments of other colleagues across the chamber who have spoken in regard to the valedictories of both Senator Boswell and Senator Bishop—and of course with the words of Leita. Thank you for your words too, delivered so well by Senator O'Sullivan.

To Senator Bishop: this place takes you in different directions, sometimes of your own choosing and sometimes by appointment and the direction of this place, so I have not had the opportunity to spend a lot of time working with Senator Bishop, although I have done some committee work. His committee work has been mentioned by other speakers and should be recognised because he has been a really hard worker in committees. But I think the thing that I reflect on from his presentation tonight and my experience of him in this place is that he was always thoughtful. It was a very thoughtful speech that he delivered tonight. As he said, when he has made comments around even how he sees his own party, it has been a well-thought-out process. I wish him and his family all the very best into the future—I think he should be proud of his contribution over 18 years—and all the very best in the next phase of his life.

To Bozzie: like Senator Nash, it is hard for me to refer to him as Senator Boswell because basically he is Bozzie. That is how we all refer to Senator Boswell. My first meeting with Boz was in Tasmania in January 2002, after the 2001 election, where I was first elected. Bozzie was on his annual sojourn to Tassie, and he also had to turn the sod at the overpass to the Devonport Airport—a new overpass that was being constructed. Unfortunately, Bozzie got his days mixed up. He had to make a real rush from his place at Bicheno, in Tassie. There were a lot of frantic phone calls, and every time we phoned him he said he was about 30 minutes away. Deloraine must be a very big town, Boz! It took you two hours to get through it! When he arrived, he was busily arranging himself, being prepared. He was very gracious at the turning of the sod, where he acknowledged the new senator-elect from Tasmania in Senator-elect Robert Corbett! We have resolved those nomenclature issues.

*A government senator interjecting—*

**Senator COLBECK:** It was close! What it demonstrates is that Bozzie has his own way of doing things, and I think that has been demonstrated by the presentations made here tonight. There is a Bozzie way. He said in his speech that you need to have the power to endure, and that is certainly a feature of Senator Boswell. Once he had the bit between the teeth, once he had the destination in sight, there was very little that you could do to divert him from the purpose. And that is the conviction that all of us have recognised in Boz. If he wanted to talk to you about something, there was no escape. He always found a way to find you, even if it was by pressing the button, dialling 9, and saying, 'I want Senator Colbeck.' There was no hiding. But he was persistent in his perspectives and, as Senator Abetz said, if he wanted a question up, he got a question up.

It is that persistence and perseverance and conviction that actually gets results in this place. So, Boz, congratulations on that, over a distinguished career. Senator Nash is right: we all love you. In fact, you've gotta love Bozzie. You just gotta love Bozzie.

I have really enjoyed working with you on a number of issues that were important to both of us. It was great to get results on things that were important. That is why we are here, to do things that are important for us but, more importantly, for our constituencies. You were always a great radar on your constituency and the people you came here to represent. You were always about getting results for them around the sensible use of our natural resources. I think that is a really important point to make. You were not about doing anything that was going to cause damage, but you wanted sensible natural resource use. You wanted to account for the people who were in those industries and to ensure that they had a fair go, along with all of the other considerations. So congratulations on an extraordinary career and to you, Leita and your families: all the very best, Mate, for the future. I look forward to catching up on the south island occasionally or perhaps overlooking the river in Brisbane. You have made a significant contribution. All the very best for the future.

**Senator WILLIAMS** (New South Wales) (18:46): Can I just pay tribute to Senator Mark Bishop, who has chaired the current inquiry into ASIC, which will report next week. Senator Bishop has done a magnificent job. He really got his teeth into it. He has done an amazing job in righting a lot of wrongs, to make things better for

each and every Australian in the future. I wish Mark all the best in his travels and his new life. There is no doubt that he has made a great contribution in this place in the 18 years he has spent here.

To you, Senator Boswell: what an inspiration you have been. I had only been here for about three weeks of a sitting of parliament and I was made whip. I said to Bozzie, 'Bozzie, how long did it take you to learn the running of the Senate?' He said, 'I've been here 25 years and I still don't understand how it runs.' Those were great words of advice and it really filled me with confidence to take on the whip's job.

Senator Abetz made a point about when Bozzie wanted a question up. I was the whip and had to go to question time meetings. There was many a time that we had to jump the list and do what we could do for Bozzie to get his question up. And Bozzie was often very forceful when he requested a question. Others would agree.

He had some great sayings. One day, I was sitting on the opposition bench and he said to me, 'Listen here, Wacka, you've got to lift your game. I've carried you longer than your mother has carried you.' I turned around and said, 'That is absolutely wrong. I've been here eight months and my mother carried me for nine months.'

To sum up Bozzie: true grit. He is like a bull terrier when he sees a problem. He takes it in his teeth and he will not let it go until that problem has disappeared for those people in rural Australia, whom he has represented so strongly. He is a man of morals and principles. All I can say, Bozzie, is I wish you and Leita and your family well. Thanks for your great contribution to this nation. The first thing I am going to do, Mr Acting Deputy President, is change my mobile phone number because I think that, when Bozzie gets out of here, I will still get plenty of phone calls. Good luck, Mate, and congratulations on a wonderful career.

**Senator McKENZIE** (Victoria—Nationals Whip in the Senate) (18:49): My contribution will also be short because I know others want to talk and Bozzie has a jug presentation to get to in the National Party party room. I first met Senator Ron Boswell over a decade ago, whilst lobbying about higher education reforms. He will not remember this very naive National Party student president, trying to convince him of the ills of the coalition policy back then. However, I will never forget him waving his finger at me and giving me the rules of the land. And nothing has really changed! A decade later I arrive and I still get the finger in the face and a lecture every now and again, which is probably a good thing.

As a daughter of a small business man, I did feel the negative impact of the big end of town. Thank you for all the work you have done for us and our kind. I, too, look forward to a positive outcome of our review of the Competition and Consumer Act.

To add to Senator Williams' comments, trying to whip Senator Boswell is like trying to whip fat-free cream. I had to get the dairy industry in there—I am from Victoria. A lot of effort, sweat and tears, no cream, no results at the end of it. But I guess after this time, he has actually earned it.

In addition to the question time no-show—it is in *The Australian*; I have to get it up—there was a no-show today, despite several requests to his office, 'Where is Senator Boswell?' When Senator Williams was whip, he would continually be on the back bench over there—he and I, making up the Nats back bench—doing the numbers on Wacka. If he did not get the question up, Wacka was going to be rolled and I was going to be inserted as whip. That threat was continually rolled out.

Another saying that I remember and you will probably understand the complete blank look on my face when he told me, a Victorian senator: 'McKenzie, you've got to pack in tight and ruck hard.' I had no idea what he was talking about and I know sport. I do now, because he has demonstrated it time and time again. A lot of the advice has been similar. Bozzie, you put the stake in the ground—that is what you have tried to teach all of us to do.

I respect and honour your faith in God, your faith in your family and your faith in our nation. It has been repaid in spades, because I think many outside this place in Boswell they trust. We will miss you. We will miss your rants about policy, how the cake should have been better, our lack of courage and the carrying time taken to make me a senator. It is a job not yet done; I understand that. The other advice that you have given me, I will keep close to my heart and hopefully be able to fulfil over my time here. I thank you. I was listening. And God bless.

**Senator XENOPHON** (South Australia) (18:52): In my three minutes I will try to pay tribute to a collective 49 years of parliamentary service—firstly, to Senator Mark Bishop, who I knew at law school. He was involved in the Young Labor Club and at that time I was involved in the Liberal Club. It was a youthful indiscretion. Some people do drugs when they are young; I just did the Young Liberals. We had a mutual friend, the late Terry Connolly, who was then a brilliant law student and a great Australian who went on to become the ACT Attorney-General in a Labor government and passed away all too suddenly a number of years ago when he was a Supreme Court judge. That was our connection.

I got to be reacquainted with Mark Bishop some 25 years later in this place, not realising that he was in the Senate and not realising that it was 'the' Mark Bishop I went to law school with. I have enjoyed our many

discourses on public policy. I particularly enjoyed a session during estimates when he called 'Order', which I think became a YouTube sensation, when he banged the table so hard that Senator Doug Cameron's cup of coffee or tea just flew off the table. That was a magnificent effort. I think it was the most watched estimates session in the history of this parliament. It was a great effort. I do not think it is fair to say that Mark will be retiring. He has too much to offer in terms of good, common sense advice. I wish him and his family all the very best for the future.

Now to Bozzie. I did not have much to do with this bloke for the first five years here, until we were bonded as a result of an issue, and the issue was the way that licensed post offices were being treated both in the bush and in the city. I have to say—and, Bozzie, I hope I can get away with this—that I thought, 'He's past his prime. There's not much there. He is lobbying me about issues.' That was until I got to know him. Bozzie, you were and are magnificent in your advocacy for those small businesses—in your passion and tenacity. You have lost none of it in terms of your sharpness and fighting for those individuals. It is great that Angela and Phil Cramp, who run a licensed post office, are in the visitors gallery today. I think it is a tribute. They came down from Wollongong, because you are fighting for them.

Bozzie, I do have some bad news for you. You are not going to change your number, because I am going to harangue you about competition law. There is some unfinished business, and this person on the crossbenches will be following that through. It has been an absolute privilege to work with you. I have actually learned quite a few things from you in the last few months. I wish that I had got to know you better earlier on. I have thoroughly enjoyed working together and the friendship we have developed. I wish you and your loving family—the family that you love very much—all the very best.

**Senator MASON** (Queensland—Parliamentary Secretary to the Minister for Foreign Affairs) (18:55): I often find valedictories are rather sad and I often do not like them. But I am happy and, indeed, honoured to be saying just a few words about two fine Senate colleagues this evening. Senator Mark Bishop combines an astute intellect and a high force of personality with a great sense of purpose. Whether it is speaking eloquently about Fromelles or a more pointed debate on the economy, Mark Bishop is a very, very fine parliamentarian. I have to say that he is such a fine parliamentarian that, if I were persuaded to join the Australian Labor Party—and, thankfully, for everyone perhaps I will not be—I would be on his side. He has been a marvellous contributor to this place for as long as I have served in it. I will miss Mark, his contribution, his passion and his force of personality.

That brings me to my coalition colleague Senator Ron Boswell. I will really miss Ron Boswell. I have learned a big lesson knowing Ron Boswell, and that is: do not judge a book by its cover. I had heard a lot about Ron Boswell before I ever met him. I had heard a lot about Bozzie in the way you have heard about the Abominable Snowman or the Yeti. I thought he was some sort of mythical ogre for a while—until finally he turned up, more than 15 years ago. I was quite taken aback. I am not sure how to put this. He has a rather well-worn look. Whether it be his hair or his ties or his personal demeanour, he is unusual for a politician.

But I soon learned that appearances can be very, very deceptive. Behind this ruffled, teddy bear look and this sort of bucolic bonhomie that he effects so beautifully lurks a committed, cunning and sometimes very curmudgeonly political operative. He knows how the game works. He said it before that he is not pretty but he is pretty effective. Anyone who worked with Ron Boswell—as you did, Acting Deputy President Bernardi in late 2009 to force a change in the coalition's policy on the ETS—knows how truly persuasive and effective he can be.

I want to join this rhapsody of regret at Bozzie's departure with just a very quick story. In the 2010 federal election it looked for a long time as though I would not win. About four or five weeks out from the election I received a phone call from Bozzie. He said, 'Brett, it's hopeless, mate. You're not going to win. You're shot,' and then he hung up on me and all I could hear was beep, beep, beep, beep, beep. About two weeks later—I suppose about three weeks before the election—I received another phone call from him. Bozzie said, 'Look you're hopeless and you probably don't even deserve to be re-elected, Brett; however, I might just have saved your bacon. I did it because at least you are probably a bit better than the Greens. I may have saved the day.'

Then, about three weeks later, on the Sunday morning after the 2010 election, I woke up—and I think it is fair to say I was 'tired and emotional'—and I looked at my phone and there were five missed calls. This was at quarter to seven on a Sunday morning, and I was not at my best. I thought, 'My God; who's rung?' It was Bozzie, five times. He had started ringing at a bit after six in the morning. I rang Ron back and I said, 'Bozzie, what is up? It's quarter to seven in the morning.' He said, 'Did you get elected? Did you win? Did you win? Did you win?' I said, 'Well, the ABC has projected that I will win.' He said, 'That's terrific. What happened?' I said, 'I got re-elected, Bozzie, on the final distribution of preferences, on Sex Party preferences.' I said, 'You worked pretty hard for those, Bozzie, didn't you?' He said, 'God, Brett, don't tell anyone!' I said, 'Well, it is all over the ABC website, Bozzie.' He said, 'Brett, there are only two things for it. You've got to do two things right away.' I said, 'What's that?' He said, 'You've got to ring up your mother right now and tell her you've been re-elected as a senator for Queensland, and then, when you've done that, you've got to go straight to church and beg God for forgiveness.'

Can I finish on this note. After 30 years of hard work on behalf of the people of Queensland, fighting for what is right, Bozzie said tonight the words that St Paul said to Timothy: 'I have fought the good fight to the end; I have run the race to the finish; I have kept the faith.' And the good Lord will surely nod and say, 'Well done, good and faithful servant.' Thanks, mate, and thanks too from a very, very grateful country.

**Senator MADIGAN (Victoria) (19:02):** I rise tonight to pay my respects to Senator Mark Bishop, whom I do not know all that well, but I have watched him and how he conducts himself, and I believe he has been a credit to himself and to the ALP.

I know Senator Ron Boswell a bit better than I know Senator Bishop, and I rise also to add my voice to the chorus of voices congratulating Senator Boswell on his time as a senator. For the past 30 years, Senator Boswell has been an enduring fixture in this place. He began his parliamentary career in the old Parliament House and has become this place's longest serving senator. The people of Queensland have elected him again and again—a ringing endorsement in what is the ever-changing game of politics. Thirty years of service, dedication and representation cannot be summed up or glossed over in a few minutes. I believe Senator Boswell can leave this place with his head held high, knowing he has made a contribution to the past, the present and the future of our country.

I do not agree with Senator Boswell or the National Party on everything, but we do share some common ground. I applaud Senator Boswell for his work seeking statistics on the number of abortions in Australia and for his fight to uphold the traditional definition of marriage, amongst other things. I applaud his efforts to expose the financial fraud of the wind industry. I applaud his work defending farmers, fishermen and Australia Post LPOs amongst others. The banana industry comes to mind, and his support and advocacy for it in the face of overseas imports, as does his work to establish clarity around product labelling and his work in the horticulture industry to secure a commitment to a mandatory code of conduct. With Senator Boswell's departure, small businesses, co-ops and farmers have lost an ally and a voice for those who have not got a voice.

**The ACTING DEPUTY PRESIDENT (Senator Bernardi):** On indulgence, before we move to the next item of business, I would just like to take the opportunity to associate myself with the remarks about Senator Boswell. I have not had the opportunity to contribute to this debate. He is a fine exponent of the art of making the impossible possible.

## DOCUMENTS

### Consideration

The government documents tabled earlier today were called on but no motion was moved.

## ADJOURNMENT

**The ACTING DEPUTY PRESIDENT (Senator Bernardi) (19:09):** Having being advised that there are no further documents, I propose:

That the Senate do now adjourn.

### Bolaffi, Mr Allen

**Senator BIRMINGHAM (South Australia—Parliamentary Secretary to the Minister for the Environment) (19:09):** I rise this evening to pay tribute to a fine South Australian who, sadly, is no longer with us. Mr Allen Bolaffi would be known to you, Mr Acting Deputy President Bernardi, as he would be to Senator Farrell and to many other South Australians in this place.

**Senator Farrell:** I was to have lunch with him this week.

**Senator BIRMINGHAM:** As Senator Farrell notes, he was due to see him just this week. Allen's passing a couple of weeks ago was a most untimely event for a man who was living life to the full and had much still to give and to live for. Allen was a proud South Australian, a prominent businessman and community leader. He is rightly mourned and missed by many in South Australia and right around Australia. Like so many first-generation Australians, Allen worked hard and gave back to the community had become a part of. He was educated in Adelaide at Plympton High School in the western suburbs and then at the University of South Australia where he gained his accounting qualifications.

Allen sought to give back. He worked hard and served as a multicultural leader in the Portuguese community of South Australia and, notably in particular, in the Jewish community in South Australia. He was involved in numerous Jewish organisations in Adelaide and across Australia. Allen can be proud of his family and he certainly can be proud of the role he played in establishing Adelaide's Jewish Museum, which provides an opportunity for all to explore and celebrate the rich history of Adelaide's relatively small Jewish community.



Allen was a founding member of the Australia Israel Chamber of Commerce, serving as its president in South Australia for the past 20 years. It was in this role that he became a particularly prominent South Australian, building the chamber to be one of the largest business organisations in Australia. It is notable that despite, as I said before, the small Jewish community in South Australia, he was able to build the chamber. It is a testament to his ability to connect and to establish the rapport across many different South Australian businesses and so many leaders in South Australia.

As I alluded to earlier, Allen was an accountant. My wife's late father, John Morcombe, worked with Allen when he was young. Courtney, my wife, pays particular tribute to and has fond memories of Allen, as does the whole Morcombe family, for his role in the early days of his accounting career. He went on to be managing partner of UHY Haines Norton Chartered Accountants. He was a director of a number of prominent South Australian companies. He was renowned for his generosity and involvement in many nongovernment organisations, in charities and in sporting organisations, and in his engagement with the political world to advance his policies and the beliefs he fought for and believed in so deeply.

Allen's passing was a deep shock to us all. It came very suddenly and all too early at the young age of just 57. He died from an unknown illness. His death came as a bolt out of the blue for his family and for those who knew him. He was fittingly buried according to Jewish tradition, in a humble burial at Adelaide's Centennial Park. The funeral was attended by hundreds of family members, friends and colleagues, many flying in from interstate to pay their respects to Allen.

In conveying my sympathies and those of my family to Allen's family tonight, I particularly want to extend our condolences to his mother, Yvette. As we have seen already in the Senate this afternoon, it is difficult for any parent to see their child predecease them. I also extend our condolences to his wife, Vivienne, to his children Reuben, Amie and Kate, to his grandson, Leo, and to another grandchild soon to arrive. I was pleased to visit them during the Shivah morning period. I know what a proud dad and grandad Allen was. I conversed with him over twitter, no less, after his son Reuben had been admitted to the bar.

Alav ha-shalom, Allen. May you rest in peace.

### **Cystic Fibrosis**

**Senator URQUHART** (Tasmania—Deputy Opposition Whip in the Senate) (19:14): During the last Senate estimates I was privilege to host two events in this place for Cystic Fibrosis Australia. CF Australia is a not-for-profit organisation supporting people with cystic fibrosis and their families.

The visit to parliament coincided with CF Australia's annual fundraising drive, 65 Roses, '65 roses' being the play on words devised by a young child who couldn't pronounce 'cystic fibrosis'. This year there was an associated policy campaign. People with CF and their families met with politicians of all persuasions, including health minister Dutton, to lobby for PBS access to the CF treatment, Kalydeco. Kalydeco currently costs over \$300,000 a year, and the Pharmaceutical Benefits Advisory Committee are locked in protracted negotiations with Vertex around the price.

The treatment, scientifically known as VX-770, corrects the genetic mutation for around five per cent of people with CF—around two hundred people in Australia. It switches off the genetic defect, stopping the degradation of the lungs and adding decades to life expectancy.

VX-770 has been approved by the Pharmaceutical Benefits Advisory Committee, but the government and the provider, Vertex, are at loggerheads over the price. Labor's position is that the government should be able to find funds from savings to pay for Kalydeco from within the PBS system, particularly from price disclosure and generic medicines.

What is exciting about VX-770 is its potential future combination with partner drug VX-809. When used together, these two drugs could assist around 94 per cent of people with CF—around 33,000 people worldwide. Therefore, the two treatments—VX-770 alone, and VX-770 plus VX-809—could correct the genetic mutation for almost 99 per cent of people with CF, and there is further research in the pipeline. Kalydeco is already available in the US, Canada, the UK and many European countries. Approximately 90 per cent of eligible patients in the world outside Australia have access to Kalydeco.

The visit to parliament brought people with CF and their families face to face with politicians to share their struggles of caring for someone with CF and to share the benefits that Kalydeco has brought to people with CF who are currently on the extended compassionate access program with Vertex. At the evening function, Genevieve, a young woman from South Australia, gave an address on the change in her life since having access to Kalydeco. Genevieve has recovering lung capacity, is able to study and is no longer just planning for five years ahead but for her lifetime. She mentioned that she is now actually thinking, for the first time in her life, about

having superannuation. She spends less than five minutes a day on treatment rather than the more than two hours a day she spent before access to Kalydeco.

That day I also hosted a young man, formerly of Launceston, who now lives in Brisbane with his wife who has CF. Cameron is Jess's carer and came to Canberra for Jess because she was too unwell to make the trip. Jess would not benefit from the sole use of VX-770, but Cameron has hope that she would benefit from the combination of VX-770 and VX-809. In my address to the CF Australia event in May, I included some of Jess's words from her blog. She describes Cameron's unselfishness in becoming her full-time carer: 'Whenever I need it, for the entire two to four weeks, Cameron becomes my nurse, doctor, pharmacist, physiotherapist, dietician, cook and cleaner. The most amazing thing of all, however, isn't that he does all of this now and then for a few weeks. It is that he chooses this life even though he knows there will be many more weeks like this to come.'

Jess's story highlights the constant treatment she, like everyone with CF, has to endure. It is also an insight into the vital role of carers in our community. I was humbled by Cameron's dedication and support, as well as all of the carers and families I met that day. Their stories highlight the enormous role of carers in our community and the enormous burden they take on to care for their loved one, which frees up resources in our health system—a health system that is in desperate need of support, not the \$50 billion of cuts slated by this Abbott Liberal government.

I thank all of the people with CF and their families who came to Canberra to lobby for access to Kalydeco. I urge Minister Dutton to do everything in his power to end the negotiations and achieve a successful outcome, and I urge Vertex, the suppliers of Kalydeco, to do everything in its power to end the negotiations with a successful outcome. I urge people with CF and their families: never lose hope, keep banging on the doors of politicians, and keep up the fight; you will succeed.

