



COMMONWEALTH OF AUSTRALIA

# SENATE

## Hansard

**WEDNESDAY, 26 AUGUST 2020**

### **CORRECTIONS**

This is a **PROOF ISSUE**. Senators may suggest corrections to their own speeches within 15 non-sitting days by contacting the Hansard office

BY AUTHORITY OF THE SENATE

# PROOF

### INTERNET

The *Journals of the Senate* are available at  
[https://www.aph.gov.au/Parliamentary\\_Business/Chamber\\_documents/  
Senate\\_chamber\\_documents/Journals\\_of\\_the\\_Senate](https://www.aph.gov.au/Parliamentary_Business/Chamber_documents/Senate_chamber_documents/Journals_of_the_Senate)

Proof and Official Hansards for the House of Representatives,  
the Senate and committee hearings are available at  
<http://www.aph.gov.au/hansard>

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

### SITTING DAYS—2020

| Month     | Date                                    |
|-----------|---|
| February  | 4, 5, 6, 10, 11, 12, 13, 24, 25, 26, 27 |
| March     | 23                                      |
| April     | 8                                       |
| May       | 12, 13, 14                              |
| June      | 10, 11, 12, 15, 16, 17, 18              |
| August    | 24, 25, 26, 27, 31                      |
| September | 1, 2, 3                                 |
| October   | 6, 7, 8                                 |
| November  | 9, 10, 11, 12, 30                       |
| December  | 1, 2, 3, 7, 8, 9, 10                    |

### RADIO BROADCASTS

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

|           |         |
|-----------|---------|
| ADELAIDE  | 972AM   |
| BRISBANE  | 936AM   |
| CANBERRA  | 103.9FM |
| DARWIN    | 102.5FM |
| HOBART    | 747AM   |
| MELBOURNE | 1026AM  |
| PERTH     | 585AM   |
| SYDNEY    | 630AM   |

For information regarding frequencies in other locations please visit  
<http://reception.abc.net.au/>

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

**Governor-General**

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

**Senate Office Holders**

*President*—Senator the Hon. Scott Ryan

*Deputy President and Chair of Committees*—Senator Susan Lines

*Temporary Chairs of Committees*—Senators Askew, Bilyk, Brockman, Brown, Chandler, Faruqi, Fawcett, Fierravanti-Wells, Gallacher, Griff, Kitching, Polley, Marielle Smith, Sterle, Stoker and Walsh

*Leader of the Government in the Senate*—Senator the Hon. Mathias Cormann

*Deputy Leader of the Government in the Senate*—Senator the Hon. Simon Birmingham

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

*Deputy Leader of the Opposition in the Senate*—Senator the Hon. Kristina Keneally

*Manager of Government Business in the Senate*—Senator the Hon. Anne Ruston

*Deputy Manager of Government Business in the Senate*—Senator Jonathon Duniham

*Manager of Opposition Business in the Senate*—Senator Katy Gallagher

*Deputy Manager of Opposition Business in the Senate*—Senator Kimberley Kitching

**Senate Party Leaders and Whips**

*Leader of the Liberal Party in the Senate*—Senator the Hon. Mathias Cormann

*Deputy Leader of the Liberal Party in the Senate*—Senator the Hon. Simon Birmingham

*Leader of The Nationals in the Senate*—Senator the Hon. Bridget McKenzie

*Deputy Leader of The Nationals in the Senate*—Senator the Hon. Matthew Canavan

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

*Deputy Leader of the Labor Party in the Senate*—Senator the Hon. Kristina Keneally