### Budget

**Senator CAROL BROWN:** I rise to speak about two important forums held in my home state of Tasmania last week. One was a forum on the Medicare co-payment organised by the Tasmanian Council of Social Service, and the other was a forum for pensioners concerned about the federal budget.

At the TasCOSS forum, health consultant Jennifer Doggett was quite clear about the effects of the \$7 GP co-payment. Jennifer said that the GP co-payment—which is a tax under a different name—would 'compound existing disadvantage, resulting in a less equal society.' She argued that the GP tax would see reduced access to preventive and cost-effective health care. It would impact on people with chronic conditions, Indigenous Australians and those living in rural and remote areas. Health problems would become more serious, and there would be an increase in people's stress and anxiety because they would be worried about how they would pay for their health care.

Summing up the forum, Meg Webb from TasCOSS said the resounding message was that the introduction of a \$7 co-payment for GP visits, pathology and medical imaging would undoubtedly result in worsening health inequities in Tasmania and poorer health outcomes for many Tasmanians. The message was loud and clear: universal health care, our Medicare, is certainly worth fighting for.

The second forum was organised by a disability pensioner, Juliann Canty, and was addressed by my colleague Senator Anne Urquhart. For the first time in her life, 61-year-old Juliann decided to become political. She said she could not believe how harsh the budget was for pensioners and those on low incomes. Juliann told the forum that she wanted Mr Abbott to have a heart. Juliann said, 'All we want is for him to treat us like human beings.'

Juliann saved a seat at the forum for a representative of the Liberal government. But no Liberal showed up—not one. Not one Liberal was prepared to front up and defend their budget. Not one Liberal was prepared to listen to what Juliann and others affected by this budget had to say. As reporter Blair Richards observed in the *Mercury* newspaper, the atmosphere at Juliann's forum was grim. She said the overriding message at Juliann's forum was that the wrong people were being targeted. Tim Marks, another disability pensioner who spoke at the forum, said he would be hit hard by the \$7 GP tax. Tim, who has lost a leg, said he sometimes goes without food for four or five days to make ends meet. He said he was in pain but sometimes could not afford pain medication. Kathy, who has a son with disabilities, spoke of his needs. Her son is 13 and is in need of a hip replacement which she cannot afford. Kathy is worried about the cost of medications, which will increase because of this budget. Her son takes seven medications a day and she wonders how she will afford to pay for them. John Ward shared his concerns about grandparents raising their grandchildren. He told how one 72-year-old grandmother had taken out a \$140,000 mortgage so she could keep her two grandchildren with a roof over their head.

These are real people with very real concerns about how they will survive because of this budget, and their concerns are real and genuine. They know that they have been singled out for harsh treatment by the government, a government that has said, 'You're on your own,' and couldn't even find time to meet face to face with Tasmanians who have a very bleak future because of this budget. And they know that many Tasmanians like them

will suffer because of this budget. TasCOSS says the measures in this budget will hit the finances of Tasmanian households disproportionately. TasCOSS chief executive Tony Reidy said Tasmania will take the biggest hit on average household disposable income because Tasmania has proportionally more people on low and middle incomes. Tony Reidy says NATSEM modelling found that this budget will cost the average Tasmanians \$418 a year per household. By comparison, the average household in the ACT will be \$216 worse off, \$200 less than a Tasmanian household. So all the heavy lifting is being done by those who can least afford it: Tasmanians like Juliann, Tim, John and Kathy.

### Budget

**Senator PERIS** (Northern Territory) (19:24): I rise tonight to talk about how the Abbott government's budget will hurt the Northern Territory. This budget will hurt all Australians but I believe it will hurt people in the Northern Territory the most. This budget puts up the cost of living in the Territory and it cuts vital health, education and infrastructure spending. This budget is targeted at those who can least afford it. This is a budget that even the government's mates in the Country Liberal Party in the Northern Territory have condemned, particularly in the areas of health, education and infrastructure. If they can't even convince their own, how do they expect Territorians to believe that their budget is fair?

I will briefly go through each area, but the aspects that will particularly hurt Territorians include the fuel tax, the GP tax, the \$80 billion cuts to health and education, the \$500 million cuts to Indigenous affairs, the cuts to pensions, the increased university fees and the lack of infrastructure spending. Firstly to the fuel tax, a broken promise. Territorians already pay on average 24c more per litre on petrol. Increasing the cost of petrol increases the cost of everything in the Territory, with freight required to travel such vast distances. The Abbott government promised to cut the cost of living. Everyone in the Northern Territory is now, quite rightly, asking how increasing the price of petrol twice every year can possibly cut the cost of living. I will be voting against the new fuel tax. I urge all representatives of the Northern Territory in this parliament to do so as well. Today the Treasurer announced he will undertake modelling of his new fuel tax in rural Australia. You do not need modelling to know that we already pay 24c more per litre for fuel. He will model it but not change it.

The Northern Territory already has very low rates of bulk-billing. Especially in the bush but even in Darwin we have a low number of GPs and many people already go to our overcrowded emergency departments. The GP tax will make it worse. The GP tax hits everyone but I believe that the effect it will have on Indigenous Territorians is extreme. Aboriginal medical services have said they will absorb the tax, which means millions of dollars will be slashed from preventive and awareness programs like nutrition, smoking prevention and programs that warn women of the dangers of drinking while pregnant. We are meant to be closing the gap. This is the exact opposite.

And it is not just the GP tax. The \$80 billion in cuts to health and education are going to hurt most in the Northern Territory, where we have the poorest health and education outcomes in this country. The Northern Territory Chief Minister has already talked about the impacts these cuts will have. However, he is being completely hypocritical because he has slashed his own health and education budgets. The combined cuts of the Commonwealth and Territory governments mean less support for our hospitals, schools and health clinics.

The cuts to health and education are made even worse by the \$500 million in cuts to Indigenous affairs. As the jurisdiction with the highest proportion of Aboriginal people, these cuts will hurt the Territory the most. And we know that the claims by the Minister for Indigenous Affairs that these cuts won't affect frontline services are wrong. We know that because the department let the cat out of the bag at the estimates when they revealed that the cuts involved direct funding cuts to frontline services.

The cuts to the pension will hurt seniors in the Northern Territory more so than down south. That is because the pension will now be linked to the national rate of inflation. In the Northern Territory our current and forecast inflation rate is the highest in the country by far, almost double the national rate, so the pension in the NT will only be increasing at half the rate the cost of living is increasing. Of course the increases in tertiary education fees will hurt every young Australian who wants to get a tertiary education, but for the younger, smaller universities like Charles Darwin University it is going to be particularly difficult. They simply won't be able to charge the same fees as the bigger established universities, and as a result of the government's changes that means they get less funding.

The Treasurer, Joe Hockey, came to Darwin just last week and effectively admitted that Darwin was being short-changed when it comes to infrastructure spending. We are getting less than one per cent of the national budget over the next seven years. His response was that people in Darwin should not be jealous of the funding they are providing to other states. Remarkably, the member for Solomon, Natasha Griggs, who was standing next to him, agreed. What happened to developing the North? You can't develop the North with 99 per cent of the

budget going down south. This budget hurts the Northern Territory. It breaks promises made to the people of the Northern Territory. On behalf of the people of the Northern Territory I condemn this budget.

### **School Chaplaincy Program**

**Senator PRATT** (Western Australia) (19:29): I rise this evening to share my concerns in this place about the coalition School Chaplaincy Program. There is in our country a mounting and substantial evidence base that young people, especially young lesbian, gay, bisexual or other gender non-conforming people, are being discriminated against by many school chaplains provided through the national school chaplaincy program. I have worked with school chaplains over the years and I have found them to be well-intentioned people. But I also know about the very real suffering that the anti-gay beliefs that some of them hold can cause LGBT young people, even when no harm is intended.

As we know, LGBT young people are at an extremely disproportionate risk of self-harm, suicide and general feelings of shame and depression compared to non-LGBT youth. These feelings are generated not because there is any wrong with their identity but because of the stigma directed towards them by others. And so, while many young people may have positive chaplain experiences ourselves, we in this place have to listen to what young people tell us, especially our most vulnerable youth.

Last week, the LGBT rights organisation All Out ran a survey inviting Australians to share their stories of school chaplains. Over 2,200 people responded, including over 1,000 high-school students aged 13 to 18. Many of these students came from WA and 15 per cent identified as L, G, B or T. The Australian community has been debating school chaplains for some time, but this is the first time that we have heard from the students themselves, and the stories that they have shared are overwhelming. We have heard dozens of firsthand student accounts that describe chaplains as being explicitly anti-gay. Here is one short excerpt:

My best friend was getting bullied by other students last year for being gay, so went to speak to our school chaplain about it. ... He suffers from anxiety and depression, has attempted suicide in the past and occasionally self-harms. He spoke to our chaplain about being bullied and about how he has begun to believe what people are saying about him being a 'fag' and 'a disgusting, gay idiot'. ... The chaplain told him that his bullies were right and that homosexuality is a degrading sin that sends people to hell. .... That night I got a phone call from his Mum telling me he had tried to overdose on medicine pills and was in hospital having his stomach pumped.

And here is another:

... this term the Chaplain warned us against ... non-marital sex. When I asked him about what a lesbian couple of faith would do if they couldn't get married, he simply replied that gay and lesbian people could never be proper Christians. ... He went on to talk about how ... gays and lesbians were ... unnatural, indecent and perverse. ... this event made me feel as if my sexuality was something to be ashamed of. I consider myself a strong person, and for this to affect me so deeply made me realise the dangers of mixing religion with public education.

It is important to mention that a minority of students—about five to 10 per cent of students in this survey—reported positive experiences with chaplains, including stories of chaplains helping them to overcome self-esteem issues and bullying. Of the 1,000 or so parents and other adults who were part of the survey, about 25 per cent reported positive chaplain experiences, including how chaplains had boosted confidence. However, most of the stories were negative, and almost all of the stories from LGBT young people were negative. As well as the two stories I have just quoted, students described chaplains helping them to 'pray the gay away' and advising them to sleep with a member of the opposite sex to 'correct' their same sex attraction. One very serious story involved a student being told by a chaplain that they should leave home because they had homosexual parents. The family felt unwelcome at the school and subsequently moved. Many non-Christian students also reported that chaplains had harassed them about adopting religion.

In my years as a senator I have heard countless stories of the challenges that LGBT young people face at school, but even I am overwhelmed by some of the heartbreaking stories that this survey revealed—all breaches of program guidelines and the duty of care owed to these students, a duty of care that these stories demonstrate is being breached, a duty of care that states these services must not be biased on the grounds of religious ideology or sexuality. Extraordinarily, the government has refused to give any assurances that even the current program's standards and safeguards will be maintained—and this could lead to the rules designed to prevent this kind of proselytising being wound back even further.

And this is not even the whole picture. I have also had a few very serious reports passed on to me this week, again stories reported by Western Australian school students who are especially vulnerable because of their sexual orientations. These stories describe chaplains committing serious criminal offences against them. Needless to say, these stories will be further investigated and the children will be connected to the appropriate police and support services, where this has not already happened. But obviously we are dealing with a system that is broken and not working, a system that is failing our most vulnerable youth.

I know some great chaplains. They work with love and authenticity, doing wonderful things for our young people. But on a national level we must face the fact that our chaplaincy program is failing Australian young people. We know this because of a steady accumulation of media investigations revealing everything from the distribution of homophobic 'biblezines' in our schools to continuous proselytizing to students, against their parents wishes. We know it because of the findings of the Northern Territory Ombudsman in 2009 and similar findings in 2011 by the Federal Ombudsman. We know it because of the damning reviews of this program by academic experts such as Professor Marion Maddox.

It is extraordinary to me that, in the face of such issues, qualified non-religious youth workers are being pushed out of this program in favour of chaplains. A choice between a chaplain or a youth worker is actually being taken away from schools—schools will now only be able to choose a chaplain. It is extraordinary that a government that has promoted choice and autonomy for our schools is forcing chaplains over youth workers on those schools.

I would also like to highlight that questions have begun to surface about links between Australia's three biggest school chaplain providers—Access Ministries, Scripture Union Queensland and GenR8 Ministries—and extreme anti-gay movements such as the Lausanne evangelical conference. This conference is well known for its links to anti-gay movements that promote anti-homosexuality laws in African countries—places like Uganda and Nigeria, where we have seen extreme anti-gay laws put forward promoting things like imprisonment and the death penalty.

This week, the High Court will hand down its decision on whether the National Schools Chaplaincy Program is unconstitutional, and I hope that the court will find that the Constitution does indeed prevent the federal government from handing over money to religious providers to put untrained chaplains in our schools—chaplains who, however well intended, are in many cases harming our children.

Regardless of the outcome, it is important to me to see this program stopped. Any person giving counselling to our young people should have the proper qualifications, as recognised by organisations like the Psychological Association, and should not hold discriminatory views. Our young people have told us very clearly that they do not feel safe at school, and it is our job to listen to them and to respond. (*Time expired*)

### **Inclusive Education**

**Senator BOYCE** (Queensland) (19:39): My themes are similar to those of Senator Pratt in terms of the fact that I will be talking about schools, discrimination and bullying, but for a different cohort of people. Students with disabilities is the area I want to talk about, and particularly the question of inclusive education.

I would like to start by mentioning a statistic that I think we should all keep at the backs of our minds in terms of how well we are travelling with inclusive education. The latest available figures for the employment of people with a disability shows us that in 2009, 54.3 per cent of people with a disability participated in the labour force, compared to 83 per cent of people without a disability—so almost half the number of people with a disability are in the workforce compared to those without a disability. We are ranked 21st out of 29 countries for labour force participation of people with a disability. It is a very low and, in many ways, a very shameful rate. However, I would contend that it is not a rate that should surprise us when we look at the way we go about educating children with disabilities compared to children without disabilities.

We still do not provide true inclusive education for children with disabilities, so why would we be surprised that when children without disabilities grow up and start businesses, they do not look to people they do not know or people they have had no experience of knowing as employees. It is only when we get inclusive education right—when we have students with disabilities being educated alongside their peers without disabilities—that we can expect that, as those children turn into adults, we will get the system right and will end up with people with disabilities being employed at a far better rate.

I was taken by a quote from a Queensland group called Blue Skies, who in 2009 did a report looking at what was feasible in terms of including people with a disability in all areas. In terms of inclusive education, they said:

Inclusive education, in early childhood, primary, secondary, tertiary, adult and community education, is the foundation for social inclusion and participation of all citizens.

There is no magic bullet that says that when someone turns 18 they will suddenly become inclusive if they have not experienced being included—and including others—as children.

At the heart of the advocacy that is being done by another Queensland group, Queensland Parents for People with a Disability, is the belief that, when people with a disability are connected and have relationships with others, they are safer and more respected, and have greater opportunities and enriched lives. This is just as true for students as it is for adults, and it is something that we need to see as a continuum that goes on through a child's life from the time of babyhood through until they become contributing members of this society as adults.

I would like to use a quote to define what is meant by inclusive education, which comes from research by Dr Cologon from a 2013 report that she undertook. It says:

Inclusive education requires recognising impairment as one of many forms of human diversity, and welcoming and viewing diversity as a resource rather than a problem. Inclusive education, therefore, creates a situation where all children can be valued and experience a sense of belonging and where all children are encouraged to reach their full potential in all areas of development.

This has to include schooling, which I think any parent in this room would know is such a crucial part of growing up and a crucial part of life.

It is not just the academic education that one receives at school that people think is important. That is not all that is needed. If we are going to have genuine education in all areas of school life, it is not just about the focus on academic education; the social and relationship elements of education are equally important and, in many ways, they are a precondition for good academic results. In that area, Children with Disability Australia produced a report on the topic of how we get good inclusive education, called *Belonging and connection of school students with disability*. Both that report and a report by Queensland Parents for People with a Disability, called *Diving for pearls*, make the point that non-inclusive—that is, exclusive—education, in the sense of being excluded, does not happen simply in special schools. That is the worst example of how we go about excluding students with disabilities, but it also happens in mainstream schools. There is comment after comment by parents who have children with disabilities in mainstream schools—but in special ed units, which can be a fantastic resource to support children with extra needs but can also function like mini special schools within the grounds of primary schools. There are quotes in a number of the reports, particularly in the *Diving for pearls* report, about how little time their children spent in the mainstream classroom and how much time they spent in the special ed classroom—including, in some cases, over lunch breaks. They spent their breaks away from the other students—with carers or assistant teachers with them, not other students. In the *Diving for pearls* report there is a quote from one mother who said:

My son seeks out the regular kids but is still grouped with the 'unit kids', as they call them.

Another parent said:

Even the playground has a special area for students with a disability.

She is never given the opportunity to lunch with others. All her time is spent in the unit—even lunch time.

Whilst there are many great policies by state education departments these days, in terms of including children with disabilities into mainstream schools the practice is often not as good as the policies would suggest.

We need to do a lot more work in this area. We need to look at not only the academic education of people with a disability but also their sense of belonging to their local school communities. Schools are where we all learn how to belong to a community, how to make friends, how to relate to peers—and often, as children, how to get our own way with other groups. If you do not have that sense of belonging to a group at that level, when are you ever going to develop it? If the employers of tomorrow do not know children with disabilities as their peers, as people to be valued, as people with needs and sensitivities just like their own, how are they going to turn into the bosses of the next generation—who see people with disabilities as people they would employ? We can have every government program we like to try to encourage the employment of people with a disability; but until we see that employment as something that comes at the end of a continuum of including people with disabilities throughout their lives, we are not going to get the success that we need, and we are not going to get true inclusion of people with disabilities into our society.

### Workplace Safety

**Senator BILYK** (Tasmania—Deputy Opposition Whip in the Senate) (19:49): My contribution tonight is about workplace safety, particularly in the Australian Public Service. It goes to the understanding that, while the consequences of being injured at work can be devastating for injured workers and their families, the consequences of not handling their injury correctly can be just as devastating, if not worse.

I want to talk about a case in point. For many years, I have been asking questions in Senate estimates about a constituent in my home state of Tasmania. Due to her employer's mishandling of her rehabilitation and Comcare's mishandling of her claim, she has been unable to return to work or to have the quality of life she enjoyed before she suffered her injury in 1988. My constituent has tried as hard as she can to get back any semblance of quality of life, but she continues to be burdened by the financial, the physical, the psychological and the emotional scars of not only the original injury but also the ordeal of trying to get justice from a broken workers compensation and rehabilitation system.

The history of my constituent's claim is absolutely riddled with errors of administration, failures to follow legislative requirements and a strong resistance by Comcare and her employer to accept the role they have played

in almost completely ruining her life. The compensation available to injured Commonwealth employees and the procedures to be followed in handling their rehabilitation are enshrined in the Safety, Rehabilitation and Compensation Act 1988. The SRC Act sets out the compensation that injured employees are entitled to, and it sets out clear procedures for employers to follow in rehabilitating an injured employee.

My constituent's case demonstrates that the failure to properly follow these procedures can actually lead to an injury becoming much worse. An injury which would normally cause a worker to have a temporary absence from work can become a permanent barrier to any future prospects of employment. It can end shatter their hopes, severely disable their social lives and destroy their careers and even their marriages.

To provide some background on this matter, I will take you back to the beginning. In 1988, my constituent suffered a psychological injury at work and was diagnosed with post-traumatic stress disorder. She spent just over five months on leave, waiting for someone to consult her about a rehabilitation plan. When she was finally contacted, she was told that a meeting would be happening that very day in her home. Of course, she initially refused to accept the meeting but she was told if she did not cooperate, Comcare could stop her compensation payments. If you know anything about post-traumatic stress disorder, you can understand the effect that this would have had on my constituent. The nature of the incident that caused the initial injury had caused my constituent to fear for her safety, and the safety of her then eight-year-old son.

My constituent was presented with a rehabilitation plan when they turned up to her home that she had not seen or been consulted on and was told she had to sign it at that meeting under the threat of losing her compensation payments if she did not do so. In developing the rehabilitation plan, there had been no consultation with my constituent's treating medical practitioners—her GP or her psychiatrist—on what kind of program was needed to restore her to health and allow her to return to work. In fact, it took until 2011—23 years—before there was any consultation with her treating professionals.

She signed the plan, under protest of course, and saw her psychiatrist the next day. Her psychiatrist wrote to Comcare and explained that their actions had exacerbated her condition. Years later, an independent review of her claim found that, in the early years of her ordeal, had a proper rehabilitation program been put in place in consultation with her treating medical practitioners, she may have been able to return to remunerative employment.

The remaining history of her dealings with Comcare from 1988 to the present is too lengthy and complex for me to outline in my contribution tonight. I will just say that, over many years, she has continuously had to go through reams of documents to correct errors on her file and errors in written correspondence—not just once but time and time again. She had been fighting for many years before she sought my assistance in 2009 to assert her rights to a proper rehabilitation program, developed in consultation with the medical practitioners who are treating her, and to ensure she has received the compensation she is entitled to under the SRC Act.

Even if my constituent received the compensation she was entitled to under the Safety, Rehabilitation and Compensation Act, it would not account for the fact that she did not return to work because her employer failed to restore her to health and return her to work. It does not account for the 26 years of lost career opportunity, the loss of prospects for experience, skills development and promotion. It does not account for the damage to her physical and psychological health caused by the mismanagement of her claim and rehabilitation, and the years of lost opportunity of an active social life. She deserves additional compensation, and there are a number of avenues through which this could be sought. My constituent lodged a claim under the Compensation for Detriment caused by Defective Administration scheme with her employer. She could not lodge the claim with Comcare because they are not covered by the CDDA scheme. Her employer has notified her that they will instead be considering her claim under section 73 of the Public Service Act.

I have tried to encourage Comcare to consider supporting an application for an Act of Grace payment if her claim is unsuccessful. However Comcare's CEO, Paul O'Connor, responded that he did not believe the independent review of my constituent's claim identified any 'unreasonable lapses or failures of administration'. I consider this an extraordinary statement given the history of my constituent's claim.