*Leader of the Australian Greens in the Senate*—Senator Larissa Waters

*Deputy Leader of the Australian Greens in the Senate*—Senator Nicholas McKim

*Chief Government Whip*—Senator Dean Anthony Smith

*Deputy Government Whips*—Senators James McGrath and Slade Brockman

*The Nationals Whip*—Senator Perin Davey

*Chief Opposition Whip*—Senator Anne Elizabeth Urquhart

*Deputy Opposition Whips*—Senators Raff Ciccone and Malarndirri McCarthy

*Australian Greens Whip*—Senator Rachel Siewert

Printed by authority of the Senate

### Members of the Senate

| Senator   | State or Territory | Term expires | Party |
|---|--------------------|--------------|-------|
| Abetz, Hon. Eric                                | TAS                | 30.6.2022    | LP    |
| Antic, Alexander                                | SA                 | 30.6.2025    | LP    |
| Askew, Wendy <sup>(1)</sup>                     | TAS                | 30.6.2022    | LP    |
| Ayres, Timothy                                  | NSW                | 30.6.2025    | ALP   |
| Bilyk, Catryna Louise                           | TAS                | 30.6.2025    | ALP   |
| Birmingham, Hon. Simon John                     | SA                 | 30.6.2022    | LP    |
| Bragg, Andrew James                             | NSW                | 30.6.2025    | LP    |
| Brockman, Slade                                 | WA                 | 30.6.2025    | LP    |
| Brown, Carol Louise                             | TAS                | 30.6.2025    | ALP   |
| Canavan, Hon. Matthew James                     | QLD                | 30.6.2022    | NATS  |
| Carr, Hon. Kim John                             | VIC                | 30.6.2022    | ALP   |
| Cash, Hon. Michaelia Clare                      | WA                 | 30.6.2022    | LP    |
| Chandler, Claire                                | TAS                | 30.6.2025    | LP    |
| Chisholm, Anthony David                         | QLD                | 30.6.2022    | ALP   |
| Cicccone, Raffaele                              | VIC                | 30.6.2025    | ALP   |
| Colbeck, Hon. Richard Mansell                   | TAS                | 30.6.2025    | LP    |
| Cormann, Hon. Mathias Hubert Paul               | WA                 | 30.6.2022    | LP    |
| Davey, Perin McGregor                           | NSW                | 30.6.2025    | NATS  |
| Di Natale, Richard                              | VIC                | 30.6.2022    | AG    |
| Dodson, Patrick                                 | WA                 | 30.6.2025    | ALP   |
| Duniam, Hon. Jonathon Roy                       | TAS                | 30.6.2022    | LP    |
| Farrell, Donald Edward                          | SA                 | 30.6.2022    | ALP   |
| Faruqi, Mehreen Saeed                           | NSW                | 30.6.2025    | AG    |
| Fawcett, David Julian                           | SA                 | 30.6.2025    | LP    |
| Fierravanti-Wells, Hon. Concetta Anna           | NSW                | 30.6.2022    | LP    |
| Gallacher, Alexander McEachian                  | SA                 | 30.6.2025    | ALP   |
| Gallagher, Katherine Ruth                       | ACT                |              | ALP   |
| Green, Nita Louise                              | QLD                | 30.6.2025    | ALP   |
| Griff, Stirling                                 | SA                 | 30.6.2022    | CA    |
| Hanson, Pauline Lee                             | QLD                | 30.6.2022    | PHON  |
| Hanson-Young, Sarah Coral                       | SA                 | 30.6.2025    | AG    |
| Henderson, Sarah Moya <sup>(2)</sup>            | VIC                | 30.6.2022    | LP    |
| Hughes, Hollie Alexandra                        | NSW                | 30.6.2025    | LP    |
| Hume, Hon. Jane                                 | VIC                | 30.6.2025    | LP    |
| Keneally, Hon. Kristina Kerscher <sup>(3)</sup> | NSW                | 30.6.2022    | ALP   |
| Kitching, Kimberley <sup>(4)</sup>              | VIC                | 30.6.2022    | ALP   |
| Lambie, Jacqui                                  | TAS                | 30.6.2025    | JLN   |
| Lines, Susan                                    | WA                 | 30.6.2022    | ALP   |
| McAllister, Jennifer                            | NSW                | 30.6.2022    | ALP   |
| McCarthy, Malarndirri Barbara Anne              | NT                 |              | ALP   |
| McDonald, Susan Eileen                          | QLD                | 30.6.2025    | NATS  |
| McGrath, Hon. James                             | QLD                | 30.6.2022    | LP    |
| McKenzie, Hon. Bridget                          | VIC                | 30.6.2022    | NATS  |
| McKim, Nicholas James                           | TAS                | 30.6.2025    | AG    |
| McLachlan, Andrew Lockhart, CSC <sup>(5)</sup>  | SA                 | 30.6.2022    | LP    |
| McMahon, Samantha Jane                          | NT                 |              | CLP   |
| Molan, Andrew James <sup>(6)</sup>              | NSW                | 30.6.2022    | LP    |
| O'Neill, Deborah Mary                           | NSW                | 30.6.2022    | ALP   |
| O'Sullivan, Matthew Anthony                     | WA                 | 30.6.2025    | LP    |

| Senator                            | State or Territory | Term expires | Party |
|------------------------------------|--------------------|--------------|-------|
| Paterson, James                    | VIC                | 30.6.2025    | LP    |
| Patrick, Rex Lyall <sup>(7)</sup>  | SA                 | 30.6.2022    | IND   |
| Payne, Hon. Marise Ann             | NSW                | 30.6.2022    | LP    |
| Polley, Helen Beatrice             | TAS                | 30.6.2022    | ALP   |
| Pratt, Louise Clare                | WA                 | 30.6.2025    | ALP   |
| Rennick, Gerard                    | QLD                | 30.6.2025    | LP    |
| Reynolds, Hon. Linda Karen, CSC    | WA                 | 30.6.2025    | LP    |
| Rice, Janet Elizabeth              | VIC                | 30.6.2025    | AG    |
| Roberts, Malcolm Ieuan             | QLD                | 30.6.2025    | PHON  |
| Ruston, Hon. Anne Sowerby          | SA                 | 30.6.2025    | LP    |
| Ryan, Hon. Scott Michael           | VIC                | 30.6.2022    | LP    |
| Scarr, Paul Martin                 | QLD                | 30.6.2025    | LP    |
| Seselja, Hon. Zdenko Matthew       | ACT                |              | LP    |
| Sheldon, Anthony Vincent           | NSW                | 30.6.2025    | ALP   |
| Siewert, Rachel Mary               | WA                 | 30.6.2022    | AG    |
| Smith, Dean Anthony                | WA                 | 30.6.2022    | LP    |
| Smith, Marielle Feuerherdt         | SA                 | 30.6.2025    | ALP   |
| Steele-John, Jordon                | WA                 | 30.6.2025    | AG    |
| Sterle, Glenn                      | WA                 | 30.6.2022    | ALP   |
| Stoker, Amanda Jane <sup>(8)</sup> | QLD                | 30.6.2022    | LP    |
| Urquhart, Anne Elizabeth           | TAS                | 30.6.2022    | ALP   |
| Van, David Allan                   | VIC                | 30.6.2025    | ALP   |
| Walsh, Jess Cecille                | VIC                | 30.6.2025    | ALP   |
| Waters, Larissa Joy                | QLD                | 30.6.2025    | AG    |
| Watt, Murray Patrick               | QLD                | 30.6.2022    | ALP   |
| Whish-Wilson, Peter Stuart         | TAS                | 30.6.2022    | AG    |
| Wong, Hon. Penelope Ying Yen       | SA                 | 30.6.2022    | ALP   |

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 | Gallagher, K.R.  | ALP   | Seselja, Z.M. | LP    |
| Northern Territory           | McCarthy, M.B.A. | ALP   | McMahon, S.J. | CLP   |

<sup>(1)</sup> Chosen by the Parliament of Tasmania to fill a casual vacancy (vice D Bushby), pursuant to section 15 of the Constitution.

<sup>(2)</sup> Chosen by the Parliament of Victoria to fill a casual vacancy (vice M Fifield), pursuant to section 15 of the Constitution.

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

<sup>(4)</sup> Chosen by the Parliament of Victoria to fill a casual vacancy (vice S Conroy), pursuant to section 15 of the Constitution.

<sup>(5)</sup> Chosen by the Parliament of South Australia to fill a casual vacancy (vice C Bernardi), pursuant to section 15 of the Constitution.

<sup>(6)</sup> Chosen by the Parliament of New South Wales to fill a casual vacancy (vice A Sinodinos), pursuant to section 15 of the Constitution.

<sup>(7)</sup> Chosen by the Parliament of South Australia to fill a casual vacancy (vice N Xenophon), pursuant to section 15 of the Constitution.

<sup>(8)</sup> Chosen by the Parliament of Queensland to fill a casual vacancy (vice G Brandis), pursuant to section 15 of the Constitution.

**PARTY ABBREVIATIONS**

AG—Australian Greens; ALP—Australian Labor Party;  
CA—Centre Alliance; CLP—Country Liberal Party; IND—Independent;  
JLN—Jacqui Lambie Network; LNP—Liberal National Party;  
LP—Liberal Party of Australia; NATS—The Nationals;  
PHON—Pauline Hanson's One Nation

**Heads of Parliamentary Departments**

Clerk of the Senate—R Pye  
Clerk of the House of Representatives—C Surtees  
Secretary, Department of Parliamentary Services—R Stefanic  
Acting Parliamentary Budget Officer—L Ward

## MORRISON MINISTRY

| TITLE  | MINISTER                               |
|--|--|
| <b>Prime Minister</b>  | The Hon Scott Morrison MP              |
| <b>Minister for the Public Service</b>   | The Hon Scott Morrison MP              |
| <b>Minister for Women</b>  | Senator the Hon Marise Payne           |
| <b>Minister Assisting the Prime Minister for the Public Service and Cabinet</b>                                      | The Hon Greg Hunt MP                   |
| <b>Minister for Indigenous Australians</b>   | The Hon Ken Wyatt AM MP                |
| <i>Assistant Minister to the Prime Minister and Cabinet</i>  | <i>The Hon Ben Morton MP</i>           |
| <b>Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development</b>                     | The Hon Michael McCormack MP           |
| <b>Minister for Agriculture, Drought and Emergency Management</b>  | The Hon David Littleproud MP           |
| <b>Minister for Communications, Cyber Safety and the Arts</b>  | The Hon Paul Fletcher MP               |
| <b>Minister for Population, Cities and Urban Infrastructure</b>  | The Hon Alan Tudge MP                  |
| Minister for Regional Health, Regional Communications and Local Government   | The Hon Mark Coulton MP                |
| Minister for Decentralisation and Regional Education   | The Hon Andrew Gee MP                  |
| <i>Assistant Minister for Road Safety and Freight Transport</i>  | <i>The Hon Scott Buchholz MP</i>       |
| <i>Assistant Minister to the Deputy Prime Minister</i>   | <i>The Hon Kevin Hogan MP</i>          |
| <i>Assistant Minister for Regional Development and Territories</i>   | <i>The Hon Nola Marino MP</i>          |
| <b>Treasurer</b>   | The Hon Josh Frydenberg MP             |
| <b>Minister for Population, Cities and Urban Infrastructure</b>  | The Hon Alan Tudge MP                  |
| Assistant Treasurer  | The Hon Michael Sukkar MP              |
| Minister for Housing   | The Hon Michael Sukkar MP              |
| <i>Assistant Minister for Superannuation, Financial Services and Financial Technology</i>                            | <i>Senator the Hon Jane Hume</i>       |
| <b>Minister for Finance</b><br>(Vice-President of the Executive Council)<br>(Leader of the Government in the Senate) | Senator the Hon Mathias Cormann        |
| <i>Assistant Minister for Finance, Charities and Electoral Matters</i>   | <i>Senator the Hon Zed Seselja</i>     |
| <b>Minister for Agriculture, Drought and Emergency Management</b>  | The Hon David Littleproud MP           |
| <b>Minister for the Environment</b>  | The Hon Sussan Ley MP                  |
| <b>Minister for Resources, Water and Northern Australia</b>  | The Hon Keith Pitt MP                  |
| <i>Assistant Minister for Waste Reduction and Environmental Management</i>   | <i>The Hon Trevor Evans MP</i>         |
| <i>Assistant Minister for Forestry and Fisheries</i>   | <i>Senator the Hon Jonathon Duniam</i> |
| <b>Minister for Foreign Affairs</b>  | Senator the Hon Marise Payne           |
| <b>Minister for Trade, Tourism and Investment</b><br>(Deputy Leader of the Government in the Senate)                 | Senator the Hon Simon Birmingham       |
| Minister for International Development and the Pacific   | The Hon Alex Hawke MP                  |
| Minister Assisting the Minister for Trade and Investment   | The Hon Andrew Gee MP                  |
| <i>Assistant Minister for Regional Tourism</i>   | <i>Senator the Hon Jonathon Duniam</i> |