My constituent is not the only injured Commonwealth employee who has long-term outstanding issues regarding the administration of her claim. Recently, an independent review was conducted into recovery and support services provided in long-term Comcare cases. The review examined the history of the claims of 14 injured employees, seven of whom were interviewed for the purposes of the review.

The review found that there are three recurring themes that Comcare needs to address to improve the management of their claims. A disconnection was found in interactions between Comcare, injured workers and their employers. This leads to confusion concerning the roles and responsibilities of parties involved in the case. The legislation is complex and injured workers do not understand their entitlements or the factors Comcare

considers when determining eligibility. And finally, Comcare's communication with injured workers is variable and this has a negative impact on resolving claims.

It is not enough for Comcare to say they will improve the way they deal with injured employees. There is a legacy here that has not been properly addressed. I will give credit where credit is due. Comcare have worked with my constituent's employer to put in place a proper rehabilitation plan since I became involved in 2009. They have negotiated a clear process for resolving her claim. And they have undertaken to correct errors on her file, and had an independent review conducted to look at whether she has received her legal entitlements.

However, there is significant doubt whether my constituent would have come so far had it not been for my active intervention. What Comcare have yet to do is actively support my constituent in seeking additional compensation for the impact their past failures have had on her life. They have yet to respond to, or even agreed to respond to, specific questions about the calculation of her entitlements. And both Comcare and my constituent's employer still have a significant way to go to improve their communication and management of her claim and rehabilitation.

I want to be very clear: this is not a criticism of the current government, nor of the previous government. I have been raising these issues over the past five years with as much force and vigour as I am today. And with the six years I have left in this place, I will continue to raise these issues with the same determination until they are resolved, no matter who is in government. But it is incumbent on the government—in particular, the Minister for Employment, Senator Abetz—to ensure that Comcare and other government agencies are accountable for past failures to properly rehabilitate injured employees. They must be accountable for the failure to communicate with these workers, to explain their rights and entitlements, and to actively help them explore their options rather than advising, as Comcare did in my constituent's case, that they will 'only respond to specific questions'.

Every effort must be made to restore these workers as much as possible to their full health, and they must be offered additional compensation for the detriment they have suffered through failures of administration. Above all else, my constituent, and injured workers in a similar position to hers, must receive justice.

### **Racial Discrimination Act**

**Senator MILNE** (Tasmania—Leader of the Australian Greens) (19:59): Australia is a tolerant, multicultural nation. We value free speech and democracy and we celebrate the fact that we have built a society where people can live without fear of being verbally or physically abused because of their ethnicity, religion or cultural traditions. Section 18C of the Racial Discrimination Act makes it unlawful to offend, insult, humiliate or intimidate a person or group because of their race, colour or national or ethnic origin. This legal measure enables people subject to racial discrimination to pursue those who harass them. Removing or weakening section 18C will mean that targets of racial vilification will have no option but to appeal to pre-existing criminal offences which serve quite a different purpose and which have a much higher standard of proof. Until now, 18C has served us well by giving the public robust instruments to fight insults, humiliation and racial vilification. Weakening 18C will signal to some that they are now safe to engage in racist attacks against vulnerable minorities. The Greens have zero tolerance for racism, and we stand alongside all Australian minority communities and condemn racism completely.

The importance of preserving 18C is clear but made even clearer by my own experience of Fredrick Toben and his persistent and ongoing vilification of the Jewish community. Mr Toben is an Australian Holocaust denier who insists that the Holocaust is a lie. He maintains that it is a deception that millions of people were murdered in Nazi gas chambers. For making these false assertions he was imprisoned in Germany for defaming the dead, and attempts have been made since to have him deported to Germany to face similar charges. Toben routinely insults and tries to humiliate the Australian Jewish community. Not only are his websites vehicles for spreading historical falsehoods and extreme anti-Semitic sentiment but he and his associates have also mailed offensive materials to members of the Jewish community. He has attended talks given by Jewish survivors of the Holocaust with the intent of creating a disruption. He constantly demeans and disparages Holocaust survivors by calling them 'unreliable witnesses' or says they are 'lying'.

In 2013 I gave a comment to *The Australian* newspaper that Toben is a Holocaust denier and that in so doing he fabricates history and is an anti-Semite. In spite of calling the Holocaust a lie, in spite his being jailed in Germany for insulting the dead and in spite of his anti-Semitic writing on his websites, Toben took these comments to be defamatory and, as a result, I am now being sued for defamation. Even a cursory examination of Toben's prolific writings and numerous interviews shows that these observations are true. He repeatedly refers to the Holocaust as a 'myth', a 'fiction' and a 'physical impossibility'. In a letter to Jewish academic Deborah Lipstadt he writes:

I refuse to believe, without physical proof, in the systematic extermination of six million European Jews in homicidal gas chambers.



The Holocaust believers have never proven their case ...

Not only does he repeat a falsified version of history, saying the Holocaust 'did not happen', 'there were no gas chambers', and the existence of the Holocaust is simply 'war time propaganda'; he says it is just 'prison gossip' concocted by concentration camp prisoners. He entertains the notion that the Holocaust was invented for Jewish financial gain. He writes:

All anyone needs to do is draw the Nazi card and the coffers open and the scrum is on to see who can get a snoutful out of the Holocaust trough. There is, indeed, no business like Shoah business!

He has also said:

The Jew fury knew no bounds and succeeded in smearing Germans with the Holocaust-Shoah lies, something that admirably suited the Anglo-American-Zionist financial internationalists.

He has compared notable Australian Jewish figures to the Jewish stereotype of Shylock, saying that they are after 'their pound of flesh'. He routinely refers to so-called Jewish supremacism and maintains that the Jewish authorities are behind horrific events like 9/11.

In 1996 Jeremy Jones of the Jewish Council of Australia challenged Toben's anti-Semitic writings in court. The judges agreed that Toben's website contained anti-Semitic material and ordered that it be removed. In defiance of this, Toben continued to produce content that was anti-Semitic. The courts ultimately found Toben guilty of contempt of court and Toben was fined and sentenced to a short stint in prison. Toben's complete contempt for the legal system and the Australian judiciary then led him to reflect:

In my case the judges involved in my matter were not Jewish but they bent to Jewish pressure, which enables me to state they became morally and intellectually bankrupt.

As a result of all his persistent breaches of the law and litigious behaviour, Toben is now an undischarged bankrupt and, having nothing more to lose financially, with the assistance of financial backers he will continue to use the courts as a platform for his anti-Semitic views, to the great personal and financial cost of those he sues and the Jewish community he continues to vilify. He wants show trials.

It is clear that Toben's views are detestable and denigrate the Australian Jewish community. Furthermore, the existence of his denialist claims sullies the memory of all those who were brutally exterminated in the Holocaust. His views are a shameless attack on Holocaust survivors and their families. I have stood at the Dachau concentration camp. I have been to the Yad Vashem Holocaust museum in Jerusalem. It is a powerful memorial to the six million Jews who died. I have been to the Dachau memorial and the concentration camp memorials at the Pere Lachaise Cemetery in Paris—memorials of Auschwitz and of Bergen-Belsen—and I will never stand by or allow the likes of Toben to so insult the dead or to belittle their suffering or the suffering of those who survived or those who have come after. Whilst I will continue to stand up for a peaceful two-state solution in the case of Israel and Palestine and whilst I will continue to criticise the government of Israel for its illegal occupation of Palestinian territory, I will never stand idly by and fail to condemn anti-Semitism. So I am defending the defamation charges in court not only to protect my personal reputation and that of the Australian Greens but also to make a stand on behalf of the whole Australian community in challenging Toben's abhorrent views.

But it will not be enough just to win this case against Toben. There must be adequate legal recourse to protect people from racial vilification in the future. That is why we need to retain section 18C of the Racial Discrimination Act. Without it, Toben and his ilk will be let off the leash, free to vilify and insult Jewish people in the name of political debate. Toben is deeply invested in the repeal of 18C. He cannot wait for it to be removed so he can continue his assault on the Jewish community unrestrained. He has even gone so far as to call 18C the 'Toben law' because he egoistically claims that it targets Holocaust deniers in particular. He has claimed that 18C finds its origins in an Australian Jewish effort to silence dissenters.

If we take away the protections offered to us by 18C, then we expose racial, ethnic and national minorities to vilification and abuse with no effective protection against these racist predators. That is not the kind of society that wave after wave of migrants have built in Australia, and it is not the kind of society the Greens will stand by and allow Australia to become.

**Cowan, Hon. Dr Hendy John, AO**

**Meaton, Mr Murray, AM**

**Heatley, Mr Arthur Macedon, OAM**

**Watling, Mr Edward Joseph, OAM**

**Senator BACK** (Western Australia—Second Deputy Government Whip in the Senate) (20:08): I am delighted this evening to rise to honour four friends and colleagues, all of whom were honoured in the Queen's Birthday honours list last weekend. The first of them—on a night when we recognise and farewell a great warrior of the

National Party from Queensland, although he was originally a Western Australian, Ron Boswell—is my friend the Hon. Hendy Cowan, who has been made an Officer, AO, in the General Division of the Order of Australia. When I called Hendy the other day, his first comment was, 'I didn't want any of these honours.' Hendy had been the Leader of the National Party, the Deputy Premier to Richard Court, in Western Australia, and a person who cast an enormous shadow over the state of Western Australia. But in fact it was not his time in politics for which he was honoured. It was more for his contribution to higher education in Western Australia.

He is the Chancellor of the Edith Cowan University, named of course in honour of his great-aunt, who was the first woman to be elected to the Australian parliament. Hendy also, in his contribution beyond his years in politics, heads up the Cancer Council in Australia and brings his considerable wealth of knowledge and influence to that role. I am very pleased to say on a personal basis that his contribution to agricultural and agribusiness education in Western Australia has been strongly recognised by the work that he did on behalf of the government of Premier Colin Barnett in helping Muresk Institute get underway again with an agribusiness degree, this time run by the Charles Sturt University. I congratulate Hendy on a thoroughly deserved award.

The second is my very, very close friend and relation by marriage Murray Meaton. Murray has been made a Member in the General Division of the Order of Australia. Murray was an agricultural economist originally, is an economist, and is better known now in the mining, oil and gas industry. It is for this work both here in Australia and overseas, particularly in Africa, that Murray has been recognised with his AM. We have been close friends for many years. He is married to one of my very favourite first cousins. He and I have sailed together for many years. He is a person whose opinion I always value very highly. Being an economist, of course, he is very dry. Every time I go to see Joe Hockey, I go to see Murray first, and Murray winds me up and tells me all the things that Joe is going to say no to. Afterwards I wonder whether Murray has been in contact with Joe, because I never seem to get very far beyond Murray Meaton.

Murray has done an enormous amount of work in the mining industry, representing both Indigenous communities in their negotiations with mining companies and, indeed, mining companies in their negotiations with Aboriginal communities. So highly regarded is Murray by both sides that in fact his word, very often, is the one that holds sway, whether it be on behalf of the mining companies or on behalf of the Aboriginal communities. He most recently has been working in Africa, where he has been assisting them in the royalties area for minerals. It is just typical of the calibre of this particular man that he would give his time so generously, based on the experience he has had in Western Australia during the time in which he headed up the royalties division of the department of minerals and energy and of course more recently in his own private practice.

Whilst Murray and Hendy, I guess, would not have passed each other in their careers all that often, both have strong agricultural heritages. Murray's brother is a very successful fine-wool merino breeder in the Great Southern of Western Australia. I know I join Murray's family in honouring him for what has been such a wonderful acknowledgement for him and Christine in his membership in the General Division of the Order of Australia.

Being Western Australian, of course, does not confine me just to the borders of Western Australia. The third of the people who have been recognised whom I wish to comment on this evening is Don Heatley, from Queensland. Don has been honoured with the Medal, OAM, of the Order of Australia in the General Division in the Queen's Birthday honours list. Don most recently was the chairman of the board of Meat and Livestock Australia. He had seven years, I believe, as its chairman, succeeding another person who was honoured in recent years, and that of course was David Crombie. But Don spent 13 years on the MLA board. He is a pastoralist, a grazier, in Central Queensland, a man of enormous stature in that state. He is a person who has been at the forefront of animal production, cattle production, progress and enterprise with the introduction of *Leucaena* legumes in his region of northern Australia. He is a person in whom the industry placed an enormous amount of trust. My contact with Don and the then CEO, David Palmer, was probably most to the fore when, unfortunately, we had the ban on the live export trade on 8 June 2011 and the events that followed. Whilst the MLA has been the subject of criticism, those within the industry have quite rightly looked internally as to where the issues rested. I can assure industry, and I do so this evening, that they had no greater champion than Don Heatley. Under enormous pressure at that time from every sector, out of this place in Canberra, around the world and around the industry, Don Heatley stood up. He stood up with a degree of maturity and common sense that only comes from a man on the land. I believe he exhibited enormous leadership at a time when, it is fair to say, the industry was floundering. There were not a lot of us who were speaking coherently and maturely on behalf of the industry. He steered the MLA and indeed the cattle industry through very turbulent waters during that time. I congratulate him on what I believe has been a very justified awarding of the Medal in the General Division.

The fourth person who has also been awarded the Medal, OAM, in the General Division, and who is close to me is my great friend Eddie Watling. Eddie was awarded this particular accolade in the Queen's Birthday Honours list for his service to the tourism sector in Western Australia. When he and I were associated back in the 1980s—

and as I said to him the other day in our discussions when I rang to congratulate him—at that time you could not get people around Australia to even accept that tourism was a serious industry. Most people in Australia are of course very lucky. We go to the beach. We do not actually plan, we do not save so much for recreation and tourism—at least we did not in those days—and it was Eddie Watling who, at that time, stood apart from his colleagues as a person who put tourism on the map and explained to the wider community, particularly to government at that time, the importance of tourism as an industry.

He was the first general manager of the Western Australian Tourism Commission. He consulted to government. I think he was 15 years with the Department of Tourism. He was a member of the Tourism Commission in the areas of finance, marketing and development. Then, together with a group of friends and colleagues, including my very close friend the late Bill Quinn, he formed a company Tourism Coordinates. I think Eddie did have something to do with my own success in being appointed the chief executive of the Rottnest Island Authority in 1988. After seven years of that institution, I do not know whether I should have thanked or condemned Eddie for a role that he may have played. But at all times this was and still is a man of enormous integrity, a person who has always seen the value of the industry, intrastate tourism, interstate tourism and of course international tourism. I understand that, associated with the same industry, Eddie is now deputy chairman of the Western Australian Liquor Commission and a member of the Fremantle Fishing Boat Harbour Marine Facilities Advisory Committee.

It is my privilege this evening to acknowledge the efforts of these four people and the fact that they have been so honoured in the Queen's Birthday Honours list.

### Gary John Gilmour

**Senator FAULKNER** (New South Wales) (20:18): Tonight I want to remember the life and career of Gary Gilmour, a cricketer who played not for records or recognition but for the joy of the game—a cricketer for whom the record book just does not tell the full story and for whom statistics belie an extraordinary talent.

Gary John Gilmour, known to so many as Gus, was born on 26 June 1951 in Newcastle, New South Wales. Gilmour spent his early life in the working class suburb of Waratah, a place that sits in the lee of the city's steelworks. In Gary Gilmour's time the smoke, smell and noise from the steelworks kept house prices down and many of Waratah's residents in work. Today the steelworks is silent, yet the landmark still stands, a reminder of the city's industrial past.

Gary Gilmour attended Newcastle Boys High School where he excelled at rugby, baseball and cricket. He was a natural athlete, who, in the words of Ian Chappell, 'was at the front of the queue when they handed out talent'. But cricket was his passion and, in a town more famous for its footballers than its first 11, Gilmour was peerless. Whilst still in his teens, Gary Gilmour was selected to play for Newcastle. By the time he was 20, he was playing for New South Wales. He scored a century on debut, a feat that brought the young all-rounder to the attention of Australian selectors. But it was not until December 1973 that he was finally selected to play for Australia. On debut he scored 52 and took four for 75 in Australia's victory over New Zealand at the MCG.

Gary Gilmour's appearances for the national side were sporadic. Another opportunity came during cricket's first World Cup in 1975. For most of the one-day tournament, Gary Gilmour was Australia's 12th man. But he was a surprise selection in the semifinal against England at Headingley. Asked to open the bowling, he took an astonishing six for 14, off 12 overs. Despite those efforts with the ball and chasing just 93 runs, Australia was in trouble at six for 39 until Gary Gilmour, combined with Doug Walters, steered Australia home. Doug Walters scored 20 not out. Gilmour remained unbeaten, on a run a ball 28. In 2002, his bowling feat in this match was rated by Wisden as the greatest performance in a one-day international. A successful home test series against the soon to be fabled West Indies followed. In 1975-76, against the likes of Lloyd, Richards and Kallicharran, Gilmour led the bowling attack for Australia, taking 20 wickets at a 20.3 average. At Adelaide Oval he scored a scintillating 95.

There were also incredible bursts of brilliance, like his maiden century against Richard Hadlee's New Zealand. At Christchurch, again Australia in trouble, Gary Gilmour scored a brutal 101 with 86 of the runs coming from boundaries. His seventh-wicket partnership, again with Doug Walters—it goes to show what two New South Welshmen can do—of 217 remained an Australian record for three decades.

But he was not to deliver fully on his tantalising promise. In the summer of 1976-77 he bowled with a piece of bone the size of a five-cent piece floating around in his heel. By the end of the summer he could hardly walk. Hampered by injury and poor form, his performance plateaued. Gary Gilmour was not chosen to tour England in 1977. He found out that he had not been selected while listening to the radio in his car while travelling across the Sydney Harbour Bridge. He headed home—in his own words—'peeved'. With that, Gary Gilmour's first-class career ended abruptly, prematurely, at the age of just 27. Gary Gilmour's services were not lost to Newcastle,

which won the New South Wales Country Championship six years in a row with him in the side. Newcastle Cricket benefitted from his administration; its cricketers from his mentoring.

Gary Gilmour's career is remarkable as much for the spirit he brought to the game as his achievements on the field. He played just 15 tests and five one-day internationals, but such was his flair that such numbers really only tell part of his story. Last week's obituary in *the Sydney Morning Herald* argued that:

... he will be remembered as one of the cavaliers of a wild and woolly time in the game ... he sported a healthy paunch and gave an air of finding sporting life no more important than life off the field.

I was struck by a tribute I read last week from Rick McCosker, a long-term friend and teammate of Gary Gilmour. He spoke about a Shield game between New South Wales and Victoria at the SCG in February 1976. Rick McCosker said:

Gus felt sorry for the people there. When he and I came out after tea he said, 'It has been a boring day for the fans and I think we should do something about that'. I stood down the other end and proceeded to watch him score 100 in a session.

One thousand, six hundred and ninety-seven people attended the SCG that day. The gate receipts were \$742. I was one of those who paid up and saw Gary Gilmour score 100 in a session. I had never seen such a feat before—nor have I since.

Some might argue that, with a less cavalier approach, Gus Gilmour's contribution to Australian cricket might have been even more significant and sustained. Rather than regret what could have been but never was, we should instead remember how he played the game and the joy that this gave to cricket lovers everywhere. Gary Gus Gilmour passed away on 10 June this year. He was 62.

### **Chemicals Re-registration**

#### **Australian Charities and Not-for-profits Commission**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (20:27): I rise tonight to speak on two issues where the Abbott government wants to wind back progress. I know—you are shocked! The repeal of reforms of the last parliament is extremely disappointing. The first repeal is that of the chemicals re-registration scheme, which was a significant achievement that gave the Australian Pesticides and Veterinary Medicines Authority, the APVMA, the legislative triggers it needs to systematically review and quickly remove highly hazardous and unmanageable pesticides from the market if they fail to meet today's scientific standards.

The science of toxicology is undergoing a revolution, with the recognition of unintended impacts of pesticide exposure on our health and the environment. The role that environmental pesticide exposures might play in the development of certain cancers, Parkinson's disease and other metabolic disorders are currently the subject of a great deal of scientific scrutiny, and the science there is evolving every day.

Against this background of growing scientific knowledge, re-registration has been a long time coming. An enormous number of agricultural chemicals have never been properly assessed. These chemicals were grandfathered in the modern registration scheme. The APVMA has a poor track record with its chemical review program, with many high-risk pesticides under review for 10 to 15—that is 10 to 15 years where they continue to expose people to these potentially dangerous chemicals—without adequate action being taken to mitigate risks or indeed remove pesticides from use that are clearly just too dangerous. With the rewinding of these reforms, this is set to continue. A re-approval and re-registration scheme would ensure a systematic review of our ag-vet chemical inventory, many items of which have never been subject to contemporary risk assessment and are not considered safe by any modern measure yet persist in our community.

The global direction is to move away from highly hazardous pesticides towards safer ones, and Australia should not be left behind. Legislated risk-based re-registration schemes already operate in the USA, Canada and the European Union. The key focus of re-registration in these jurisdictions is to ensure older pesticides on the market are subjected to the same standards applied to the pesticides that we register today. Without a re-registration scheme, the APVMA has only an ad hoc approach to chemical review. There is no rationale in what ends up on the chemical review list and no guarantee that regulatory effort will be focused in on the pesticides of greatest risk. DAFF's initial assessment was that there are around 42 substances that would not pass re-registration. Without this scheme, those chemicals will continue to be available for sale in Australia, potentially for decades to come. Leaving the APVMA without a systematic mechanism to bring products back before it for assessment is asking them to regulate with one hand tied behind their backs.

Another area where the government is winding back reforms that were made in the Senate in the last parliament is the Australian Charities and Not-for-profit Commission. This is a new body, which has the ability to substantially improve the way that charities and charitable donations in this country are managed, but it too is under threat of repeal, after a substantial amount of consultation and discussion went into putting it there in the

first place. I notice Acting Deputy President Stephens nodding. She was very involved in this process and did a great deal of work to get this regulator in place.