|  |                                       |
|--|---------------------------------------|
| <b>Attorney-General</b><br>(Leader of the House)   | The Hon Christian Porter MP           |
| <b>Minister for Industrial Relations</b>   | The Hon Christian Porter MP           |
| <b>Minister for Health</b>   | The Hon Greg Hunt MP                  |
| Minister for Aged Care and Senior Australians  | Senator the Hon Richard Colbeck       |
| Minister for Youth and Sport   | Senator the Hon Richard Colbeck       |
| Minister for Regional Health, Regional Communications and Local Government                         | The Hon Mark Coulton MP               |
| <b>Minister for Home Affairs</b>   | The Hon Peter Dutton MP               |
| <b>Minister for Agriculture, Drought and Emergency Management</b>                                  | The Hon David Littleproud MP          |
| Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs                  | The Hon David Coleman MP              |
| <i>Assistant Minister for Customs, Community Safety and Multicultural Affairs</i>                  | <i>The Hon Jason Wood MP</i>          |
| <b>Minister for Education</b>  | The Hon Dan Tehan MP                  |
| <b>Minister for Employment, Skills, Small and Family Business</b>                                  | Senator the Hon Michaelia Cash        |
| Minister for Decentralisation and Regional Education   | The Hon Andrew Gee MP                 |
| <i>Assistant Minister for Vocational Education, Training and Apprenticeships</i>                   | <i>The Hon Steve Irons MP</i>         |
| <b>Minister for Industry, Science and Technology</b>   | The Hon Karen Andrews MP              |
| <b>Minister for Energy and Emissions Reduction</b>   | The Hon Angus Taylor MP               |
| <b>Minister for Resources, Water and Northern Australia</b>  | The Hon Keith Pitt MP                 |
| <i>Assistant Minister for Northern Australia</i>   | <i>The Hon Michelle Landry MP</i>     |
| <b>Minister for Defence</b>  | Senator the Hon Linda Reynolds<br>CSC |
| <b>Minister for Veterans' Affairs</b>  | The Hon Darren Chester MP             |
| <b>Minister for Defence Personnel</b><br>(Deputy Leader of the House)                              | The Hon Darren Chester MP             |
| Assistant Defence Minister   | The Hon Alex Hawke MP                 |
| Minister for Defence Industry  | The Hon Melissa Price MP              |
| <b>Minister for Families and Social Services</b><br>(Manager of Government Business in the Senate) | Senator the Hon Anne Ruston           |
| <b>Minister for the National Disability Insurance Scheme</b>                                       | The Hon Stuart Robert MP              |
| <b>Minister for Government Services</b>  | The Hon Stuart Robert MP              |
| <i>Assistant Minister for Children and Families</i>  | <i>The Hon Michelle Landry MP</i>     |
| <i>Assistant Minister for Community Housing, Homelessness and Community Services</i>               | <i>The Hon Luke Howarth 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. The title of a department does not necessarily reflect the title of a minister in all cases. Ministers are sworn to administer the portfolio in which they are listed under the 'Minister' column and may also be sworn to administer other portfolios in which they are not listed. Assistant Ministers in italics are designated as Parliamentary Secretaries under the *Ministers of State Act 1952*.

## SHADOW MINISTRY

| Title  | Shadow Minister                        |
|--|--|
| <b>Leader of the Opposition</b>  | The Hon. Anthony Albanese MP           |
| <i>Shadow Cabinet Secretary</i>  | <i>Senator Jenny McAllister</i>        |
| <b>Deputy Leader of the Opposition</b>   | The Hon. Richard Marles MP             |
| <b>Shadow Minister for Defence</b>   | The Hon. Richard Marles MP             |
| Shadow Minister for Veterans' Affairs and Defence Personnel                    | The Hon. Shayne Neumann MP             |
| Shadow Minister Assisting for Defence  | Mr Pat Conroy MP                       |
| Shadow Minister for Defence Industry   | Mr Matt Keogh MP                       |
| <i>Shadow Assistant Minister for Defence</i>                                   | <i>Ms Meryl Jayne Swanson MP</i>       |
| <b>Leader of the Opposition in the Senate</b>                                  | Senator the Hon. Penny Wong            |
| <b>Shadow Minister for Foreign Affairs</b>                                     | Senator the Hon. Penny Wong            |
| Shadow Minister for International Development and the Pacific                  | Mr Pat Conroy MP                       |
| <i>Shadow Assistant Minister to the Leader of the Opposition in the Senate</i> | <i>Senator Jenny McAllister</i>        |
| <b>Deputy Leader of the Opposition in the Senate</b>                           | Senator the Hon. Kristina Keneally     |
| <b>Shadow Minister for Home Affairs</b>  | Senator the Hon. Kristina Keneally     |
| <b>Shadow Minister for Immigration and Citizenship</b>                         | Senator the Hon. Kristina Keneally     |
| Shadow Minister for Multicultural Affairs                                      | Mr Andrew Giles MP                     |
| Shadow Minister Assisting for Immigration and Citizenship                      | Mr Andrew Giles MP                     |
| Shadow Minister for Disaster and Emergency Management                          | Senator Murray Watt                    |
| <b>Shadow Minister for Industrial Relations</b>                                | The Hon. Tony Burke MP                 |
| <b>Shadow Minister for the Arts</b>  | The Hon. Tony Burke MP                 |
| <b>Manager of Opposition Business in the House of Representatives</b>          | The Hon. Tony Burke MP                 |
| <b>Shadow Minister for the National Disability Insurance Scheme</b>            | The Hon. Bill Shorten MP               |
| <b>Shadow Minister for Government Services</b>                                 | The Hon. Bill Shorten MP               |
| <i>Shadow Assistant Minister for Carers</i>                                    | <i>Ms Emma McBride MP</i>              |
| <b>Shadow Minister for Education and Training</b>                              | The Hon. Tanya Plibersek MP            |
| <i>Shadow Assistant Minister for Education and Training</i>                    | <i>Mr Graham Perrett MP</i>            |
| <i>Shadow Assistant Minister for Skills</i>                                    | <i>Ms Ged Kearney MP</i>               |
| <b>Shadow Treasurer</b>  | Dr Jim Chalmers MP                     |
| Shadow Assistant Treasurer   | Mr Stephen Jones MP                    |
| Shadow Minister for Financial Services   | Mr Stephen Jones MP                    |
| <i>Shadow Assistant Minister for Treasury</i>                                  | <i>The Hon. Dr Andrew Leigh MP</i>     |
| <i>Shadow Assistant Minister for Charities</i>                                 | <i>The Hon. Dr Andrew Leigh MP</i>     |
| <i>Shadow Assistant Minister for Financial Services</i>                        | <i>The Hon. Matt Thistlethwaite MP</i> |
| <b>Shadow Minister for Climate Change and Energy</b>                           | The Hon. Mark Butler MP                |
| <b>Deputy Manager of Opposition Business in the House of Representatives</b>   | The Hon. Mark Butler MP                |
| Shadow Minister Assisting for Climate Change                                   | Mr Pat Conroy MP                       |