This not-for-profit sector reform was the end result, as I said, of a lot of consultation and a lot of hard work from people across the sector and the various groups in the sector who were committed to seeing the principles of a vibrant, diverse and independent civil society underpinned by a legislative approach. Establishing the ACNC was a significant step towards the modernisation needed to ensure organisations are better equipped to operate in the 21st century. The commission and its associated legislation are supported by the large majority of the sector. About 80 per cent of the submissions to the recent Senate inquiry favoured the retention of the ACNC, and about 10 per cent expressed support for the principles underpinning its establishment but were agnostic on the question of whether the ACNC or some new entity carries out the regulatory function. Only 10 per cent advocated for its abolition.

Like any new body, the ACNC has been settling into its role and has not always struck the right balance between its regulatory functions and its red-tape reduction functions. But this is not a good excuse or reason to repeal the ACNC legislation—I dare say that, if we did that to every new body that was established, we would be winding up all these bodies within six to 12 months—rather it highlights that it is important that government works with the sector to improve the ACNC, rather than taking the backward step of destroying it.

The Greens supported the creation of the ACNC because it is important to our community to have a vibrant charity and not-for-profit sector that delivers a range of important services to hundreds of thousands of people—to the environment, to arts bodies, to sports bodies—and that leads the debate on important issues such as inequality and poverty. We must bear in mind that many of the charities that are working on emergency relief and supporting the most vulnerable are going to have a hell of a lot more of a load in the not-too-distant future if the budget measures go through this place. Community and charity organisations work hard to serve, defend and promote the broader needs of our community, and they need to remain strong and independent to do their best work. The not-for-profit sector is on the front line when it comes to dealing with the impacts of social policies such as the cuts to income support in the recent budget.

Above all else, the Greens are committed to a sector that is strong, enduring and independent and has the right of advocacy. Promoting a vibrant, diverse and independent sector is one of the three objectives of the ACNC, and the Greens are deeply concerned that this principle will not be carried forward into any alternative bodies proposed by the government. Unfortunately, it is still not possible to assess exactly how the repeal will affect the sector, because the government has released no detail about the ACNC's proposed replacement. When I asked the department about that, they could not tell me what the replacement body was going to be. This is concerning in itself, because repealing the dedicated regulator without having undertaken appropriate consultation—or in fact any, because there is a big cloud over that consultation process—or developed a clear alternative demonstrates an inherent lack of respect for the broad role that charities and not-for-profit organisations play in our community.

The inquiry that was carried out into the proposed repeal legislation confirmed that the Minister for Social Services, Mr Kevin Andrews, had undertaken 'informal consultations' about the process of repealing the ACNC and the possible form its replacement might take. However, an informal consultation process is highly subjective and often fails to properly account for and resolve differences of opinion among stakeholders. It is very easy to consult the people that you know you are going to get the answer that you want from. Before any decision on the ACNC's future was made, the government should have undertaken a full and proper, open process of consultation that reached out across the sector and encouraged their extensive involvement. The government also should have listened when organisations told them, overwhelmingly, that they did not want this body rejected, as the organisations that submitted to the inquiry said. The consultation process should have included the opportunity for providers to prepare and lodge submissions and for hearings and consultations to be undertaken around the country. There is clearly overwhelming support in the sector for an independent regulator and rejection of the Australian Taxation Office becoming the regulator again, which is highly likely. For these reasons, the Australian Greens do not support the backward step of getting rid of the ACNC powers. We do not support any of those going back to the ATO. This is simply no way to prove greater transparency and to streamline regulation.

In conclusion, I remain deeply concerned about these reforms and urge the government to reject these repeals because they are not reforms; they are backward steps.

### Telecommunications

**Senator McKENZIE** (Victoria—Nationals Whip in the Senate) (20:37): I rise tonight to make a very short contribution as a result of a visit to the great Goulburn Valley—the centre of Victorian's fruit growing and fruit processing area—at the request of the National Party candidate at the state election, Greg Barr, who wanted to highlight the mobile black spot issues around the Goulburn Valley and the importance of appropriate mobile and

telecommunications services for people in the small towns to ensure that they can participate in the economic and social life that new technologies can provide, particularly for those who have not yet had full access who want to take advantage of all that telecommunications can bring to a community.

Mr Barr took me to Katandra West, about 25 kilometres out of Shepparton, a community of 747 people. We met at the Katandra West General Store, where the owners Leanne and Brian Ireland convened a community meeting with a range of people who explained the issues they were having accessing adequate mobile phone services. Indeed, they told us how, when school is over, all the young people line up at a particular place on the footpath because that is where their mobile phones receive a signal. The community presented me with a petition. Out of a community of 747 people, well over 200 people signed the petition, which I will be happy to take to the parliamentary secretary in charge of the rolling out the \$100 million Black Spot Program which will ensure that over 300 mobile phone towers are located right around regional Australia. Katandra West has an NBN tower, but when rolling out that project we did not think of co-locating various technologies on the towers. That is part of the review which the coalition government is doing.

We also went to the little town of Wunghnu where we met some truckies in the truck spot who spoke of the difficulties they have in accessing mobile telecommunications throughout the electorate of Shepparton and, indeed, the safety difficulties they have—if they blew a tyre or something was wrong with their truck—when they need to contact roadside assistance.

The coalition committed \$100 million to the Black Spot Program as a result of work done by assistant minister Luke Hartsuyker, when he was a shadow minister, recognising that it is great to wait 10 years for some broadband but people out of the regions really need access to mobile communications, not just for economic and social issues but also to ensure that emergency services can be contacted and safety issues can be dealt with. It is in stark contrast to Labor's investment in rural and regional Australia. One thing you can say about those opposite is that they were very consistent. They consistently forgot about rural and regional Australia and indeed about the impact of their decisions and their policies on the 27 per cent of Australians who live outside capital cities.

Our \$100 million Black Spot Program, which is expected to generate 250 to 300 new or upgraded mobile base stations right around Australia, is well underway. Unlike the former government, we have consulted with communities and are now assessing their submissions and conducting further consultation. The parliamentary secretary has been throughout regional Victoria to Berrigan and Dumbalk, to name a couple of towns, and I know Ed Handley and Adrian Harris down in Dumbalk have been very loud about the need for better mobile telecommunications, particularly for the Mirboo North-Dumbalk community in South Gippsland.

The parliamentary secretary and the government welcome the additional investment in this area by the Victoria state government. It is one of the things candidate Greg Barr talked about during our visit. The Victorian state government has pledged an additional \$40 million which, with our money, will ensure that regional Victorians can have the full benefit of this program.

I would like to congratulate the candidate Greg Barr on his proactive approach, ensuring that the needs of his community are raised and that federal and state governments work together to ensure better outcomes for communities. I would also like to congratulate communities right throughout regional Victoria who have participated in the coalition government's consultative process. We look forward to making the decisions to allocating money in the early part of 2015, rolling out the program right across regional Australia in the second half of 2015. I know some 15-year-olds for whom that cannot come quickly enough. I congratulate the parliamentary secretary and look forward to catching up with him this week to present him with the petition from Katandra West and from the other communities right across the Goulburn Valley.

### World War I

**Senator FARRELL** (South Australia) (20:44): This is my sixth and final speech relating to the centenary of the First World War and the letters that my grandfather, Sergeant Edward John Farrell, wrote to Miss Emily Jane McConnachy, who subsequently became Edward's wife and my grandmother. The first five speeches related to those letters, written between late June 1916 and the end of hostilities some 2½ years later. All of my speeches have been timed around the period leading up to and following the outbreak of the First World War, 28 July 1914—the centenary of which, of course, as you will know, is only a few weeks away.

This speech covers the war record of Sergeant Farrell's 32nd Battalion, AIF, and is gleaned from the official war records and the book *Second to None: a memorial history of the 32nd Battalion*. It also includes just a small selection of the hundreds of letters published in *Second to None*.

The 32nd Battalion was raised as part of the 8th Brigade at Mitcham, then on the outskirts of Adelaide, on 9 August 1915. Only two companies were raised from South Australian enlistees; another two were formed in Western Australia and joined the battalion at the end of September. The main battalion sailed from Adelaide on 18

November 1915. The 8th Brigade joined the newly raised 5th Australian Division in Egypt, and proceeded to France, destined for the Western Front, in June 1916. The 32nd Battalion fought its first major battle at Fromelles on 19 July 1916, having only entered the front-line trenches three days previously. The attack was a disastrous introduction to battle for the 32nd, and it suffered 718 casualties—almost 75 per cent of the battalion's total strength, but closer to 90 per cent of its actual fighting strength. Thankfully, Sergeant Farrell was still sailing to England at the time of this ill-fated attack, and the 32nd, although it still spent periods in the front line, played no major offensive role for the rest of the war.

In early 1917, the German army withdrew to the Hindenburg Line, allowing the British front to be advanced, and the 32nd Battalion participated in the follow-up operations. The 32nd subsequently missed the heavy fighting to breach the Hindenburg Line during the second battle of Bullecourt, as the 8th Brigade was deployed to protect the division's flank. The only large battle in 1917 in which the 32nd Battalion played a major role was Polygon Wood, fought in the Ypres sector in Belgium on 26 September.

Unlike some AIF battalions, the 32nd had a relatively quiet time during the German spring offensive of 1918. The Allies launched their own offensive with the battle of Amiens on 8 August, in which the 32nd Battalion participated. It was subsequently involved in the operations that continued to press the retreating Germans through August and into September.

The 32nd fought its last major action of the war between 29 September and 1 October, when the 5th and 3rd Australian Divisions and two American divisions attacked the Hindenburg Line across the top of the six-kilometre-long St Quentin Canal tunnel; the canal was a major obstacle in the German defensive scheme.

The 32nd was resting and retraining out of the line when the war ended on 11 November 1918. On 8 March 1919, after the gradual repatriation of men to Australia, the remnants of the 32nd Battalion were merged with the 30th Battalion.

The book *Second to None* tells the story of the 32nd Battalion primarily through scores and scores of letters written home by the troops. Many of the letters make terrifying reading.

Private Arthur Snook, writing about his first action at Fromelles in 1916, reported to his mother that he would never forget the order given to charge enemy lines. 'Well, Mother,' wrote Private Snook, 'I only just got over when I got hit on the top of my right eye, but that never stopped me. I got going again and I was nearly over to [the German] trench when I got another smack on the back of my right leg, and that was the end of me. I turned around to find cover and you ought to have seen the sight that met my eyes. Dead and wounded were lying all around me. I crawled for about 20 yards to a shell-hole, and to my horror I found about half a dozen of our boys dead.' Some reports are filled with pathos. Second Lieutenant Arthur Craker wrote: 'Terrible bombardment going on. Shells bursting everywhere. I do not know if this is my last entry or not, but I say goodbye, Mother darling; goodbye, Annie my sweetheart, Father and Gertie, Nesta, Thelma and the little ones.' As it transpired, both Sergeant Snook and Second Lieutenant Craker survived the war, and lived until 1958 and 1972 respectively.

There were many, many reports just as unnerving as those to which I have referred. The train crash at Desvres, which resulted in Sergeant Farrell's injury, received special mention in *Second to None* and was the subject of numerous letters home, including those by Edward himself.

Many soldiers of the 32nd Battalion were modest. Private Reginald Downing was typical. He wrote: 'Today I received the pleasing news that I have been awarded the Military Medal for services rendered on April 24. Wasn't so much surprised as I had an idea I had been recommended. Was certainly surprised at that, for nothing was further from my thoughts that morning. I had my fighting blood up, I'll admit, but the job was there to be done and I did it, that's all.'

Soldiers regularly visited wounded mates. Lance Corporal William Rawlinson, after seeing his colleague, Sergeant Walter Flindell, wrote home: 'I went to see Walter after we came out of the trenches and he looked bright and cheery. He had his right arm and leg amputated a few days previously and looked a little the worse for wear. It was marvellous how he escaped with his life.'

Lieutenant George Abjornson wrote of the death of Private William Prior: 'A more able and conscientious soldier was not to be found in the battalion. He was buried where he fell near the old front line, with a small cross to mark the last resting place of a soldier and a man.'

Sometimes there was, with the benefit of hindsight, a touch of humour. One soldier wrote back home: 'The streets stink with filth and the women with perfume.'

Others saw beauty amid the battlefields: Private Ern Cooper wrote: 'Everywhere around here, the country looks lovely. There are patches of wheat, marigolds, beans and scores of other small plots, the largest not more than four or five acres.' And Lieutenant Fred Stolz wrote home: 'One could see the red-roofed farm buildings and the

villages peeping through the green, and hear the church bells. But for the fact that two German aeroplanes could be seen high up in the sky, one would not dream that there was a war on, so peaceful was the scene.'

The 32nd Battalion, after its very bloody battle initiation at Fromelles in 1916, subsequently played more of a support role than that of a front-line offensive troop. But it was still awarded many battle honours, most notably in France, Belgium and Egypt. Its soldiers served with distinction, winning one Victoria Cross, two Distinguished Service Orders, 28 Military Crosses, 78 Military Medals, three French Croix de Guerres and two Belgian Croix de Guerres. Twenty-three were Mentioned in Dispatches. The 32nd suffered 613 killed and 1466 wounded.

The mere fact that a total of 64 Australian Victoria Crosses were awarded during the First World War—more than in all other wars combined—testifies to the bravery demonstrated by our soldiers. And of these 64, nine were awarded for action at Gallipoli, one for Palestine, and one for East Africa, and the remaining—a staggering 53—were awarded for action on the Western Front. Of course, we all know that the war to end all wars failed to do so. And the deaths and casualties of that most terrible conflict were around 37.5 million, comprising 16.5 million deaths and 21 million wounded. The total number of deaths included almost ten million military personnel and almost seven million civilians. The Allies lost about 5.7 million soldiers while the Axis countries lost about four million. And it remains a mystery to me, and I imagine to millions of others, as to why the assassination of Archduke Franz Ferdinand of Austria could have triggered, on 28 July 1914, such a cataclysmic war.

### Asylum Seekers

**Senator WHISH-WILSON** (Tasmania) (20:53): For too long in this country, the debate about refugees and the seeking of asylum has been used and abused for political purposes. Like many Australians, I find the media 'frames' and 'messaging' around this debate offensive: 'stopping the boats', 'border security', 'border repair', 'sovereign borders', and so it goes on—as if people seeking asylum by leaky boats are somehow a threat to our national security, up against a fleet of ANZAC-class frigates. As if our borders are somehow being breached, our national assets being seized, and our way of life being threatened because people seek sanctuary from danger in Australia.

I want to talk about this debate within a different frame, Australia's global responsibility, and highlight a solution—a way forward—offered this week by the Australian Refugee Church Taskforce. Australia has a proud history of making global contributions that resonate beyond our boundaries. We, until recently, made significant and growing contributions to development assistance in our region and beyond. Our aid sector is world class and highly skilled in short-term disaster and humanitarian assistance, as well as in the longer game of development, equity, governance and sanitation. Rarely have Australians shirked their global responsibility in development aid, although recently our aid budget has been used as an automatic teller machine for domestic policy. We also have made significant contributions to regional security. Our defence force has carried out a number of missions to support regional stability in places such as East Timor and the Solomons. We also have contributed to global peacekeeping missions in Kosovo and Rwanda. We haven't shirked our global responsibilities in peacekeeping.

We have also played a role in building a global set of rules and norms for a safer and healthier planet. We have been strong players in developing treaties in nuclear nonproliferation and a ban on anti-personnel mines. We have on several occasions played the lead diplomatic role in securing these treaties. Rarely has Australia shirked our global responsibilities in establishing a global rule of law. So Australia has a long history in contributing to global issues of development and humanitarian assistance, regional security and peacekeeping, and establishing a global set of rules and norms.

But when it comes to the global problem of displaced people and asylum seekers this government is found wanting, sadly wanting. The issue of displaced people is a global one. It is not one we can deal with on our own. But neither can we claim to solve all the world's problems through our other global efforts. We do not retract from global negotiations on trade or peace or finance, just as we shouldn't withdraw from our responsibilities in dealing with the global problem of displaced people and their right to seek safe asylum.

I was at the inaugural Chancellor's Address at the University of Tasmania in Hobart last week. The Chancellor talked about the role that University of Tasmania place in offering opportunities for students of low socioeconomic backgrounds to get a leg-up through higher education. He also spoke of the role of the university in leading debate about how we as a state could best raise the educational attainment of our populace. But the key point from his address was at dysfunction—within or between institutions, communities, governments et cetera—is often due to the presence of what he called 'unspeakables'. These unspeakable is are issues that are too sensitive or too difficult, to controversial or too troubling to raise with each other. One of the roles of the university, he said, was to make sure we don't shirk from addressing these unspeakables, that we have no fear or favour. Those debates that no-one quite wants to have just have to be had. And until we do, we will remain dysfunctional on



issues, because when we don't debate the unspeakables we never get to the root cause of the problems and they are never addressed.

The global situation of displaced people and Australia's role in addressing it is an unspeakable. The Liberals want to talk of stopping the boats and nothing about responsibilities. Labor barely wants to talk about it at all. But tonight I do want to raise this issue. Let me tell you what is the unspeakable in this refugee asylum seeker debate: the national discussion and debate we are not having. What exactly is it we are afraid of by allowing more asylum seekers into Australia? Are we worried about the impact on our cost of living and economy? Are we afraid of having to share our lucky country? Is because we cannot afford more asylum seekers? Is it because we don't have the ability to culturally integrate many more thousands of people into our communities? Most importantly, we never have the debate on what is the right or optimal number of refugees Australia could or should take into the future. The government constantly taunt their opponents as bleeding hearts when this issue is raised. I have certainly had this raised myself in debate. When I am asked how many refugees asylum seekers could Australia take, I say, 'I don't know the answer to that question but I guarantee nor do you.' The reason is that we have never had this debate, this discussion, in this country, so no-one knows the answer.

The UNHCR estimates that there are over 11 million refugees under their care. Only a month ago they published figures saying there were a record 33.3 million people internally displaced at the end of 2013 due to conflict and violence

This was a rise of 4.5 million from a year earlier and, with strife in Iraq at the moment, that number is only going to rise. The major places of refuge are Pakistan, Iran, Jordan and Lebanon, while some of the major sources of refugees are Afghanistan, Syria and Iraq. Australia is not bearing their load, but the government is paying a large bill for a refugee policy, and helping far fewer people in the process. We are spending billions of dollars on naval frigates, turning around leaky boats, on orange lifeboats to leave people to their fate, and on offshore detention centres where refugees are put at risk of violence and disease.

The Churches Refugees Taskforce says it is costing Australian taxpayers \$3,744 per day for each man, woman or child held in offshore detention centres. They say the tens of billions spent on offshore detention cannot be justified when the federal government is cutting funding for health and education to the states. The Churches Refugees Taskforce is developing a Tasmanian alternative to offshore processing. Under their plan, we could process and take in more asylum seekers. It would cost less and we would save funds to use instead on health and education. The Anglican Archbishop of Tasmania, John Harrower, supports the Tasmanian alternative and is one of its key architects—as do the head of the Multicultural Council in Tasmania and the Hobart Lord Mayor. And Pastor Jeff McKinnon, from the City Baptist Church in my home town, with whom I have been lucky enough to do some work in recent weeks, is also an active supporter of pursuing this plan. I support this plan and so do the Greens. Even *The Mercury* newspaper, in Tasmania, this week supported the plan in its editorial. In fact the Tasmanian Greens, through their leader, Nick McKim, took this policy to the last election—and I hope that all political parties choose to take it to the next election. I support the Churches Refugee Taskforce in their efforts to provide leadership in this area and raise this point for debate.

Australia could do more to both help with the global problem of displaced people and provide jobs in Tasmania in the process. We could take more refugees, save money and provide investment and jobs for Tasmania. When Pontville closed, with the shift to offshore processing, we lost 250 jobs in Tasmania. A long-term strategy of making Tasmania the national asylum seeker processing centre would provide an incredible jobs boost for our state at no extra cost to the taxpayer. Pontville was known as the most humane of all the processing centres, and the refugees built strong links into the community.

I call on all parties to support the Tasmanian alternative. I call on Tasmanian state Liberal and Labor politicians, and their federal counterparts, to back it. Tasmania has proven through Pontville, through the programs getting refugees into local schools, that we have been able to take a different approach to working with asylum seekers. Tasmania is one of the most compassionate states in the country and we want to play our role in this global issue.

Australia should not shy away from its international responsibilities in global settings. We rarely do so in peacekeeping, humanitarian assistance, diplomacy and so many areas I have already outlined. But we could and should do more to give people the right to seek safe asylum in this country, and we should talk more about what is the right amount of support in terms of resettlement and assistance. I commend the Churches Refugee Taskforce for coming up with a Tasmanian alternative and stimulating this public debate, I commend them for not shying away from the so-called unspeakable debates that Australia has to have, and I am proud that Tasmania could lead the way.

### Queensland Floods: Jordan Rice

**Senator MOORE** (Queensland) (21:03): In January 2011, devastating floods moved right across my state of Queensland. In my home town of Toowoomba we saw devastation which is unsurpassed in our recent history—although Toowoomba does have a history of floods. For many of us, the face of that disaster was a young man called Jordan Rice, who, with his mum, was swept away in the midst of that horror. The reason I am talking about Jordan Rice tonight is that there has been a petition raised, with over 260,000 signatures in a very short time, to ensure that Jordan's bravery is acknowledged through the bravery awards that we have in our nation.

During that awful period in 2011, both the then Prime Minister Julia Gillard and the then Leader of the Opposition Tony Abbott talked about special bravery and the way that Jordan's sacrifice could be used to make us all better people and inspire us. I remember that Julia actually broke down in tears when she remembered the story she heard about Jordan, and Mr Abbott referred specifically to Jordan in a speech that he made in the chamber. I do not often quote Tony Abbott's speeches, but I am prepared to put on record tonight a very beautiful statement that he made at the time:

... of all the acts of heroism, there was none more emblematic of the Australian spirit than that of Jordan Rice, who I think should be to this generation what Simpson and his donkey were to earlier generations: a reminder of the height of selflessness to which individuals can rise. Obviously, it is for others to decide on an appropriate honour to confer upon this young man, but I hope that the Honours Secretariat will at least consider the possibility of a posthumous Cross of Valour for this person who rose so magnificently to a terrible crisis.