|   |  |
|---|--|
| Title   | Shadow Minister                        |
| <b>Shadow Minister for Health</b>   | The Hon. Chris Bowen MP                |
| <i>Shadow Assistant Minister for Mental Health</i>  | <i>Ms Emma McBride MP</i>              |
| <b>Shadow Minister for Infrastructure, Transport and Regional Development</b>             | The Hon. Catherine King MP             |
| Shadow Minister for Cities and Urban Infrastructure                                       | Mr Andrew Giles MP                     |
| Shadow Minister for Northern Australia  | Senator Murray Watt                    |
| <i>Shadow Assistant Minister for Infrastructure and Regional Tourism</i>                  | <i>Senator Carol Brown</i>             |
| <i>Shadow Assistant Minister for Tasmania</i>   | <i>Senator Carol Brown</i>             |
| <i>Shadow Assistant Minister for Northern Australia</i>                                   | <i>The Hon. Warren Snowdon MP</i>      |
| <i>Shadow Assistant Minister for Road Safety</i>  | <i>Senator Glenn Sterle</i>            |
| <b>Shadow Minister for Agriculture and Resources</b>                                      | The Hon. Joel Fitzgibbon MP            |
| Shadow Minister for Western Australian Resources  | Mr Matt Keogh MP                       |
| <b>Shadow Special Minister of State</b>   | Senator the Hon. Don Farrell           |
| <b>Shadow Minister for Sport</b>  | Senator the Hon. Don Farrell           |
| <b>Shadow Minister for Tourism</b>  | Senator the Hon. Don Farrell           |
| <b>Shadow Minister Assisting the Leader of the Opposition</b>                             | Senator the Hon. Don Farrell           |
| <b>Shadow Attorney-General</b>  | The Hon. Mark Dreyfus QC MP            |
| <b>Shadow Minister for Constitutional Reform</b>  | The Hon. Mark Dreyfus QC MP            |
| <i>Shadow Assistant Minister for the Republic</i>   | <i>The Hon. Matt Thistlethwaite MP</i> |
| <b>Shadow Minister for Communications</b>   | Ms Michelle Rowland MP                 |
| <i>Shadow Assistant Minister for Communications</i>                                       | <i>Mr Tim Watts MP</i>                 |
| <i>Shadow Assistant Minister for Cyber Security</i>                                       | <i>Mr Tim Watts MP</i>                 |
| <b>Shadow Minister for Finance</b>  | Senator Katy Gallagher                 |
| <b>Shadow Minister for the Public Service</b>   | Senator Katy Gallagher                 |
| <b>Manager of Opposition Business in the Senate</b>                                       | Senator Katy Gallagher                 |
| <i>Shadow Assistant Minister for Government Accountability</i>                            | <i>Senator Kimberley Kitching</i>      |
| <i>Deputy Manager of Opposition Business in the Senate</i>                                | <i>Senator Kimberley Kitching</i>      |
| <b>Shadow Minister for Families and Social Services</b>                                   | The Hon. Linda Burney MP               |
| <b>Shadow Minister for Indigenous Australians</b>   | The Hon. Linda Burney MP               |
| <i>Shadow Assistant Minister for Reconciliation</i>                                       | <i>Senator Patrick Dodson</i>          |
| <i>Shadow Assistant Minister for Constitutional Recognition of Indigenous Australians</i> | <i>Senator Patrick Dodson</i>          |
| <i>Shadow Assistant Minister for Indigenous Australians</i>                               | <i>The Hon. Warren Snowdon MP</i>      |
| <i>Shadow Assistant Minister for Communities and the Prevention of Family Violence</i>    | <i>Senator Jenny McAllister</i>        |
| <b>Shadow Minister for Ageing and Seniors</b>   | The Hon. Julie Collins MP              |
| <b>Shadow Minister for Women</b>  | The Hon. Julie Collins MP              |
| <i>Shadow Assistant Minister for Aged Care</i>  | <i>Ms Ged Kearney MP</i>               |
| <b>Shadow Minister for Employment and Industry</b>  | The Hon. Brendan O'Connor MP           |
| <b>Shadow Minister for Science</b>  | The Hon. Brendan O'Connor MP           |
| <b>Shadow Minister for Small and Family Business</b>                                      | The Hon. Brendan O'Connor MP           |

| Title  | Shadow Minister                   |
|--|-----------------------------------|
| Shadow Minister for Innovation, Technology and the Future of Work              | Ms Clare O'Neil MP                |
| Shadow Minister Assisting for Small and Family Business                        | Mr Matt Keogh MP                  |
| <i>Shadow Assistant Minister for Manufacturing</i>                             | <i>Senator Louise Pratt</i>       |
| <i>Shadow Assistant Minister for Employment Services</i>                       | <i>Senator Louise Pratt</i>       |
| <b>Shadow Minister for Regional Services, Territories and Local Government</b> | The Hon. Jason Clare MP           |
| <b>Shadow Minister for Housing and Homelessness</b>                            | The Hon. Jason Clare MP           |
| <i>Shadow Assistant Minister for External Territories</i>                      | <i>The Hon. Warren Snowdon MP</i> |
| <b>Shadow Minister for Early Childhood Education</b>                           | The Hon. Amanda Rishworth MP      |
| <b>Shadow Minister for Youth</b>   | The Hon. Amanda Rishworth MP      |
| <b>Shadow Minister for the Environment and Water</b>                           | Ms Terri Butler MP                |
| <i>Shadow Assistant Minister for the Environment</i>                           | <i>Mr Josh Wilson MP</i>          |
| <b>Shadow Minister for Trade</b>   | Ms Madeleine King MP              |

Shadow Cabinet Ministers are shown in bold type.

# CONTENTS

WEDNESDAY, 26 AUGUST 2020

## Chamber

|  |    |
|--|----|
| DOCUMENTS—   |    |
| Tabling.....   | 1  |
| COMMITTEES—  |    |
| Meeting.....   | 1  |
| PARLIAMENTARY OFFICE HOLDERS—  |    |
| Temporary Chairs of Committees.....  | 1  |
| COMMITTEES—  |    |
| Joint Select Committee on Road Safety—   |    |
| Report.....  | 1  |
| BILLS—   |    |
| Tertiary Education Quality and Standards Agency Amendment (Prohibiting Academic Cheating Services) Bill  |    |
| 2019—  |    |
| Second Reading.....  | 2  |
| In Committee.....  | 5  |
| Third Reading.....   | 6  |
| Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) |    |
| Bill 2020—   |    |
| Second Reading.....  | 7  |
| STATEMENTS BY SENATORS—  |    |
| Poate, Private Robert.....   | 29 |
| Coalition Government.....  | 29 |
| COVID-19: Queensland.....  | 31 |
| JobSeeker Payment.....   | 33 |
| COVID-19: Economy.....   | 35 |
| COVID-19: Employment.....  | 36 |
| National Security.....   | 38 |
| Higher Education.....  | 38 |
| COVID-19.....  | 39 |
| Far North Queensland.....  | 41 |
| QUESTIONS WITHOUT NOTICE—  |    |
| COVID-19: Aged Care.....   | 42 |
| Defence Industry.....  | 43 |
| COVID-19: Aged Care.....   | 44 |
| COVID-19: Exports.....   | 45 |
| COVID-19: Aged Care.....   | 46 |
| Vocational Education and Training.....   | 47 |
| COVID-19: Arts.....  | 48 |
| National Security.....   | 48 |
| COVID-19: Aged Care.....   | 49 |
| COVID-19: Vaccine.....   | 50 |
| Aged Care.....   | 51 |
| Services Australia.....  | 52 |
| PARLIAMENTARY REPRESENTATION—  |    |
| Victoria.....  | 53 |
| STATEMENT BY THE PRESIDENT—  |    |
| COVID-19: Parliament House.....  | 53 |
| QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS—  |    |
| COVID-19: Aged Care.....   | 54 |
| COVID-19: Arts.....  | 58 |
| NOTICES—   |    |
| COVID-19: Pensions and Benefits—   |    |
| Presentation.....  | 59 |
| BUSINESS—  |    |
| Leave of Absence.....  | 59 |

## CONTENTS—*continued*

|  |     |
|--|-----|
| NOTICES—   |     |
| COVID-19: Pensions and Benefits—   |     |
| Postponement .....   | 59  |
| BILLS—   |     |
| Family Law Amendment (Risk Screening Protections) Bill 2020—   |     |
| Sport Integrity Australia Amendment (World Anti-Doping Code Review) Bill 2020—   |     |
| First Reading .....  | 59  |
| Second Reading .....   | 59  |
| MOTIONS—   |     |
| Murray-Darling Basin .....   | 62  |
| Defence Amendment (Sovereign Naval Shipbuilding) Bill 2018 .....   | 62  |
| Aboriginal Flag .....  | 62  |
| COVID-19: Pensions and Benefits .....  | 63  |
| Murray-Darling Basin .....   | 63  |
| Violence Against Women .....   | 64  |
| Minister for Aged Care and Senior Australians .....  | 64  |
| Superannuation .....   | 66  |
| Environment Protection and Biodiversity Conservation Act .....   | 68  |
| Immigration Detention .....  | 69  |
| Pensions and Benefits .....  | 70  |
| Victoria: Forestry .....   | 71  |
| NOTICES—   |     |
| Presentation .....   | 72  |
| BUSINESS—  |     |
| Leave of Absence .....   | 75  |
| MATTERS OF PUBLIC IMPORTANCE—  |     |
| COVID-19: Aged Care .....  | 75  |
| COMMITTEES—  |     |
| Education and Employment Legislation Committee—  |     |
| Report .....   | 84  |
| Human Rights Committee—  |     |
| Report .....   | 84  |
| Human Rights Committee—  |     |
| Report .....   | 87  |
| Scrutiny of Bills Committee—   |     |
| Scrutiny Digest .....  | 89  |
| DOCUMENTS—   |     |
| COVID-19: Aged Care—   |     |
| Order for the Production of Documents .....  | 89  |
| REGULATIONS AND DETERMINATIONS—  |     |
| Industry Research and Development (Bankable Feasibility Study on High-Efficiency Low-Emissions Coal<br>Plant in Collinsville Program) Instrument 2020— |     |
| Disallowance .....   | 90  |
| ADJOURNMENT—   |     |
| Hawke-Keating Government .....   | 101 |
| COVID-19: South Australia .....  | 102 |
| COVID-19: International Students .....   | 103 |
| Energy .....   | 104 |
| COVID-19: Tasmania .....   | 104 |
| Women's Sport .....  | 105 |



*Wednesday, 26 August 2020*

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

## DOCUMENTS

### Tabling

**The Clerk:** I table returns to order as listed on the Dynamic Red.

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

## COMMITTEES

### Meeting

**The Clerk:** Proposals to meet have been lodged as follows:

Autism—Select Committee—Private meeting otherwise than in accordance with SO33(1) on today, from 12 pm.