John Rice, Jordan's father, had to cope with the loss of his son and his wife; and his younger son Blake was the beneficiary of Jordan's bravery. With that speech from Mr Abbott, hopes were raised that perhaps something could occur to find an award for Jordan's bravery. John Rice has on two occasions put applications through the process to have an award given to Jordan. But on neither occasion has he been able to have the honour conferred, nor has there been any correspondence to indicate why an honour has not been provided. I think that is an issue we should talk about in terms of the whole process of awards. Not to be deterred, Mr Rice, who must be an extraordinary human being to cope with what he has been through, has taken this petition out into the community. There is so much local support in the region, and so many people have now responded and said that we should have a way to acknowledge this young man's bravery. This has been picked up by local media and by national media as well.

Jordan was an ordinary kid, a quiet boy who went to Wilsonton State School in Toowoomba. He faced the most amazing fear. He and his mum were trapped on the top of a car, with raging waters coming down the street, when two men, who themselves showed great bravery, were able to move forward and seek to help the family. This young man, Jordan, actually said to the guys who were there, 'Take my brother first.' By making that decision in that split moment, young Blake was rescued and Jordan and his mum were swept away.

Now that story is truly inspirational. I have now read about all of the honours that are available for bravery—and I have got the paper which talks about the star, the cross of valour and the bravery medal—about extraordinary bravery in the face of difficulty. There is a committee that looks at the nominations and then provides advice to the Governor-General, who has within his delegation the ability to give the award.

We hear all the time about amazing acts of valour and people receiving awards. You read the newspaper and you see what people can do in moments of horror and how they can rise above anything that we can imagine to make decisions which will help and inspire others. I know that it is very difficult and that there are guidelines for what constitutes the award recipients, but this young man—so young at 13—took an act for himself which not only saved the life of his brother, but has also, by that story, become so well known not just in Toowoomba and Queensland, but across Australia. I would think that it would be something that we could celebrate and support, amidst all the other claims for honours and decorations 'recognising acts of bravery by members of the community that unselfishly put themselves in jeopardy to protect the lives or property of others', it would be hard to find why Jordan Rice's act would not be able to be acknowledged in such a way.

The community of Toowoomba have put a memorial in the heart of the city, in a place where the floodwaters rushed through so terrifyingly in January 2011, which acknowledges that we did lose Jordan and his mum that day. Mr Rice himself acknowledges that, but he also thinks that this would be a way—through the acknowledgement of Jordan's act with the award—to commemorate forever the actions of his son, and it would provide part of a legend for all of us. We actually do create our own legends that stand before us to give us hope and inspiration, and I think, particularly for young people, the fact that a young boy was the person who was so brave, who made such a sacrifice and was able to demonstrate 'selflessly putting himself in jeopardy to protect the lives and properties of others' is important.

I believe that Jordan Rice actually does give us that inspiration. I think it is important that we see that, within that local community, so many people have said they agree that it would be an important thing to do. As Mr Rice

has said, 'My son's last words were, "Take my brother first." No-one could heal the pain of the Rice family in losing their son and their mother, but what we can do is acknowledge that act—which stood alone, I think—to give us a glint of light in the darkness, particularly as it was raised at the time in our parliament while talking about this particular award, and give hope to the family that this could be something that could occur. We, as parliamentarians, by not intruding in the process at all, could join together and say, 'We think this is something that is important.'

I think that we can acknowledge the bravery of Jordan. We can acknowledge the fact that Blake—the boy that now has his life because of the sacrifice of his brother—would be able to make the statement that he thinks his big brother was the bravest man that he has ever known. On behalf of so many people, I want to put on record that I think that Jordan Rice is a very brave boy, and I think that if there is any way that we can—as a group or individually—make contact to say that we support his being able to have one of the bravery awards just to make this national statement, then it is something that we could do together.

I would think that it is something we could move on. I have written to the Governor-General—and it is not something I have done before—to say that we believe that this is a very brave man and we think that this award would have a very worthy recipient in Jordan Rice from Toowoomba.

### **Tasmanian Wilderness World Heritage Area**

**Senator SINGH** (Tasmania) (21:13): Today in Doha, the World Heritage Committee is meeting to discuss the preservation of the world's greatest areas of natural beauty and civilisation, and its deliberations this week will include the Tasmanian Wilderness World Heritage Area. But, rather than thinking of ways that this jewel of Australia's environment—and a core part of my home state of Tasmania's global brand as a tourist destination—can be protected, the committee will be forced to consider Tony Abbott's application to delist it.

Following the efforts of his environment minister, Australia will become only the third nation after Tanzania and Oman to seek the delisting of its own territory from the World Heritage register. In response, thousands of Australians rallied against the coalition's culturally and environmentally destructive plans for Tasmania's forests. Unlike the Prime Minister, who has never visited this World Heritage area in Tasmania, many present were people who know this wilderness area intimately through recreation, through scientific work, through their historical and cultural links with the area, or through their livelihoods

They included apiarists, tourist operators and loggers. Indeed, the Forest Industries Association of Tasmania has written to the UNESCO committee opposing the Abbott government's winding back of the World Heritage listing. Wrongly, the Minister for the Environment, Greg Hunt, claimed that this World Heritage area was significantly degraded and so should be delisted. That claim has subsequently been proven false and indeed is contrary to the advice provided in a report produced by the minister's own environment department. The report, which I note the minister received prior to making his submission to the committee, showed that more than 90 percent of the area proposed for delisting is undisturbed—clearly contradicting the Abbott government's claims that it is only seeking to delist degraded parts. That would be a very, very small percentage—I think around eight per cent of the World Heritage listed forests.

Questions must be asked as to why the Abbott government kept this report secret and failed to disclose it in its application to UNESCO. While the coalition does not understand the importance of this World Heritage area, Labor certainly does, and that is why shadow ministers Tony Burke and Mark Butler went to Tasmania to visit the area and to experience for themselves the grandeur of the forests and the diversity of the flora, fauna and landscapes within the area. I will quote some of Mark Butler's observations from his visit in May this year. He spent two days in the area that the government claims is 'logged, degraded and unworthy'. He notes:

I did not see widespread degradation. On the contrary, I saw habitat for iconic rare and endangered species such as the Tasmanian Devil, the Tasmanian wedge-tailed eagle, the spotted-tailed quoll, the grey goshawk, and the myrtle-elbow orchid.

I saw pristine tracts of old growth tall eucalypt forest, rainforests, cave systems and moorlands.

I saw sites and cultural landscapes of high significance to Aboriginal Tasmanians, including Nanwoon Cave.

And I saw extensive tracts of spectacular old growth forests and rainforest, including trees over 500 years old and 80 metres tall.

Fifty-one weeks ago today, on 24 June 2013, UNESCO recognised over 170,000 hectares of Tasmanian territory amongst the world's special places in an extension of the listing established in 1982. In supporting the Gillard Labor government's nomination of this area for World Heritage status, UNESCO declared the area to be important to the common heritage of humanity and deserving of the highest protection. Yet this week the Abbott government is going to Doha in Qatar to lobby the United Nations Educational, Scientific and Cultural Organization committee to revoke that very same heritage status.

Our international reputation is at stake. Fortunately, the UNESCO committee advisers were not fooled. Last month the committee released a draft decision rejecting the Abbott government's request. It states:

The new proposal would impact negatively on the outstanding universal value of the property ...

The proposed excisions would reduce integrity of key natural attributes.

Despite this very clear rebuttal and Minister Hunt's own report, the Abbott government is still determined to push on and further humiliate Australia—indeed, embarrass Australia—on the international stage, yet again. If Mr Abbott and Mr Hunt do not understand this, then the international community and Australians do. That was demonstrated clearly last weekend in Hobart, in my home state of Tasmania, where so many people—mums and dads, families, individuals, scientists, people with knowledge, care, understanding and a sense of humanity—came out in the cool Hobart weather to show their discontent for the Abbott government's attempts to delist these forests which are currently protected under World Heritage listing.

If the Tasmanian forests are not safe then nor are the heritage-listed Great Barrier Reef, Kakadu, Uluru or, indeed, the Sydney Opera House. If it is alright for the Abbott government to choose to delist this particular World Heritage area, then where will they stop? Labor calls on the Prime Minister and the environment minister, Mr Hunt, to do the right thing for the world's future generations. The government has only three days left. The UNESCO meetings are already taking place in Doha, but there is still time. By withdrawing its application the government can not only save face for itself but also save our precious Tasmanian wilderness for all of Australia. I urge the Abbott government to do so.

### Budget

**Senator DASTYARI** (New South Wales) (21:21): I rise to pose a conundrum that has been troubling me for some time, and it is this: What is it with the cigar-chomping Liberal ideologues from Sydney's North Shore and their desire to ruin life for everyone in New South Wales and, indeed, the rest of the country? The North Shore of Sydney has produced a string of politicians who think that public office is merely a fast track into private boardrooms and that the country's woes are best solved by lighting up another stogie and slugging it to pensioners, students, the unemployed, the sick and, worst of all, Peppa Pig.

Look at these North Shore Tories. Even while one of their own is talking about the end of the age of entitlement, another North Shore Liberal thinks he is entitled to sell off whatever public assets he can get his hands on. Of course, I am talking about Mike Baird, a modern day aristocrat, running the state as if he were a member of the court of Louis XVI. You can just imagine him growing up, sitting around the fireplace and listening to the wise old men who think they run the world chatting about how to manage the little people. It is reflected in everything he does. The voters want decent transport; his solution is to take something from them so they do not get too uppity. I will give you this: it is a Genghis Khan level of gall to sell off the electricity network in New South Wales and claim it has got anything to do with public transport.

Joe Hockey talks about the end of the age of entitlement but the kind of entitlement that the North Shore Liberals know is that once they have reached high office, they feel entitled to sell off whatever public assets they can get their hands on. Why? Because a few of their mates feel entitled to make a buck out of the assets that belong to the rest of us. That is where the problem with entitlement in this country really lies.

Friends, the electricity network is simply the latest asset that they want to pilfer from the public. It is wrong and it should not be allowed to happen. What is it about them that makes them so intent on acting with such greed whenever they reach high office? It is a question that has been troubling me and it is a question that has been troubling Graeme Kelly, the general-secretary of the United Services Union—the union I am proudly a member of. It is a union whose members are facing a very uncertain future as the New South Wales government shops electricity grid to bankers and investors just so they can make a buck out of the rest of us. To answer these questions, I want to look at the big lie at the heart of this plan—that is, the lie that selling the power grid will actually lower prices. It is a fraud; it is a furphy. That is the one line, I am sure, that everyone in Mike Baird's office inner guard chuckles about around the fire as they sit around refining their message, drinking their 1959 Grange.

Privatising electricity infrastructure will result in profits for the new shareholders, the bankers and the investors who are already rubbing their hands together in anticipation and gleefully backing the Premier. If the New South Wales Liberals sell the electricity grid then consumers will end up rubbing their hands too—but, unlike the bankers, they will be rubbing them to keep warm. Every time in history that an electricity grid has been sold, it has resulted in higher prices. Frankly, this makes sense. Why would the neighbours of Mike Baird, of Joe Hockey, of Tony Abbott and of Barry O'Farrell—the same people who bump into each other at Millennium Forum fundraisers or the Avondale golf course in Pymble or in the boardrooms of Milson's Point—be so desperate to get their hands on our poles and wires if they were not going to make an extra buck out of it? Does anyone really

believe that what they are saying is 'Look here, we will take that profitable asset off your hands but there is nothing in it for us.'

A significant number of households in New South Wales already struggle with their electricity costs. Almost 25,000 families were disconnected in the last financial year from power. Pensioners, students, battlers are people who do not tend to live in the leafy North Shore cul de sacs. They are not the types of people that go to the big fundraisers; they are not the people who engage day-to-day in conservative politics. But it is not just the consumers who will suffer if the grid is sold; jobs will go too.

Many sparkies began their working lives in apprenticeships with our state owned utilities. Trade unions including the United Services Union and the Electrical Trades Union and in particular Unions New South Wales can be rightly proud of the service they have provided to these young Australians, who, in turn, have provided a service to the people of Australia. These are the men and women who drive alongside our poles and wires checking for wear and tear, clearing away the trees, replacing the transformers. These maintenance jobs may not be as glamorous as a working lunch at Rockpool quaffing vintage shiraz, especially when a southerly storm is blowing, but these are the jobs that keep our houses warm, our streets well lit and our businesses operating.

If the experience of our neighbours is anything to go by, we already know what happens to the public grid maintained by these trained professional linesmen and engineers when it is sold for private profit. Maintenance jobs will be amongst the first to go. Our friends in New Zealand, in Victoria and in South Australia have been through it. They are paying even more every time they turn on a switch. But as their networks have deteriorated they have also suffered the indignity of blackouts. The experience of privatisation in Victoria is especially concerning. Power blackouts increased there by 32 per cent.

We live in a wealthy first world nation. I have got two young daughters and I will never support any measure that could see the power cut off to our own home. But we know from experience it is not as likely that my home in central Sydney will be affected and certainly not those harbour-side mansions that light up the North Shore. No, the people who will be most unlucky with blackouts will be the residents of rural and regional New South Wales and those in emerging and growing communities.

I have to give credit to the Nationals in New South Wales, who recognise the impact of privatisation will have on the people who live beyond Sydney's North Shore. Indeed, they have stood up to block the sale of Essential Energy. But what about the rest of us? The Nationals know it is no good; the voters of Sydney know it is no good; the only people who think that this is a good idea are the handful of people who will take ownership.

I call on the member for Manly, the Premier of New South Wales, and his Liberal Party colleagues to take this proposal off the table, to abandon it altogether and to acknowledge the very real concerns of the people of New South Wales, the very real impact it will have on people on low incomes and the destructive impact that privatisation has had on our neighbours. I call on the Premier to stop calling a scare campaign when people rightly outline the concerns that they have with this proposal. I am proud to stand shoulder to shoulder with those who have stood up and fought against this proposal. Frankly, it is lazy, it is predictable and it is wrong to call it anything other than the truth that is being campaigned for. I call on the Premier to stop spreading nonsense that privatisation will lower electricity prices, because, frankly, that is nothing more than a lie.

### Shipbuilding

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (21:30): Yesterday during Senate question time I was horrified to hear the Abbott government's Minister for Defence, Senator Johnston, say in response to a question about the replacement of Australia's naval supply ships:

Construction of these vessels is simply beyond Australian industry.

It was a damning and horrifying thing to hear from the Minister for Defence, and I beg to differ with him on that count. South Australia has a long history of shipbuilding. Many people would not realise that Kangaroo Island was an early hub for shipbuilding, with American whalers building the 30-ton *Independence* on that island in 1803. Subsequently, Encounter Bay, Goolwa, Port Augusta, Whyalla and even Renmark on the River Murray were all important sites throughout the 1800s as hubs to repair and build ships before the Port Adelaide area became the shipbuilding centre of my state of South Australia, and it still is. Since those early beginnings, Port Adelaide in particular has maintained a long history of shipbuilding and shipbuilders. It is an area that has seen many generations supported by the industry, and still today Port Adelaide remains proud of its shipbuilding roots.

Osborne, near Port Adelaide, has been the home of the Australian Submarine Corporation since 1987. ASC first gained its reputation designing and manufacturing the Collins class submarines for the Royal Australian Navy in what was the largest ever Defence contract signed in Australia. At the completion of the Collins class submarine program in 2005, the ASC became the home of the Aegis based Australian air warfare destroyers—the AWDs—employing more than 1,500 workers on that important project. Today, ASC should be the home to the Future

Submarine project, building new and more powerful submarines to provide Australia with even greater Defence capability, but, unfortunately, I stand here this evening with no certainty that that will be the case.

Despite the historical ties that the Port Adelaide area shares with shipbuilding, the local area, the industry, the subsidiaries of the industry, and the Defence program could also be victims of the massive axe that the Abbott coalition government is swinging right across Australia. The Prime Minister has already destroyed car manufacturing in South Australia, and now the action and inaction of his government and the actions of his cabinet ministers is placing South Australia's shipbuilding industry at risk too. In the last nine months, the Abbott government has demonstrated time and time again that they cannot be trusted. They have reneged on their commitments and blatantly lied to all Australians. Defence Minister Johnston has recently played a role in the Abbott government's charades, when he went back on his word to the Australian people. Prior to last year's election, on 8 May 2013, he swore to deliver the Future Submarine project to ASC in Adelaide. In fact, the exact words that came out of his mouth at the joint press conference with the South Australian opposition leader, Steven Marshall, that day were:

The Coalition today is committed to building 12 new submarines here in Adelaide ...

He made a promise to all Australians—and even more so to all South Australians—that the future of the shipbuilding industry would be preserved in South Australia. He promised that the ASC would build the vessels required by the ADF. In fact, he raved about the ASC's capability and capacity, claiming that it housed the expertise and facilities necessary to complete the tasks. It makes his answer to the questions yesterday in Senate question time all the more galling where he called into question the productivity and the capability of the workers at the ASC and in the shipbuilding industry in South Australia. In April this year, Senator Johnston, in a massive about-turn and a breach of trust to the Australian people, said he would no longer commit to the ASC project. In fact, he would barely commit to anything. While building in Adelaide was 'desirable' he said, there was 'no blank cheque', and he would not offer any assurance whatsoever to ASC or the industry that those subs would be built in South Australia.

Today, due to the minister's indecisiveness, the 1,500 workers out at ASC are now in limbo. Unfortunately, the rest of Australia's shipbuilding industry could be in the same situation. I call on the minister to make up his mind about what he is doing with his portfolio, and instead of claiming to be speechless with anger, he needs to open his mouth to give peace of mind to the 1,500 South Australian workers and also the rest of the industry nationwide about their future. As if his indecision on the future of projects was not bad enough, last week we learnt that two new supply ships for the Royal Australian Navy will not be built in South Australia or, indeed, Australia. Never mind our home-grown skills and capabilities and our long history of excellence in shipbuilding and the expertise that we have available in South Australia and in other places in Australia, the minister has decided to abandon Australian industry and have those ships built in either Spain or South Korea. To add insult to injury, the minister will not even give our own workers and our own companies a chance to tender for those projects. It does not exactly fill you with confidence about the future, does it? Currently, it seems this government is intent on sending our jobs and our industries—particularly our manufacturing industry—offshore. So much has already gone in nine short months, who knows what will be left.

The government's abandonment of the shipping industry echoes the abandonment of the automotive industry, again stripping Australia of the vital, high-skill manufacturing industry jobs that we need and severely impacting and hurting South Australian jobs and futures in particular. After all this time as a shipbuilding country where we have proven over the last 150 years that we have the capacity, the skills, the innovation and the integrity to build these ships here at home, the Abbott government has overlooked Australian workers in favour of international labour.

The Australian Labor Party has always supported Australian jobs and particularly the shipbuilding industry. We had a plan to bring forward a hybrid build for the construction of those same naval supply ships so that they would have included an Australian component. We also proposed bringing forward the construction of new patrol boats and investigating the possibility of bringing forward the Future Frigates program in order to address the so-called valley of death—the lack of projects in the shipbuilding industry in Australia.

Instead, the Liberal government has made the dreadful decision to send the construction of ships and, with it, hundreds of Australian jobs overseas. By so doing, it is putting the whole of the future of the Australian shipbuilding industry at risk. Not only will local shipbuilders lose their jobs; the skills, the training and the innovation that are ever so vital to the industry will also be lost forever. The industry will be handicapped in its ability to bid for any future projects that might come its way. Without the workers, we will lack the skills; without the skills, we will not get the projects. It could not be clearer that sending shipbuilding jobs offshore at this critical time for the future of the Australian manufacturing industry could ultimately lead to the complete demise of an industry of which we in South Australia—and the rest of Australia, I am sure—are so proud. It is predicted that

some 4,000 highly skilled jobs could be lost if this government is successful in stripping Australia of the shipbuilding industry entirely.

In the few minutes left to me, I ask: where are the South Australian Liberal senators in this place? Where are they? They are not standing up for shipbuilding in South Australia. Before the election, they all stood behind now Minister Johnston saying that, yes, they would support shipbuilding and defence industries in South Australia. After the election, they are running a million miles away from shipbuilding and the manufacturing industry in my state, and I think their actions are shameful. I call upon them to stand with the rest of the South Australian senators, with the Labor senators on this side of the chamber, to support an industry which South Australia is proud of, which has a long history in South Australia and which, most importantly, is integral to the future economy of South Australia and the retention of highly skilled, good jobs in South Australia.

### headspace

**Senator KROGER** (Victoria—Chief Government Whip) (21:40): I welcome the opportunity to rise tonight to talk about a program that I have had the good fortune to have something to do with. It is a program that was first commenced by the former Howard government some years ago. It is a program that I am delighted to say that the former Labor governments continued to support and maintain, and it is one that the Abbott government has increased funding towards so that it can provide a bigger and better service. It is the program for our youth called headspace. This is a program that is designed to assist young people aged between 12 and 25 in the mental health space.

I had the very good fortune about 3½ weeks ago—

*Senator Fierravanti-Wells interjecting—*

**Senator KROGER:** probably closer to four weeks ago now, Senator Fierravanti-Wells, to represent the Minister for Health, Peter Dutton, and formally open the headspace centre in Werribee, which is an area which certainly has some challenges in many ways. It is outside the city centre of Melbourne. This centre has captured a need for such services and is providing services and supporting young people in the area in a remarkable way. The centre itself was actually informally or loosely 'opened' a couple of months before the formal opening of a month ago. Within a day of that centre being opened, 150 people had registered their interest and made appointments to meet with counsellors there.

I will just describe the sort of service that these headspace centres provide. For any young person, as I said, between the ages of 12 and 25 who needs advice, support or some guidance and is not sure or does not feel comfortable about being able to talk to a family member or even a close friend, it is an independent centre that provides really outstanding professional counselling services, including medical services, for young people. They may well be people who—

**Senator Singh:** You're sure you're not cutting these in the budget—a Labor initiative?

**Senator KROGER:** I will take the interjection. It actually was initiated under the Howard government. It was first launched under the Howard government when Tony Abbott, the now Prime Minister, was the Minister for Health and Ageing. I am sure you will be pleased to look into that, because it was actually launched when the now Prime Minister was health minister.

But I will go back to where I was. These services are providing a great service for young people, particularly in disadvantaged areas and particularly in areas where there may be an incidence of drug use or where families may have young carers who are caring for their parents and trying to manage that at the same time as going to school and who feel that they have no-one to speak to. The service is really outstanding.

I have to say that, when I was asked to formally launch the centre, it was one of those times when I was really quite dumbstruck for words. There was this wonderful young woman—she would have only been in her early 20s—who was a counsellor at the Werribee centre. She was the MC for the day and she introduced me. And in introducing me she told her life story to date. It was a life story that was fraught with challenges, where she was a carer. She had no-one to seek help from and she had all sorts of very difficult personal circumstances that she had to deal with. But somehow she had the fortitude to rise through that, be educated, get through her own personal circumstances and train as a counsellor. She is now one of those professional counsellors offering a service at the centre.

After she introduced me, having given her life story, I just sat back and said, 'What more can I say?' I felt like saying, 'I formally open the centre,' because what she said demonstrated the strength of and the need for the services and what they will do. It is young people like her who can build the confidence of the young people in the area who are seeking advice. They can relate, they know the stories, they understand what they are going through and they can walk them through it, whatever the particular circumstances are.

One of the other people who spoke at the opening was the very highly respected—and for good reason—Professor Patrick McGorry. He, as many people will know, is the executive director of Orygen Youth Health, which is Australia's largest youth mental health organisation. It comprises a world-renowned research centre. As I said in my remarks on the day, I think Professor McGorry is a leader in the field of mental health, particularly the area of youth mental health. He is a regular visitor in speaking to many parliamentarians up here in Canberra. He is a great driver of continued investment in reform in this area. He has certainly been a strong advocate in the programs that have been rolled out, well and truly, over the last decade. He is a really eminent and commendable person.

The headspace centre in Werribee is one of 100 headspace centres that the government is committed to establishing across Australia. It is one of 15 that has been rolled out this year, which will take the total number of headspace centres to 100. On average, each headspace site receives approximately \$842,000 per annum. I would suggest that that is a significant investment by anyone's standards. Seeing the wonderful people go through that centre and how they come through at the other end is the best investment that any government could provide in helping and guiding our youth. So if you have the opportunity, Mr Acting Deputy President Smith—I am not sure where the headspace centres are located in WA—can I commend that you visit one of them because they really are very impressive. The people who work in them are absolute heroes in their own right. It is a terrific program. I commend this centre to the chamber and suggest members look at it, if they have not been to such a centre.

Professor Patrick McGorry is actually visiting here tomorrow. He is addressing the Parliamentarians against Child Abuse and Neglect, a friendship group across parties that both Senator Katrina Bilyk, from the opposition, and I convened. It is a great group. It has been established to highlight and make us up here more aware of the challenges that so many young people are facing. If you are not doing anything tomorrow at 11.30, come and join us and you will get to hear directly from Professor Patrick McGorry.

### Queensland Sugar

**Senator O'SULLIVAN** (Queensland) (21:50): I rise tonight to speak on a matter of quite significant importance relating to the sugar industry, predominantly in my state of Queensland. I do so in support of federal colleagues, the members for Hinkler, Capricornia and Dawson, and 4,000-odd sugar grower producers in their electorates spread out along the eastern seaboard of Queensland east of the Great Divide, stretching from Bundaberg in the south through to Cairns in the north.

For over 100 years—102 years in fact—there has been the equivalent of a single desk for the marketing of the commodity of sugar in this country. Given the bulk of that industry is in Queensland, I can say that there are no generations of sugar growers in my home state who have not practised the marketing of their commodities, the economic interests they have in their commodities, through a single desk. That single desk is operated through a corporation known as Queensland Sugar Limited. Queensland Sugar Limited is a not-for-profit tax-free company owned by the millers and grower producers in the sugar industry. There are seven milling companies and their canegrower suppliers in Queensland who have an interest in QSL and it supports the 4,000 sugar growing businesses that I mentioned earlier.

Within the scope of being the single marketing desk, QSL provides those growers and millers four key value offerings in the form of finance, pricing, marketing and logistics—the logistics involved with the efficient export of that commodity all around the world. The net sale proceeds and profits that are created by QSL when available are returned back to those growers and millers through the pricing pools through which they market their sugar and have done so—might I say again, to reinforce my earlier statement—for over 100 years.

Apart from those other services, QSL provides the industry with the option to conduct forward pricing through QSL's books and offers a range of pooling options where pricing decisions are made on behalf of millers and growers within agreed risk parameters. This in turn provides both growers and millers with choices that allow them to take low risk, medium risk or high risk or any other hybrid pool for them to place their commodity for sale on the world market. It is a very efficient method; it is a very fair method; it is a cooperative method; and it is a method, might I say once again—and I will repeat myself a number of times during the course of this speech—that has lasted over 100 years.

There is a thing called the economic interest of the grower. In effect, a canegrower, when they harvest their commodity, takes their cane to a mill for processing. Very few growers have a choice of mills. The natural geographic structure of the industry is such that growers have to take their commodity to a mill. It is a commodity that spoils very quickly after harvest and the harvest has a very short concentration period. In some 11½ to 12 weeks all growers within their season have to have their cane off and delivered to the mill. Those who have been through canegrowing areas would know that the commodity is transported in small light-rail networks to their local mill. It is not as if they get a choice—as we might see in grain, where they can store their commodity and



wait for market conditions to change where they might get better price conditions—or have the ability to transport it by road or rail to take to, in this case, a choice of other millers. So there is a very special longstanding and unique relationship between a grower and their mill.

Historically, these mills were owned cooperatively by the growers themselves. However, for various reasons—and time does not allow me to go through these tonight—that tended to go out of trend in the eighties and the nineties. In fact, it could be argued that, during that time, there was insufficient investment in this sector by growers and millers in their own interest and it made the sector very vulnerable to investment. It in fact attracted a considerable amount of foreign investment. Those foreign investors need to be complimented. They came into our state, into our country, and invested large sums of money. There is an argument that, without them, the industry would have lagged behind best practices across the world, and there is no doubt that that would have ultimately had a negative impact on the industry and the marketing of this commodity.

But at the very heart of what I am speaking about tonight on behalf of these growers is the fact that there is a radical change at hand. In 2010 a company called Wilmar International invested about \$1.75 billion in the cane industry in Queensland and, in doing so, they acquired significant control over about two-thirds of the commodity that is produced. Initially, at the time that this transaction occurred, Wilmar were familiar with the terms and conditions associated with the marketing of sugar in this country and in fact indicated to the Foreign Investment Review Board that they did not anticipate disturbing any of the significant arrangements that were in place with sugar in our state.

I do not want to make any comments that draw any inference that Wilmar are anything but a respected international corporation, to whom our industry, I think, is somewhat indebted given the timing and the extent of their investment in our country, particularly in this sector. They are a very significant company, headquartered in Singapore. They rank amongst the largest listed companies by market capitalisation in Singapore. They have operations in more than 20 nations, employ more than 80,000 staff and have some 300 processing plants around the world—not just in sugar but also in palm oil cultivation, edible oils refining, oilseed crushing, consumer pack edible oils processing, speciality fats and biodiesel manufacturing. In fact, they have made a considerable investment in ethanol processing in Sarina in Queensland—and for that they deserve our thanks and our support. However, Wilmar have decided to step away from the 100-year convention of marketing sugar in our state to go to their own direct marketing arrangements. This will truly have a significant negative impact on QSL, Queensland Sugar Limited. There are those who have expressed the opinion—and I am not equipped to determine whether the statements are accurate or not—that it will eventually mean that QSL will no longer be able to operate. Wilmar have a relationship with 1,500 of the 4,000 growers in the state, and their decision will impact directly on those growers, in the first instance, but it will then have an impact collaterally on the balance of the growers in the state.

It is at this point that the most significant note needs to be taken with respect to the core of the issue. For 102 years—I repeat, 102 years—these growers have had an economic interest in their sugar, and it has been on a two-thirds, one-third basis. What happens is that the grower takes their sugar to the mill, and it is recognised that two-thirds of that sugar, processed, belongs to them and one-third of the sugar belongs to the miller. These things have been enshrined in contractual arrangements—in cane supply agreements, which are the contracts between the growers and their mills, and in the millers' raw sugar supply agreements; that is, the agreements between the millers and QSL.

Not only has this economic interest been recognised in these various contractual arrangements but, in 2010, Queensland Sugar Limited faced penalties of \$110 million when it was unable to fill forward contracts that it had sold internationally. In line with the convention of economic interest, QSL—properly, in my view—put the burden of the \$110 million penalties for failure to supply, which was a result of inclement weather conditions in my state that did not allow for the harvest to be completed, back onto the millers and onto the grower producers, the many thousands of small family-owned farms. The grower producers did not blink. They took up their share of the burden—about \$66 million, I am instructed—and paid that through so that QSL could offset the penalties that it had incurred by its failure to be able to deliver on behalf of these growers and millers in the international marketplace.

So, again, just for the purposes of refreshing memory mid-speech: we have an economic interest by the grower producers; it is enshrined in their contract with their mill; it is enshrined in the contract between the mill and the marketer—in this case, QSL—and it was truly tested when the growers had to share the burden of the penalties that were incurred for the failure of supply in 2010.

For almost a year, Wilmar endeavoured to negotiate with QSL to make arrangements that allow them to do direct marketing with the growers' interests. During that time, the matter of grower economic interest was discussed. It was on the agenda, and the parties were endeavouring to try and make a determination that would

enshrine that interest in future arrangements, particularly contractual arrangements. Eventually, Wilmar took the decision to withdraw from QSL. Wilmar decided that it would take not only its economic interest in the sugar that it processed but that of the growers. There are those who are satisfied now that Wilmar is breaching all of those covenants and contractual arrangements that have existed for over 100 years.

Wilmar now refuse to even recognise the economic interest of the growers. In comments they have made, they said that this was a major decision on their part and they knew it would create community angst. They talked about the deregulated marketing system for sugar and said that they were exercising their own rights. But, in the course of this, they have declared the growers have no economic interest in their sugar. They have stated that the sugar, when delivered to their mill, belongs to Wilmar and that they will not recognise these conventions, these contractual arrangements, that have been in place now for so long.

Tonight's speech, as much as it is about supporting my colleagues in those sugar seats, and as much as it is about supporting those grower producers—those thousands and thousands of proud small family farm operations right up and down the eastern coast of my state—is also about giving a message to Wilmar. I believe Wilmar is a responsible, very respected corporate citizen, both in our state and, it would appear, internationally, on the matters that are before me. I am certain that we will be able, between us all, to sit down, break bread and resolve this issue.

But the message for Wilmar is very clear: there is an extremely deep political resolve, amongst federal members of the Liberal National Party who represent sugar seats and agricultural seats in my home state of Queensland, amongst at least seven members of the state parliament who also have sugar seats up and down the east coast, within QSL itself and within the peak bodies that represent these growers, and there are quite a number of them in my state—and it is consistent with statements of my state agriculture minister and encouraging statements from both the federal Minister for Agriculture and the Deputy Prime Minister, who has weighed in, in a very light way, at a very early stage—to tell Wilmar that we will continue to battle for these constituent farmers, to enshrine, in whatever form is necessary, the guarantee and security that their economic interest in the product that they produce and that, in some cases, their families have produced for generations upon generations, will remain with them. If that requires us eventually to consider forms of regulation or legislation, then that case will be taken up at a later time. In the meantime—and I know that Wilmar are watching tonight—Wilmar needs to take home the message that it will not matter how long it takes, we will continue to support these farmers and their families to ensure that their ownership rights and their economic interests in their cane remain with them in much the same way as they have for over 100 years.

### Broadband

**Senator CONROY** (Victoria—Deputy Leader of the Opposition in the Senate) (22:08): At the release of the coalition broadband policy in April 2013, when asked about the independent review and cost-benefit analysis he was planning for the NBN, Prime Minister Abbott said:

Look, it will be a fully independent review. It may be the Productivity Commission although we're conscious of the fact that the Productivity Commission has a very heavy workload. It may be Infrastructure Australia. But one way or another there will be a full independent review of telecommunications going forward, of broadband going forward and that will obviously include a cost-benefit analysis.

Sadly, this has proven to be just another coalition broken promise. The question is: why did they break this promise? It is quite clear that Infrastructure Australia and the Productivity Commission would have been too independent for Mr Turnbull's liking—so independent, in fact, that they would have likely come to the same conclusion that the last NBN expert panel arrived at, that fibre to the node is not a cost-effective upgrade path to fibre to the premise.

The minister knows a bit about evaluating risk and the risk of receiving actually independent advice was clearly too great. What Mr Turnbull needed was someone who would put objectivity to one side and come up with the result that the government and Mr Turnbull wanted. Who could that be? Who could fit this bill for Mr Turnbull? It was none other than Liberal stooge and part-time *Australian* columnist Henry Ergas. This is the same Henry Ergas whose credibility was shredded by the Australian Competition Tribunal in a judgment made in 2004. This is what the tribunal—whose president at the time was the eminent Justice Alan Goldberg, AO, QC—had to say about Mr Ergas:

Mr Ergas ... appeared reluctant to respond to questions whose answers might have been adverse to the case put by the party calling him ... Such an attitude and conduct of an expert witness leads to a conclusion of partiality and an inability to express an objective expert opinion upon which reliance can be placed.

This is the Australian Competition Tribunal saying quite clearly that Mr Ergas has an inability to express an opinion that you can rely on. Not my words; the words of the Australian Competition Tribunal, with the eminent

Justice Goldberg as president. If this were an audition for future Liberal Party work, Mr Ergas would pass with flying colours.

Mr Ergas is the person Mr Turnbull has turned to for years to do his dirty work. In 2008, Mr Ergas was hired by Mr Turnbull to do a root-and-branch review of Australia's tax system. It was a review so impressive and of such quality that it has never been released publicly. When Mr Ergas is not writing reviews that are kept in the bottom of a drawer he is writing dodgy NBN analyses. In 2009, in a now notorious paper on the NBN, Mr Ergas predicted that NBN prices would be \$133 a month for metropolitan customers and \$380 a month for non-metro customers.

Madam Acting Deputy President Stephens, I have some inside knowledge. I know you are connected to the National Broadband Network at your home. Can I ask you: are you paying \$380 a month for your service?

**The ACTING DEPUTY PRESIDENT:** No.

**Senator CONROY:** No, you are not, thank you. This averages out to around \$170 a month nationally. Compare that to actual prices on the NBN today, which start at \$29.95, and you get a picture of how inaccurate Mr Ergas' forecasting skills really are—\$175 a month versus \$29.95. But no, let's hire him. I have not even mentioned that Mr Ergas moonlighted as a Liberal Party booth captain on election day for Senator Seselja. If do not care about accuracy or fairness, Henry Ergas is your man. He is your go-to guy. This is the man that Mr Malcolm Turnbull has appointed to his independent expert panel.

Australian taxpayers are forking out \$1,400 a day over six months so that Mr Ergas can provide Mr Turnbull with the answer that he wants. That is \$263,000 of taxpayers' money to Mr Henry Ergas since the panel was announced. But most galling is that this money is going to a person who once sat before a Senate committee and said that a cost-benefit analysis of the NBN could be done in three days. That is an effective daily rate for Mr Henry Ergas of around \$87,500 a day. What an absolute sham. This is extraordinary largesse that is being doled out, to a booth-captain for the Liberal Party and, from a very obvious cursory examination, another mate of Mr Turnbull's, from the taxpayers' purse.

You might think that that was enough for Mr Ergas and Mr Turnbull. But no. Mr Ergas is not the only member of the CBA panel. What about the others? Let us look at who is doing the work. In those immortal words from *The Blues Brothers*, Mr Turnbull is putting the band back together.

There is, of course, Dr Alex Robson of Griffith University. Dr Robson was a senior economic adviser to Mr Turnbull from January 2008 to January 2009. And—surprise, surprise—he is also a protege of Mr Ergas. Dr Robson was co-author with Mr Ergas of that ill-fated paper I mentioned that wrongly forecast that you would be paying \$380 a month, Madam Acting Deputy President, and averaging \$170 a month. He is the co-author of a document so wildly wrong that it is humiliating. Dr Robson, it might come as a surprise to you to hear, Madam Acting Deputy President, also worked at Mr Ergas's firm, Concept Economics, which is on the public record as having gone belly up in 2009—in fact, Mr Ergas was structurally separated from his company. But the Australian taxpayer is handing \$44,000 to Griffith University for Dr Robson's work.

Dr Robson is not, unfortunately, the only alumnus of Mr Ergas's firm hired by Mr Turnbull to put together his cost-benefit-analysis stitch-up. Believe it or not, there is more. Cost modelling is being done by Ms Emma Lanigan who has worked for Mr Ergas for many years, first at Ergas & Associates, then at Network Economics Consulting Group and finally, of course, at the failed company Concept Economics.

Ms Alexis Hardin is helping with cost modelling. Guess what? She worked at Mr Ergas's firm for three years between 2006 and 2009 and was chosen for her current role by—come on; you can guess—Mr Ergas. What a shock!

But Mr Turnbull is ever cautious, because that independence can rear its ugly head at any moment. That is why people in support roles must be carefully selected.

A standout is Mr Kevin Morgan; he is such a selection. He is being paid up to \$57,000 by the taxpayer to work on the CBA. Mr Morgan is one of Australia's most vociferous critics of the NBN. He is a key member of the Turnbull cheer squad, and perhaps the only person left in Australia who still believes that Telstra should not be structurally separated.

But it does not stop there. I know you will find this hard to believe, Madam Acting Deputy President, because Mr David Kennedy and Mr Nigel Pugh from Ovum Consulting have also been hired, and guess what? Nigel Pugh once worked for—Mr Henry Ergas at Concept Economics, that failed company that Mr Ergas used to own. And what of Mr David Kennedy, you might ask? He was once the chief of staff to former Liberal communications minister Richard Alston. And up to \$75,000 of taxpayers' money is being paid for this pair.

But there is still one more base that we have to cover off. It is the peer review. There is no point, really, in going to the trouble and expense of selecting personnel to write the report you want when it could all be undone

by a peer review. So Mr Turnbull has handed out \$60,000 in taxpayers' money to ensure that the CBA's peer review also comes to the correct conclusion. How do we know this?

One of the peer reviewers is Professor Pincus. He once claimed in the pages of *The Australian*:

... the NBN is going ahead despite the remarkable premium consumers place on mobility, the huge take-up of wireless technology and the saturation and even decline in fixed network connections.

Unfortunately for Professor Pincus, ABS data on download trends shows precisely the opposite effect. The fact is that the percentage of data downloaded on fixed lines is increasing. It has gone from 93 per cent of the total in December 2011 to 95 per cent in December 2012 and to 96 per cent in December 2013. Last time I checked in basic maths, 93 per cent going up to 96 per cent is an increase. Mr Pincus may be short on facts about the fixed telecommunications sector but he does not let the facts get in the way of criticising the NBN. That is what makes him another perfect recruit for Mr Turnbull.

You might think it ends there, but another of the peer reviewers, Clifford Winston from the Brookings Institute, is also well known to Mr Henry Ergas. They taught a class together at the Smart Infrastructure Facility in Sydney in 2011.

*Senator Fierravanti-Wells interjecting—*

**Senator CONROY:** You love this speech, Senator Fierravanti-Wells. You can sit there smiling quietly. Everywhere you look you can see Mr Turnbull's cronies, past associates and fellow travellers telling the minister exactly what he wants to hear. This is hardly a surprise. From the moment that Labor's NBN was announced, the coalition's only policy has been to attack the NBN. In opposition, Mr Turnbull attacked the need for public investment, the need for an infrastructure monopoly, the presumed need for a cost-benefit analysis, the purchase of the satellites, the management of NBN Co, the board of NBN Co, and NBN Co's performance against its targets. In short, Mr Turnbull has attacked the entire basis of the NBN, an attack that he has continued in government.

Mr Turnbull has launched an unprecedented six reviews into the NBN. This is at a cost to the taxpayer of over \$10 million. While the CBA is littered with yes-men and yes-women, many of the other five reviews are also headed or being written by Mr Turnbull's mates. They are all designed to attack the NBN and its implementation by the former government. The Strategic Review, which has been spoken of extensively in the Senate, written by Mr Turnbull's yachting buddy JB Rousselot—he owned a yacht with Mr Rousselot for 15 years, worked with him before he came into parliament—was designed to attack the costs, technology mix and deployment timeframe in the fixed line footprint. The Fixed Wireless and Satellite Review was designed to attack the costs, technology mix and deployment timeframe in the fixed wireless and satellite footprint. Never mind that he had all that extra satellite capacity up there in the sky, he guaranteed that there was, and what was he able to pull together? A measly extra amount which we had already told him was there. The Broadband Availability and Quality Review was designed to attack the deployment schedule of the NBN. The Governance Review was designed to attack the previous board and management of NBN Co. The Independent Audit is designed to attack the policy deliberations and decisions of the previous government.

It may come as a surprise to you, Madam Acting Deputy President, that the Audit's secretariat is headed by another person likely to be well-known to the communications minister. This person is the former Department of Environment public servant who worked on water policy at the department when Mr Turnbull was the environment minister. You will love this one, Senator Bernardi: this gentleman is very familiar with how Mr Turnbull operates. Can you remember the \$10 billion Murray-Darling scheme, Senator Bernardi? It was developed by Mr Turnbull, announced by Prime Minister Howard, and not once did it go to cabinet. The Department of Finance said they saw one page of costings only—one page for \$10 billion of water policy. Top-notch public policy there.