Education and Employment Legislation and References Committees—Private meeting otherwise than in accordance with SO33(1) today, from 11 am.

Environment and Communications Legislation and References Committees—Private meeting otherwise than in accordance with SO33(1) on Thursday, 27 August 2020, from 1 pm.

Financial Technology and Regulatory Technology—Select Committee—Private meeting otherwise than in accordance with SO33(1) on Wednesday, 26 August 2020, from 11.30 am.

Human Rights—Joint Statutory Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 11 am.

National Capital and External Territories—Joint Standing Committee—

public meeting on Thursday, 3 September 2020, from 10 am.

private meeting otherwise than in accordance with SO33(1) on Thursday, 27 August 2020, from 10 am.

Scrutiny of Delegated Legislation—Standing Committee—Private meetings otherwise than in accordance with SO33(1) on Wednesday, 26 August and 2 September 2020, from 1 pm

Scrutiny of Delegated Legislation—Standing Committee—public meetings—

Thursday, 27 August and 3 September 2020, from 4 pm

Monday, 31 August 2020, from 6 pm.

**The PRESIDENT (09:31):** I remind senators that the question may be put on any proposal at the request of any senator.

## PARLIAMENTARY OFFICE HOLDERS

### Temporary Chairs of Committees

**The PRESIDENT (09:31):** Pursuant to standing order 12, I lay on the table a warrant nominating senators as additional Temporary Chairs of Committees when the Deputy President and Chair of Committees is absent.

## COMMITTEES

### Joint Select Committee on Road Safety

#### Report

**Senator RICE (Victoria—Deputy Australian Greens Whip) (09:31):** The speech that I was giving last night was cut off because of technical difficulties. I seek leave to have the remainder of my speech incorporated into *Hansard*.

**The PRESIDENT:** I understand that was granted for Senator Di Natale, and it's now being sought for Senator Rice for her own speech. Is leave granted?

Leave granted.

*The speech read as follows—*

She was on her way to work when the accident happened.

So it is crucial that we improve our road safety. Sadly, we haven't seen action from the government. They have failed to act on the recommendations of an independent review that they themselves commissioned.

And tragically, we are heading to the end of the current strategy, and the start of the next one in the coming year, without a clear strategy from government of what they intend to do.

Every month of delay is a month when more lives are lost, and many more people are seriously injured, often with health impacts that they then have to live with for the rest of their lives.

There is so much that the government could do.

This interim report notes that a core and central issue of the inquiry for the committee is how to prioritise road safety. They note that the impacts of road safety extend beyond the boundaries of transport, infrastructure and enforcement portfolios, and how the responsibility for addressing all aspects of road safety needs to be equally shared, and needs to be firmly in the centre of government.

The government's own independent review recommended the creation of a genuinely independent Office of Road Safety. But renaming a branch within the Department is not the same as creating a genuinely independent statutory authority. It's easy for the government to say they 'note' recommendations, to throw around funding for large road projects that happen to have a portion for safety.

Prioritising road safety means identifying and prioritising actions that are shown to be effective in improving safety - actions like ensuring that truck drivers are not being drastically underpaid so pushed into taking massive risks in their driving to try and make a reasonable living.

Actions like 30 and 40km speed limits in busy pedestrian areas, actions like serious federal funding for bike paths and lanes that separate bikes from cars and trucks.

The Greens propose at least a billion dollars should be spent on bike infrastructure over the next four years - it's perfect economic stimulus - money spent locally, providing local jobs, implementing in large measure plans that are already developed by local governments and are ready to go, and providing economic, health and environmental benefits

Meaningful action on road safety across the board is so important. We need a stronger road safety strategy, one that locks in meaningful funding, and works across levels of government. We can, and we must do more, to save lives around Australia.

I look forward to seeing the final report of this Committee later in the year.

## **BILLS**

### **Tertiary Education Quality and Standards Agency Amendment (Prohibiting Academic Cheating Services) Bill 2019**

#### **Second Reading**

Consideration resumed of the motion:

That this bill be now read a second time.

**Senator BILYK** (Tasmania) (09:32): To continue what I was saying yesterday, university students, both domestic and international, need to know that when they make the largest investment of their young lives, they are investing in a quality product which is untainted by scandal or deliberate attempts to deceive. Every time a student gets away with cheating, they devalue the qualifications of everyone who has graduated from that institute of higher learning, they devalue the institution itself, and they devalue Australia's higher education sector more broadly. In my home state, the University of Tasmania has managed to leverage quality education with the liveability of the cities of Hobart, Launceston and Burnie, and this brings income into our state. Education has become an export industry, in the same way that exporting our manufactured goods or our raw products has. Nationally the Australian Bureau of Statistics valued exports from international education at \$18.8 billion in 2014-15, making it Australia's third-largest export. There were more than 350,000 international students enrolled in the higher education sector in Australia through 2017. According to the *Department of Education and Training Research Snapshot* published in November 2016, international education provided Tasmanians with \$211 million in goods and services export revenue in 2015-16, making it my home state's fourth-largest source of export income. We must secure the integrity of the service that this revenue is based upon.