And of course there is the cost-benefit analysis, which is designed to attack Labor's NBN policy decision more broadly. As I have outlined, the CBA is being written by long-time associates of the minister and people well-known to be hypercritical of Labor's NBN. The other problem with the CBA is that it is clear that it is being put together to provide a post hoc justification for Mr Turnbull's second-rate network. I say post hoc because Mr Turnbull has already given NBN Co its marching orders to roll out this second-rate network without bothering to wait for the outcome of his hand-picked, paid for review. That's right—\$1 million and Mr Turnbull has already told the company what they have got to roll out and when they have got to roll it out by. This is a farce.

### **Coal Industry**

**Senator RHIANNON** (New South Wales) (22:28): There is something strange happening in New South Wales. Every day we are hearing stories about the decline in the coal industry. We are hearing about job losses, the falling price of coal, the need for mining companies to implement efficiency measures. Just today the

*Australian Financial Review* ran an article headed 'Black days for coal'. At the same time the industry is aggressively pushing mines into communities that clearly do not want them. Any sensible analysis would note a contradiction here. If the profits are falling and jobs are declining, surely increasing the supply of coal is only going to make it worse. So what is going on in New South Wales? Clearly there is a lack of planning from both coal industry itself and the state government.

Worldwide the coal industry is facing decline. The price of coal is now hovering around US\$72 a tonne. In mid-2011 it was US\$125. The reason for this is simple supply and demand—the supply is increasing, while the demand is falling. China, one of our more recent growth export areas, is capping its coal consumption. US President Barack Obama has just announced measures to reduce emissions from power plants by 30 per cent by 2030. The claim that China and the US were not acting on climate change was always a spurious one, and recent developments are showing that this can no longer be argued with any legitimacy.

Prime Minister Tony Abbott, on his recent US visit, fronted up to the coal executives in the US and told them that Australia's priority is 'cheap' energy. He practically begged them to invest here. This is a very irresponsible approach. It is irresponsible for the climate, and it irresponsible for the workers losing their jobs in the coal industry. It is this relentlessly blind push for coal that has got us into this mess in the first place.

We know this only too well in New South Wales, where our two mining regions are suffering because of the coal glut. The ABC reports that, Australia wide, there have been 10,000 jobs lost in the coal industry in the past two years—yes, 10,000 jobs in the past two years. People like me, who speak up on this issue, are regularly abused for destroying jobs, but it is due to the failure of government and the failure of industry. In just the last month, we have seen 700 jobs across the Illawarra and the Hunter region go. In May, 500 jobs were lost at the Integra mines, in Singleton, in the Hunter. Every one of these job losses has such wide implications and such hardship for the people involved. In the Illawarra, 152 workers have been sacked from Wollongong Coal's Wongawilli and Russell Vale mines, and Glencore has announced plans to cut 40 jobs from the Tahmoor mine. Unions and other commentators estimate that there will be more to come.

These are undoubtedly tough times for these communities, which also suffer from rising youth unemployment. In December last year, unemployment figures for young people in the Hunter were grim, with 32.6 per cent of those aged 15 to 19 in the Newcastle district unemployed—6.3 per cent above the New South Wales average. In the wider 'youth' category of 15 to 24, Newcastle recorded a rate of 12.5 per cent, compared with the state average of 11.7 per cent. In the Illawarra, 18.4 per cent of young people aged 15 to 24 are unemployed, which is well above the national average of 12.6 per cent. The region is ranked fifth in Australia for youth unemployment. We are seeing traditional coalmining areas becoming synonymous with record high youth unemployment. These are the young people that the government are saying will have to 'earn or learn'; they will have to enrol in a course in order to receive any sort of benefit. If they are unable to, those under 30 will suffer no payment for six months. This is another indication of the lack of a government plan. Education experts are warning that our already stretched TAFE and university system will struggle to take on these young people, while charities are warning that people will go hungry. Where is the government's plan for the Illawarra, for the Hunter, for these young people?

The coal companies, and their backers in the coalition and Labor, have long used the jobs mantra to justify each new coalmine and each new coalmine expansion. But the future clearly does not lie with coal—and communities are saying as much. With increasing regularity, we hear stories of people being arrested for trying to stop coal developments; of massive protests in regional areas like Bentley, where the community are opposed to coal seam gas; of court cases and counter court cases; of references to the Independent Commission Against Corruption; and of miners overestimating the economic benefits in order to meet approval processes. There is little doubt that the community is up in arms.

And yet, the New South Wales government bends over backwards to please the industry. Two cases in point are the Warkworth mine extension, proposed by Rio Tinto, and Whitehaven's Maules Creek mine in Leard State Forest. The story of the Mount Thorley Warkworth mine extension is an extraordinary one. Nestled near the town of Bulga, the existing mine, run by Rio Tinto, was approved on the basis that Rio would protect the Warkworth Sands Woodland and Saddleback Ridge—the latter shields the town from the mining operations. When I met with Bulga locals and they laid out their concerns about Rio Tinto's plans, the conversation kept coming back to Saddleback Ridge. So many residents had believed that this ridge would be retained as part protection for Bulga from the ravages of coal mining, but Rio Tinto are now proposing to go back on their word. Despite the Planning Assessment Commission noting the impact the mine would have on the town, it approved the extension. After a gruelling campaign, residents went for what many saw as their last chance: they took the company to the Land and Environment Court. The case lasted months, and eventually the mine approval was thrown out. Of course, Rio appealed the decision—with the support of the New South Wales government. And they lost this case too. The New South Wales government has now changed the law, and Rio Tinto, probably not surprisingly, is again

attempting to gain approval for the mine extension, this time breaking them into two proposals, presumably so that the impacts might be considered smaller. The new laws have removed the community's ability to appeal the department's decision.

At a time when the government should be showing leadership as the coal industry contracts, there appears to be outright collusion between the industry and the New South Wales government. This raises the question: will we see coalition MPs appearing before ICAC in relation to deals with their mates?

Further afield in New South Wales, at the Leard State Forest, protesters have been camping for over a year to stop the Maules Creek mine, a large open-cut mine run by Whitehaven. I have previously spoken in the Senate about this mine and the devastating impacts it will have if it is allowed to go ahead.

I again visited this area last week—I actually arrived a week or two after the clearing of the forest for this mine had begun. What I saw was extraordinary. From a lookout point on the property of Cliff Wallace, a local farmer, we could see where much of the forest had been flattened, some cleared down to bare earth. Dust clouds were rising up. So much for the rigorous environmental conditions which, I understand, are supposed to limit the amount of dust that comes off these mines. That is one of the most ridiculous aspects of these conditions.

Cliff, who had generously opened up his farm to those who were protesting and trying to bring balance and protection back into New South Wales planning, is a wonderful person. One of the issues Cliff and some of the people staying on his land raised with me was how they had no faith in the laws. One protester described to me how Whitehaven is favoured by government processes. The company quickly had its biodiversity management plan changed so that it could clear the forest in winter. This is when a large number of the animals in the forest are hibernating. I found this a real concern. All those reptiles, all those marsupials—those unique creatures that make up the wildlife of our country—would have already been killed in the clearing.

The resilience of the community protecting the forest was an inspiration. Many of them were very pained by what was going on, but their work was fantastic. Despite the destruction of the forest, despite the ongoing police presence and despite being spied upon, they are standing strong. I was shocked to hear that people employed by a company contracted by Idemitsu, which also has a mine in the region, engaged in spying on people opposed to the mine. I have written to the New South Wales Police Commissioner urging that this matter be investigated. The ABC last Wednesday reported that police are investigating allegations of spying at the Maules Creek protest camp. Some people gave false names at the camp and attempted to gain the community's trust. While this has alarming implications for our democratic processes, it also speaks volumes of where the coal industry is at and what they will resort to.

Meanwhile, we hear the Minerals Council trumpet that the activists are carrying out illegal activities. Now we can put it on the record that, for all of the abuse from the Minerals Council, the protestors have been vindicated. The day after I left the Leard forest, we heard the fantastic news. A court challenge brought by the Maules Creek Community Council to the Land and Environment Court against the winter clearing was successful. Whitehaven have been ordered to stop the clearing of the forest, at least until September when the case can be heard in full.

This will not restore the forest that has already been destroyed, but it shows what can be achieved. What a relief that people did protest, engaging in some of the most creative direct actions that I think Australia has ever witnessed. Yes, some protesters took illegal actions, and I congratulate them for doing so. If not for the brave actions of those people putting themselves on the line and protecting the forest, much more of it would have been destroyed. We will eagerly await the full hearing in the court and hope the New South Wales government does not change the law to try and help their mates.

So while the government does nothing, the communities—the people of New South Wales—are at least trying to deal with the transition out of coal dependency. People know that there is another way. They want governments to have political courage and to provide leadership on clean energy delivery and manufacturing and to stop the destruction that is part and parcel of coal industry operations these days. There is no doubt that the people want change—not just protesters. A recent Australia Institute survey found that 83 per cent of Hunter residents do not want the coal industry to expand, and 41 per cent went as far as saying they would like to see it decrease.

To return to my earlier points about the downturn of the coal industry, there are many levels on which the situation in New South Wales does not make sense. It is the people of New South Wales who are paying the price for the lack of forward thinking by the coal industry, who are paying due to the negative health impacts from air pollution, and who are paying because of the downturn in jobs because of the associated downturn in the economy.

The industry, for its part, appears to be taking advantage of the favourable political circumstances. The easy ride the industry had under New South Wales Labor, now exposed at successive ICAC hearings, is in a repeat performance by the New South Wales coalition government. The New South Wales government is pushing

through approvals that work for coal companies but offer no consideration of community needs. For the state of New South Wales, this lack of planning and forethought is extremely concerning. The community are asking for a new direction—one that does not ruin our environment and does not involve tenuous employment—and we need to wind back the coal industry to address runaway climate change.

What New South Wales needs is a plan for a diverse, sustainable economy, where the government works with communities that were once dependent on jobs in the coal industry. The coal industry and coalminers were once the backbone of the economy in New South Wales—I certainly acknowledge that. Areas like the Hunter and the Illawarra have strong communities because of the hard work of coalminers, their union officials and their union. And it was not just in the coal industry itself. Many of those people and many of those union members were instrumental in building the schools and the hospitals in the early days of those areas—not just the Hunter and the Illawarra but also in Lithgow. But the era of communities relying on coalmining to provide jobs is over. This is what governments need to face up to, and they need to look to where employment can be expanded.

The Greens' New South Wales policy calls for the phasing out of the coal industry and its replacement with a jobs-rich clean energy economy. For near on 10 years, I and other Greens members who have spoken out about planning for this transition have been abused by government MPs and coal industry spokespersons as destroying jobs because we did not support the coal industry. What we were doing was calling for governments not to leave communities high and dry with shrinking job opportunities but to plan for where the next generation of jobs would come from.

Now that the coal rush is petering out, governments should act; otherwise those communities who have been given false job promises will be effectively discarded by governments tainted by their closeness to the coal companies.

We must not allow the young people of the Hunter and the Illawarra to be left behind with few job opportunities. We must not allow regions like Warkworth and Maules Creek to be trashed by bulldozers. As the world turns its back on coal, we must not allow Australia to be the last resort for greedy coalminers relying on compliant governments to squeeze profits out of a product the world no longer needs.

### **Trad, Mr Keysar**

**Senator BERNARDI** (South Australia) (22:45): A couple of weeks ago it came to my attention that a man by the name of Keysar Trad was entertaining the notion of becoming a federal MP. He said he had had discussions with a friend in the Liberal Party but nothing eventuated. I say thank goodness for that, and you will understand why by the end of this speech.

What concerns me more is that it was reported that the Labor Party allegedly spent eight months in discussions with Mr Trad about his becoming a Labor candidate. After eight months I hope that the Labor Party have actually closed the door for good on Mr Trad being a Labor candidate. I hope they have closed the door, bolted it, locked it and thrown away the key. Of course, it is entirely up to the Labor Party whom they preselect to be one of their representatives; but the fact that Mr Trad said that the Labor Party talked with him for eight months says something about the culture within the ALP. I wonder if the ALP managed in eight months to find out what I did in about eight minutes—namely, that Mr Keysar Trad is wholly unsuitable to be a member of parliament or to be recognised by any other organisation as a community leader of any sort.

I know that these are very strong comments, and I bear no personal ill will towards Mr Trad, but if he wants to try to become a representative of the Australian people then we are completely entitled, and it is completely fair, that we examine his track record, his opinions and his views and that we establish his character. I do not need to make any substantial assessment of this myself. I only need to report the findings of the New South Wales Supreme Court and the Court of Appeal.

In 2009, the New South Wales Supreme Court found that Mr Trad 'incites people to commit acts of violence', 'incites people to have racist attitudes' and is a 'dangerous and disgraceful individual'. This stemmed from a defamation case that Mr Trad brought against Harbour Radio. In 2011, the New South Wales Court of Appeal overturned this initial ruling after Mr Trad appealed. But, late last year, that same court overturned its 2011 ruling, dismissing Mr Trad's appeal and upholding the Supreme Court's ruling regarding the aforementioned circumstances. Mr Trad was also ordered to pay Harbour Radio's costs in the appeals court.

Let me take a moment of the Senate's time to detail the evidence that supported the courts' findings. The courts based their finding that Mr Trad incites people to commit acts of violence on the following evidence: Mr Trad's own website used to have a link to a website he touted as having 'very good articles concerning Islam and Muslims'. But the courts found that this website held 'significant anti-Semitic views'. The judge simply did not believe Mr Trad's claims that he did not know about the nature of this website. In terms of his saying that the site had 'very good articles', court documents reveal that Mr Trad 'agreed he had little choice but to concede that this

was an endorsement of what was plainly a racist website.' When he was interviewed by a journalist, Mr Trad said words to the effect of, 'There are many Jews who question how many died in the Holocaust', which the judge saw as 'an attempt to diminish the significance of those events.' In the end, both courts deemed that this showed that Mr Keysar Trad incited violence against Jewish people.

Both courts also agreed that Mr Trad incited people to have racist attitudes, given their previous conclusion that he had incited people to commit acts of violence due to his support for sources that were anti-Semitic. Justice McClellan said in the 2009 findings that he was 'satisfied that the plaintiff does hold views which can properly be described as racist.' He continued, 'I am also satisfied that he encourages others to hold those views. In particular, he holds views derogatory of Jewish people.' I put it to you, Mr Deputy President: how could any party think that this was a person suited for a federal parliamentary career—someone with views like that, that could be discovered in eight minutes of Google searching? Yet this man was, by his own admission, courted by the ALP for eight months. Does Australia really want someone in parliament who has been found by two courts to incite violence and racism?

I only wish it stopped there, but that is not all. Mr Trad has also been found to be a 'disgraceful' individual by the New South Wales Supreme Court and the Court of Appeal. His comments on a number of issues led the court to state:

Any form of incitement to violence of a kind reasonably described as antisocial would satisfy such a standard. So would incitement to racist attitudes and the statements relating to homosexuals and homosexuality and the trivialisation of rape ...

Then there is the finding that Mr Trad is a 'dangerous individual'—surely not a glowing reference for any prospective parliamentarian. This was based on the following opinion of Mr Trad: When talking about the gang rape of young women in Sydney by a group of Lebanese men, in one interview Mr Trad chose to tell a joke and described these types of perpetrators as 'stupid young boys'. The court said that his comments about the issue 'demeaned the victims of the crime', 'did not condemn the perpetrators' and 'trivialised the responsibility of rapists.' And if that was not enough, Mr Trad did not condemn Sheikh Hilali's disgraceful comments about women being 'uncovered meat' in a speech about rape. Instead Mr Trad chose to defend that speech and the sheikh's comments.

Mr Trad failed to condemn the Sheikh's reference to 'the blessings of the 11th of September' and the Sheikh's condoning of the use of boys as martyrs in the cause of radical Islam. The court said that this 'involved putting forward ideas which risk an unbalanced or fanatical person being encouraged, or encouraging others, to participate in such activities'. The courts were right to be concerned about the reach of Mr Trad's opinions, given that many of his abhorrent views were in the public domain. The appeal court concluded that 'there is support for the conclusion that the appellant was properly described as a "dangerous" individual, in circumstances where the views he expressed were capable of influencing others, were intended to influence others and would have a receptive audience in some, if limited, quarters'. It said 'these factors, combined with the respects in which he incited others to violence and racist attitudes, being a person with a public presence and influence in some quarters, fully support the characterisation of the appellant as a dangerous individual'.

I put it to the Senate and to the Australian people: how could any reasonable person or any reasonable political party consider endorsing a person that holds these views to become a member of the Australian parliament? How could a party, like the Labor Party, be in discussions with this man for eight months, as was reported by the media? Did they fail to do any research into his character during that time? I have to ask: how many sections of the media and the community endorse this man as a national spokesman for the Islamic community? It is just beyond all reasonable comprehension. Beyond the findings of the Supreme Court and the Court of Appeal—although those findings are damning enough, one would think there are many other instances of Mr Trad's questionable views.

Mr Trad has openly advocated for polygamy in Australia through the *Sydney Morning Herald* asking: why should polygamy be a crime? He is not shy at all about seeking changes to our laws and customs. He says:

Monogamy is great, but it is clearly not for everybody. Islam openly acknowledges this fact of human nature and stipulates a regulatory framework for plural relations.

Although he draws the line at polyandry; he is not too keen to permit a wife to take more than one husband. It begs the question: where are all the equality advocates in the Labor Party when it comes to that?

And Mr Trad's challenge to Australian law does not stop there. He has also publicly spoken about sharia law in Australia, arguing the 'yes' case for separate Islamic courts to deal with divorce. He wrote that in the *Daily Telegraph*. He also said that there is support for parts of sharia law that deal with marriage and inheritance without the penal aspects. Such calls run counter to the views of most Australians including legal commentators, former judges, former Labor ministers and even our own Prime Minister, who advocate one law for all. Again, I ask:



what was the Labor Party thinking, reportedly engaging someone who has views completely at odds to their own views on something as important as our legal system?

Some of Mr Trad's views on terrorism may not sit well with many Australians either. In 2005, he wrote an article published in the *Daily Telegraph* that said 'Australians should be more concerned with the United States than radical Islam.' He said, 'Radical Islam, while an anathema to Islam itself, is made up of no more than a bunch of rag-tag Dad's Army types, fighting for their own survival.'

Justice McClellan took a slightly different view. He said:

To downplay radical Islam and suggest that it is no more than rag-tag *Dad's Army* types, fighting for their own survival would not be acceptable to the Australian community. The plaintiff was effectively suggesting that the United States of America presented a greater threat than radical Islam to the Australian people.

It is just extraordinary. Justice McClellan was spot on when he said:

This stance would, in my view, be entirely repugnant to the overwhelming majority of people in the Australian community.

And a year after the September 11 terrorist attacks on the US, Mr Trad was reported in the *Weekend Australian* as saying:

Osama bin Laden would have trouble teaching someone to drive a car ... how could a man living in a backward country mastermind the hijacking of several planes, with the whole operation going off like clockwork? ... I just don't want to believe Muslims were behind it.

These views were, again, unacceptable to the NSW Supreme Court judge who branded this an 'extraordinary statement' and said that the Australian community would not accept these views: The judge said:

Osama bin Laden claimed responsibility for September 11. A suggestion that the terrorist act was not perpetrated by adherents to Islam would not be accepted by Australians whatever their ethnic origin or religious views.

And if Mr Trad is so concerned about good relations between various groups within Australia, why then does he write about 'the criminal dregs of white society' and call Indian people 'cow worshippers'? This hardly sounds like the views of someone that would represent the opinions of mainstream Australians. According to Mr Trad, the Labor Party were in pre-selection discussions with him for eight months. Yet these are the views he holds and he has had no problem spouting them off to any journalist who approaches him. For years he has been the media's go-to man on any number of matters.

He is described as a 'Sydney Muslim community leader' even after he left the employ of Sheikh Hilali and the Lebanese Muslim Association. Given the court's findings about Mr Trad's opinions, should not that be just a little alarming? What does this say about some parts of our media considering that this is the man that journalists have been going to for years, as an authoritative voice of the Australian Muslim community? It simply beggars belief. I cannot believe that Australian Muslims would be happy with having him as their spokesman. He truly has done a disservice to the Muslim community when you consider the findings that I have detailed here tonight.

I want to be very clear here. You cannot be an advocate for free speech without conceding that there are going to be people who hold objectionable views and views different from your own. Having a difference of opinion should not preclude people from being part of the parliamentary process. It should be open to all Australians. I want to put on the record and I want to be very clear that I absolutely disagree with Mr Trad's views that I have outlined tonight; but they are his words and they are the words of the judgements that have been read against him.

But what I find most galling is that the once-proud Labor Party reportedly entertained for eight months the idea of having this man as a candidate for political office. And for years the media have lauded him as a national spokesman on Islamic matters. Tonight I have sought to lay bare the words and opinions of someone who seeks to become an elected representative of the Australian people—although, by all accounts, Mr Trad is completely unconcerned about what party would take him into parliament.

But I think it is completely reasonable that anyone seeking such a position should have their public opinions examined. And it is now up to the Australian people and it is up to the political parties in this country to determine for themselves whether they would like someone of Mr Trad's character representing them in the Australian parliament.

**Senate proceedings published til 23:00**

#### **Northern Beaches**

**Senator O'NEILL** (New South Wales) (23:00): Perhaps Senator Bernardi might be cautioned to take some of what he reads in the media a little more carefully into consideration rather than taking it at face value. On this cold night here in Canberra I am going to ask those in the chamber to think about a word picture I want to paint of a beautiful part of the country, the northern beaches: sun, sand, surf, seven miles from Sydney, a thousand miles from care and, as I stand here this evening, the seat of power for both the state and federal governments. A bottle

of Grange and a forgetful memory have seen fate chance the idyllic surrounds of the northern beaches with a Prime Minister and a Premier of their very own: Tony Abbott, the member for Warringah, Prime Minister of Australia; Mike Baird, the member for Manly, Premier of the great state of New South Wales. Surely the things that the locals have yearned for, the glory days, must have arrived at last!

To borrow a well-worn phrase, the good burghers of Warringah and Manly must hardly believe their new fortunes. What a hand fate has dealt them after so many, many years of neglect by the very party and members to whom they have shown such loyalty and they have elected year after year, decade after decade. Surely now will be their moment of glorious spotlight in the Liberal Party ascendancy. Such prospects and possibilities, with power at hand. Finally, there is an opportunity for the northern beaches to be front and centre of the political debate. Such great promise for such a promising area.

Amongst the hardworking locals—from tradesmen, business owners, professionals and entrepreneurs to the baristas that keep the whole high-paced show running—it is actually not hard when you visit the northern beaches to feel the sense of pride that power resides just a suburb or two away. To think, they muse, that amongst the waves of Queenscliff, during a lull between sets, the two most powerful man in New South Wales are having a yarn about local schools or health services, perhaps transport or infrastructure, with no doubt the odd quip about the real heroes of the beaches, the Manly Sea Eagles.

It is pure Camelot. Royalty by the beach, even. A political union crafted in sand, held together by sea and consummated by surf. A coronation presided over at Manly Beach by Prince William and Princess Kate with little Prince George in tow on Good Friday, no less. From the ashes of a fallen O'Farrell sacrificed on the altar of ICAC rose the golden boy of Manly, and it didn't even take three days. To think that, if not for a bottle of wine, Premier Baird would never have been. But, instead, Mike Baird turned a bottle of 1959 Grange Hermitage into a day at the beach with a royal couple, turning wine into water, and now that really was an Easter miracle. Locals watched with pride and fervour a newly ascended Premier and an avowed monarchist PM tugging politely at the forelock to the prince and princess, the heads of Her Majesty's governments obediently escorting their sovereign's kin through picturesque surrounds. Is it any wonder that Tony Abbott reintroduced knights and dames in such a context? Of course, despite their high office and the pomp and ceremony of such occasions, locals surely hope that, deep down, the hearts and minds of the benevolent rulers have not strayed too far from the area that they purport to serve.

At heart, the good people of Warringah and Manly hope—they hold on to a vision—that surely the Prime Minister and the Premier are still just local MPs. Surely they will not forget those who elected them. Surely they are going to focus, at some point soon, on the simple, down-to-earth problems that only a local would know how to solve.

The people of Warringah and Manly hope that questions exercise the minds of the Prime Minister and the Premier like: is it really acceptable that the closest public high school for Freshwater parents to send their boys to in year 7 is Balgowlah? What impact will abolishing this school kids bonus have on middle income families in Manly Vale and Dee Why? What impact has the 40 per cent price hike for multi-ferry commuters had on traffic congestion on Military Road and what impacted has it had on the pockets and fortunes of those who have to pay for this increase in services?

They hope these leaders in the community might be asking: what effect will abolishing the \$6,500 small business tax write-off have on local industries and companies, especially the army of contractors who call the northern beaches their home? They hope that the leaders are able to answer questions like: why is the Liberal Party privatising what was to be the new northern beaches public hospital?

The current barbecue stopper is: why am I going to have to pay \$7 more every time I go to the doctor, \$7 every time I need a blood count, \$7 every time I need an x-ray, multiplied by the number of people in my family and our burden of disease? There are countless more questions locals would like to think are being asked by their representatives, whom fate has granted such high office.

There is a hope—it is religious belief for some—that those who serve their areas should care most about the issues which face the very people they claim to represent. But, sadly, this is not happening. And it has not happened for a long time. I say to this chamber now what many people on the northern beaches already know: the Liberal Party has taken the northern beaches for granted for far too long. Like absentee landlords they have allowed services to be run down. They have failed to deliver the essential infrastructure, the essential funding and facilities that the beaches sorely need and deserve.

Perversely, they have done the opposite of investing in the region—cutting when they should be investing, and neglecting when they should be prioritising. Parents are having their school kids bonus ripped away, making it harder to make ends meet. Families are being hit hard by the changes to family support through the Abbott hits on

family tax benefits. Every commuter, every business owner, and every family or young worker on their way to a part-time job is going to be sluggish at the petrol bowser. Every time they fill up, Tony's long hand of tax collection will be fingering the hard earned cash in their pockets and drawing the dollars to Canberra in a tax that the Prime Minister promised—

**The DEPUTY PRESIDENT:** Senator O'Neill, I need to remind you that you need to refer to the Prime Minister by this correct title rather than his surname or just his Christian name.

**Senator O'NEILL:** I will endeavour to do that for you, Deputy President. Every time people fill up, the Prime Minister's long hand of tax collection will be fingering the hard earned cash in their pockets and drawing the dollars to Canberra in a tax that the Prime Minister promised he would not inflict on the Australian people, even on the very last day before the election. And they believed him. Everything we have seen since this government was formed is a betrayal of that trust and belief of the people in the very community in which he lives.

To add insult to injury, small businesses and tradies are seeing their \$6,500 tax write-offs slashed, reducing incentive and abilities for companies to upgrade ageing equipment, and all the productivity impacts that that has. In the next month, as they meet with their accountants—that is what tradies do, come July—thousands of small businesses in the electorate of the Prime Minister will be finding out how hollow his promises are, and always were. They will be discovering the depth of betrayal of trust that this Prime Minister and his government is now showing. That is revealed day after day and month after month. And people are waking up to the deception to which they have been subjected.

Funding for schooling, despite the nonsense that we hear perpetrated by those opposite, is being cut by \$30 billion. Everyone knows that David Gonski got it right. His independent review was certainly a review of a very different calibre from the one we just heard Senator Conroy speak about. This was not a 'mates-rates, all-in-on-the-con-job' review of the kind we have seen since this government has come to power. This was a genuinely independent review—extensive and truly national. It revealed what caring parents and grandparents, and forward-thinking Australians, know—that more money is sorely needed to help our great principals and teachers undertake the teaching, learning and ongoing professional development that will enable the next generation to be great learners, great workers and great leaders in this nation.

The Prime Minister's failure to invest in education, or his determination to rip money out of education, is an unthinkable prospect when you consider that some Northern Beaches suburbs have the highest rates of school age children in New South Wales. Indeed, a question was put to me this last week:—and I have not yet found the answer, but I have a feeling that it was a bit of a rhetorical question—when was the last public school built on the Northern Beaches? I have been led to believe that it has been decades since new infrastructure went into that region.

Senator Dastyari made some important remarks this evening about the New South Wales government's push for privatisation. The concerns that surface in terms of how the community might be impacted are real and pressing. Ask the locals of Manly and Warringah. They will tell you that the iconic Manly Ferry has been privatised, and the impact of that means that fares for many commuters have been jacked up by 40 per cent, forcing more people onto already overcrowded buses and increasing the traffic on the car park that is Military Road. Yet the rhetoric and ideological rubbish in support of privatisation continues to spew forth from the local leaders, who let down the people of the Northern Beaches day after day, despite their great trappings of power and capacity to make a positive difference even for their own locals. Even if they neglected the rest of the country, you would think they would look after the people who elected them.

I can put on the record the palpable local outrage at what was to be a new public hospital in the region that has been flogged off to the private sector. Added into that heady and unbelievable reality of removal of public access to public health is the threat of Manly Hospital being completely closed and Mona Vale Hospital being downgraded. This litany of concerns has been very clearly communicated to me, and the Prime Minister should be very aware of the ever-deepening community disgust of his disregard for the community he purports to represent. In Western Sydney, or where I live on the Central Coast, if a government had the gall to close and downgrade two existing public hospitals and then privatise the replacement, there would be a riot—and so there should be, within the boundaries of the law, of course; it could be a rioters protest perhaps. Local MPs would be turned out on their ear in the west or the south-west if they acted like the Prime Minister and the Premier are in Warringah and Manly.

On the Northern Beaches there has been, for such a long time, an absence of hard questions being asked. The answers are even more spine on the ground. A lack of critical media reporting on important issues like the hospital privatisation and the other matters I have raised here this evening are absolutely unhelpful. The local paper, the *Manly Daily*, has done much to hold the Liberal Party to account on the issue of the hospital. But the nature of the

negative impact of this government, incompetently and arrogantly implementing an agenda that is so far from what they told the electorate prior to the election, is something which demands far greater attention from state and national media. Drawing media attention to these breaches of trust, drawing attention to the lies, the deception and the ineptitude of this government is a challenge. The absence of adequate and fearless scrutiny allows a deafening silence of local MPs in Liberal-National electorates. Premier Baird and Prime Minister Abbott have the esteem of their peers in their skill in manipulation of facts but, for the rest of the community though, their behaviour, policies and inaction on critical life-changing investments in the people and the services of Manly and Warringah is simply obscene and it screams of the arrogance that is the signature of this government. Surely, they must be thinking to themselves: we can never lose these seats—not to Labor anyway. That is the only possible explanation for their neglect and disservice every day to the people they are supposed to be representing.

People I talked to on the Northern Beaches in my duty electorate, especially traditional Liberal voters, are at their wits' end on how to ensure their area is better served. During recent visits to these beachside suburbs, I picked up a palpable and justifiable anger about this period of neglect that has been long in the making but is even more evident since this government came to power. People happily voiced to me at Manly Wharf, that iconic place, a growing awareness and sense that, because they did not live in a marginal electorate, the area that they love and live in was clearly being taken for granted by both state and federal governments.

I was delighted in my time visiting the duty electorate's down there on the northern beaches of Sydney to visit a number of local schools and community organisations over the last couple of weeks. I was able to attend St Paul's sports carnival where I talked to teachers, students and parents who were extremely concerned about the costs of the new government's policy on higher education. I met young people who have invested their energy and their parents who have invested significant dollars in their education at St Paul's. Young people with big hearts and big dreams are being struck down with fear and anxiety about their futures as a consequence of this government's shameful budget.

I never thought I would see a time in this country when we had a government that was so obsessed with its own rhetoric and ideology that it would dismantle the university sector as we know it. It saddened and disappointed me to be in conversation with otherwise hopeful and highly gracious young students who are openly questioning for the first time, because of this government's policy, whether they could even manage to afford to go to university.

Teachers expressed great concern at the cost of postgraduate study. It will clearly be a disincentive to them to take on further debt. How can the Prime Minister show his face to the world when he is creating the context in his own backyard in which teachers and students wonder and fear that they may never be able to afford to undertake the study that will be part of improving this nation's fortunes? What we are watching the PM do is intolerable and inexplicable in my view and certainly is causing great anxiety to the people in his own electorate.

At Brookvale TAFE, I talked to concerned teachers worried about the Baird government's dramatic increase in TAFE fees and the impact this is having on students and will in turn have on the skills shortage. What will that do to our economy?

From the Tibetan community in Dee Why, I heard the concerns of that particular group but, like all residents on the Northern Beaches, the Tibetan people let me know about the damage they fear, like over other residents of the Northern Beaches, of the Prime Minister's cuts to health, pensions and education in particular. They asked, 'What will this do to my family? What will this do to my community? Many of us are on low and middle incomes. We're already struggling with the cost of living. How can the man who is supposed to relate to us do this to us?' The Prime Minister needs to answer and he needs to be a lot less self-righteous and arrogant than we have seen him of late.

Yesterday he said that his government brought down the budget the Australian people elected him to deliver. That is simply incorrect. But it is an indication of how out of touch with reality this Prime Minister is only nine months into his service. To prove that even more lucidly, I heard the reaction of the Northern Beaches Mental Health Support Group to the experience of being subjected to the disdain of this heartless leader. I heard concern after concern about all the issues that I have mentioned here, but particularly about the \$50 million cut to health funding that is now on the record and the lack of a minister for mental health, as well as the Baird government's privatisation.

All I can say to the good people in this duty electorate for which I have some responsibility is that I will do my utmost to hold the Liberals to account. I will support you to ensure that the northern beaches have a voice. It is time to send the Prime Minister a message, one that he seems to have consistently ignored, and he needs to stop taking this community for granted. In slashing \$80 billion in health and education funding the Liberals really have gone too—*(Time expired)*

### Wind Industry

**Senator MADIGAN** (Victoria) (23:20): I rise to speak tonight on the privilege of this parliament to operate without fear or favour. Members and senators have the right to undertake their duties freely to represent their constituents—it is the reason we are here. Any attempt to gag a senator or member of parliament, any attempt to exert influence by means of threat or intimidation is a breach of parliamentary privilege. This could incur the most serious penalties. Tonight I will speak of such an attempt by a high-profile Australian academic. This academic has a track record of making fun of people in regional and rural communities who are sick. He trades in scuttlebutt. He makes consistent attacks on anyone who makes a complaint against his network of corporate buddies. This academic has become the poster boy for an industry which has a reputation for dishonesty and for bullying.

I have a policy of playing the issue, not the man. Policies should always go before personalities. It is a personal credo, one I have practised all my life and specifically in my professional duties since my election in 2010. But since I have been investigating matters related to wind turbines for almost 10 years now I have recorded a consistent track record of vilification, denigration and attack by those on the other side of this debate. This is an industry that sucks hundreds of millions of dollars in subsidies from the public purse. This industrial power generation sector is an industry that masquerades under a false veneer of 'saving the environment'.

The wind industry is about one thing in this country: it exists to make people rich at the expense of many rural and regional Australians, their lives and their communities. My investigation shows it does not decrease carbon dioxide, it does not reduce power costs, it does not improve the environment. And this academic in question stands shoulder to shoulder with the wind industry companies and their colourful—and I use that term deliberately—executives. He promotes their products. He attacks their critics. He attends their conferences. He rubs shoulders with their henchmen. He is, in the words of the former member for Hume, Alby Schultz—who was a great campaigner on this issue, I might add—devoid of any decency and courage.

But, first, some background. My party, the Democratic Labour Party, has a long tradition of standing up for principle in the face of enormous opposition. My party was born in conflict and forged in sacrifice. No other political party in Australia can boast that its parliamentary founders—51 in total, including 14 ministers and a state Premier—were prepared to sacrifice promising political careers to uphold the belief dedicated to freedom from undue and corrupt influence. The DLP was the first Australian political party to promote the vote for 18-year-olds. We were the first political party to call for equal pay for equal work and equity in education funding. We were the first political party to call for an end to the White Australia policy. And when our veterans returned from Vietnam, bloody but unbowed, DLP parliamentarians marched in their ranks while the rest of Australia turned their backs.

The DLP is a party of principle. We respect the dignity and the sanctity of life. From the womb to the grave, from the primary school to the factory floor, we see every life as unique and having intrinsic value. This is the cornerstone of the DLP; this is the foundation upon which I place every vote. That is why my attention has been turned to the wind industry for almost a decade now, even before my election to the Senate. I have seen firsthand the devastation it has caused communities. I have listened firsthand to the stories of wrecked families' lives: family farms destroyed and small outback areas torn apart. I have seen the empty homes in Victoria at Waubra, Macarthur, Cape Bridgewater and Leonards Hill. I have listened to country people tell me stories of corporate bullying and deceit, and of corporate fraud in matters of compliance. I have repeatedly called for one thing on this issue: independent Australian research into the health problems that wind farms apparently cause. That is all—*independent research*. It is a question of justice. It is about getting to the bottom of this issue.

So when I spoke with Alan Jones onto 2GB on 27 March, I made one simple point. I told Mr Jones we need to be careful about people who profess to be experts in this area. For the benefit of the Senate I repeat what I said in that interview:

... when we talk about people, using the title, using a title, such as Professor, let us be clear crystal clear here Alan. Most people in the community assume that when you use the title Professor, that you are trained in the discipline of which you speak. And I ask people, look and check. What is the person making these proclamations about other people's health? What is the discipline they are trained in of which they speak? Because most people in the public assume when you speak of an issue of health, that you are trained in the discipline of which you speak, and there are people making pronouncements and denigrating people who are not trained in human health.

I stand by this statement. It is fair and reasonable to encourage people to look behind the blatant campaigning done by people like Professor Chapman of the University of Sydney.

But it is the statement that has prompted him to threaten me, utilising a law firm that was instrumental in the set-up of Hepburn Wind. He has threatened to sue me for libel over this statement unless I pay him \$40,000 plus costs. He has threatened to sue me for libel unless I organise an apology on the website of 2GB and an anti-wind

farm website called Stop These Things. He has threatened me with contempt of parliament and a breach of parliamentary privilege if I raise these matters in the Senate. This reaction by Professor Chapman is something that my more experienced parliamentary colleagues have labelled a blatant try-on. It is another attempt by the wind industry to silence me, to scare me off and to intimidate me. It is a case of a Sydney university academic firing shots across the bow of the blacksmith from Ballarat. This is something he has done before now, tweeting about my position on this issue, always in the context of my background as a blacksmith—a background, I add, that I am enormously proud of. I remain one of the wind industry's most stubborn and outspoken critics. I will not be silenced. I will not give up on the injustice inflicted on people who claim to be impacted by living near turbines. I will not stop. My comments to Alan Jones were a series of rhetorical statements or questions about the assumptions members of the public should be entitled to make when somebody professes to be qualified to speak about an issue of public health. In other words, I was asking people to check that so-called experts on this issue are relevantly trained and qualified. It is a reasonable request. Our media and the internet are crawling with self-appointed experts. Daily we operate in a cacophony of opinion presented as fact.

Professor Chapman has been an outspoken critic of those who have dared to question the wind farm orthodoxy. But is Professor Chapman a medical doctor? Is he legally entitled to examine and treat patients? Is he qualified in acoustics or any other aspect of audiology? Is he a sleep specialist? Does he hold any qualifications in bioacoustics or physiology or neuroscience? How many wind farm victims has he interviewed directly? How many wind farm impacted homes has he visited? Professor Chapman claims to receive no payment from the wind industry. How many wind industry conferences, seminars and events has he spoken at? How many wind industry events has he attended? Writing on the Crikey website in November 2011, Professor Chapman lamented how many conferences do not pay speaker's fees, and, when one conference organiser refused to pay his hotel bill, he withdrew. This is the same Professor Chapman who was photographed at a campaign launch in Melbourne by the Danish wind turbine manufacturer Vestas. Did Vestas pay your hotel bill and other costs, Professor Chapman? These are reasonable questions—they put in context his actions.

I take this opportunity to draw the attention of the Senate to the discovery of a 2004 PowerPoint presentation by Vestas employee Erik Sloth to the former Australian Wind Energy Association, now the Clean Energy Council. This demonstrated Vestas knew a decade ago that safer buffers are required to protect neighbours from noise. Vestas knew their preconstruction noise models were not accurate. I draw the attention of the Senate to a quote from the presentation that Vestas knew then that 'noise from wind turbines sometimes annoys people even if the noise is below noise limits.' This is confirmation that the global wind industry have known for more than a decade that their turbines impact on nearby residents. How can Professor Chapman reconcile his ridicule of the reasons numerous people have been forced to abandon their homes with the knowledge that the company initiating this campaign he attended knew a decade ago there were problems?

As a public health academic, Professor Chapman displays a lack of compassion for people who claim to be suffering debilitating effects from pervasive wind turbine noise. Professor Chapman's undergraduate qualifications were in sociology. His PhD looked into the relationship between cigarette smoke and advertising. I question his expertise, I question his qualifications and I question his unbridled motivation to promote and support the wind industry at the cost of people's lives, homes and communities. I question Professor Chapman's lack of interest in speaking with wind industry victims. Professor Chapman has a record of public denigration of victims. I refer to his tweet in February this year about 'wind farm wing nuts'.

One of the important things about this fight that is going on across rural Australia is that it is country women who are in the front line. Farmers' wives are running hard, fighting to save their families, fighting to save their homes, fighting to save their communities. It is often these women who suffer the most denigration. It is a roll call of honour—people like Mary Morris of South Australia; Dr Andja Mitric Andjic in Victoria; Sonya Trist, Joanne Kermond and Melissa Ware at Cape Bridgewater; Colleen Watt in New South Wales; and, of course, the extraordinary Sarah Laurie in South Australia.

One more example: Annie Gardner and her husband, Gus, have lived and worked happily and healthfully for 34 years on their farming property in south-west Victoria. This came to a sudden halt in October 2012 when the first 15 turbines of the Macarthur wind farm began operation. In a recent letter to the AMA Annie said she is now able to get only two or three hours sleep each night in her own home. She writes: 'At the time of writing this letter, I am suffering terribly from the infrasound emitted by the 140 turbines located far too close to our property. I have a bad headache. I have very strong pains shooting up through the back of my neck and into my head. I have extremely sore and blocked ears and very painful pressure in my nose. I have pressure in my jaws and my teeth. My heart is pounding. I can feel the vibration going through my body through the chair like an electric charge. The infrasound in our bedroom was appalling. I could feel the vibration through the mattress and the pillow like

an electric charge through my body. My head felt as if a brick was on it, and the pressure and pain in my nose was extreme.'

Annie Gardner would be what Professor Chapman would call a 'wind farm wing nut'. Writing on a green movement website earlier this year, Professor Chapman said protesting against wind farms is a fringe activity as if to suggest that the hundreds of people who attended and spoke at anti-wind farm forums I have held across my home state of Victoria and interstate are simply collateral damage. I cannot live with such a utilitarian view. As I said, even putting aside the highly questionable environmental, social and economic benefits of wind farms, every life matters and every life is important. I have sat in people's homes and kitchens. I know firsthand the suffering they experience from these industrial developments. Professor Chapman's attempts to gag me are the same as his attempts to silence those who object to the great wind farm scam. It is part of a greater attempt to silence open and transparent debate on this issue. It does no service to academia or to science already under much attack. It does nothing to advance discussion or progress.

Surely the big businesses behind this attempt—the entities who are funding it, like Bleyer Lawyers, who have worked for Hepburn Wind—should remember cases such as McDonald's and Gunns. For the environmental movement to attempt this shallow legal shooting of a mere messenger is poor judgement in my view. Bullies corporate or otherwise never get far. Surely it is apparent that companies that use the courts to silence opposition lose out in the court of public opinion. To borrow words from the great human rights campaigner Malcolm X:

I'm for truth, no matter who tells it. I'm for justice, no matter who it's for or against.

If Professor Chapman proceeds with this action, I look forward to having him answer in court those questions I have raised here tonight—questions about his qualifications, his expertise and his links with the wind industry financial or otherwise. I look forward to his cross-examination under oath as equally as I look forward to mine. I say this: his action, if it proceeds, is doomed in a legal setting or elsewhere for one reason; it is not based on the truth.

**Senate adjourned at 23:39**