Labor supports the intention of this bill to implement the recommendations of the Higher Education Standards Panel, or HESP, to introduce deterrents to third-party academic cheating services in higher education. HESP, in their advice to the minister for education in March 2017, considered that inadequately constrained cheating activity 'has the potential to cause great damage to the domestic and international reputation of Australian higher education'. HESP was asked by the education minister for advice on opportunities to deter and prevent organised and commercial cheating in Australian higher education following the MyMaster cheating scandal that was revealed in 2015. Those listening may recall that the MyMaster company was hired by up to 1,000 students from 16 universities to ghostwrite their assignments and sit online tests. Thankfully it appeared that students from UTAS had no involvement in this scandal.

There is currently no Australian jurisdiction with offences specifically aimed at deterring or punishing cheating by students or organised cheating services. HESP considered that organised commercial cheating presents possibly the greatest current reputational risk to Australian higher education. This bill seeks to create an offence in providing, offering to provide or arranging for a third party to provide an academic cheating service to a student

undertaking an Australian higher education course of study or an overseas higher education course of study provided at Australian premises. To fall within the definition of 'academic cheating service' a provider must provide work to or undertake work for students where the work forms a substantial part of an assessment task that students are required to personally undertake. The explanatory memorandum particularly notes that the incidental or inconsequential assistance, advice or example answers that might be offered to a student are not at risk of being captured by the new offence provisions.

Labor understands that there is strong stakeholder support for legislation to safeguard academic integrity in Australia's university sector, including from the Group of Eight universities, the Council of Australian Postgraduate Associations and the National Union of Students, as well as other universities and TAFEs. The offences in this bill are accompanied by harsh penalties in order to deter and combat the detrimental consequences academic cheating services have on the reputation of Australia's higher education product. Where an academic cheating service operates for commercial purpose, strict liability will apply to the physical element of the offence, and both criminal and civil penalties will apply, including a maximum penalty of two years in prison. Where an academic cheating service is not operating for a commercial purpose, only civil penalties will be incurred.

The business model of academic cheating services is becoming more insidious. The explanatory memorandum to the bill suggests that the persuasive advertisements for their services may exploit vulnerable students by promoting themselves as altruistic enterprises or even as acting in the interests of students who are under academic stress. The bill creates offences for advertising, publishing or broadcasting an advertisement for an academic cheating service to students, and these offences also carry a maximum penalty of two years in prison if the academic cheating service that is advertised is operating for a commercial purpose.

Labor is very concerned about vulnerable students being targeted by academic cheating services. As well as deterrents provided through the offences in the bill, Labor would encourage universities and higher education providers to provide and publicise support services for these students so that when they are struggling they will have somewhere to turn. This is particularly important for international students, who may be away from family and friends for the first time. As I said earlier, Labor support this bill, but we do not support—and cannot support—the attacks on the higher education sector that have come from this government.

Labor knows all too well that investing in and maintaining our world-class universities is good for us all. The value that university education has added to Australia's productive capacity is estimated at \$140 billion in GDP. We know Australia will require an additional 3.8 million university qualifications by 2025, according to a report prepared for Universities Australia. That's why Labor invested in the university sector when we were in government.

After years of neglect under the previous Howard government, Labor boosted investment in universities from \$8 billion in 2007 to \$14 billion in 2013. We also opened up the system with demand driven funding in 2012, which saw an additional 190,000 Australians able to get a place at university before the government ended demand driven funding. We also wanted to ensure that the opportunity to go to university was made available to all Australians, particularly those who have to overcome structural disadvantages. It worked. Labor policies saw an extra 220,000 Australians have the opportunity of university education. Financially disadvantaged student enrolments increased by 66 per cent; Indigenous undergraduate student enrolments increased by 105 per cent; enrolments of undergraduate students with disability grew by 123 per cent; and enrolments of students from regional and remote areas increased by 50 per cent. Yet, when it comes to our higher education system, this government's approach is cut, cut, cut. They have capped university places, cut \$2.2 billion from the system and locked more than 200,000 students out of the opportunity of a university qualification. They have cut \$328.5 million from university research. The minister himself said to the National Press Club that the productivity improvements in the higher education sector can deliver \$2.7 billion to Australia's GDP per annum. How will this be achieved when the government's policy is to destroy the sector?

Universities are economic powerhouses within the community, particularly in our regions. They provide jobs, train regional workers and prepare our young people for the future challenges that our country is facing and will face. Researchers found that seven in 10 regional university graduates take up work outside of metropolitan areas. Those universities and students reinvest more than \$2 billion a year in regional communities with university campuses. I know that UTAS makes an important contribution to my home state of Tasmania. However, it's facing very rocky times following the COVID-19 pandemic. It was recently reported in the media that the University of Tasmania has taken on debt of \$130 million and has frozen salaries. It was also reported that its financial modelling shows that it faces revenue losses in 2020 of between \$30 million to \$34 million and between \$60 million to \$120 million per year in 2021-22. Vice-Chancellor Rufus Black said that the institution would take on \$130 million in debt over the next four years in a bid to share the costs between current and future generations.

Apparently, \$40 million to \$50 million a year would need to come from salaries, and it is prioritising a voluntary redundancy process over forced layoffs.

It's clear that the Morrison government is not adequately supporting our university sector. Workers shouldn't have to bear the brunt of failed government policies. Australia cannot afford to let our universities fall off a cliff. The Australian government must act now to shore up our universities. The COVID-19 pandemic and global travel restrictions have led to a crisis in this funding model with income from international students plummeting over recent months. The government cannot explain—or is yet to explain—why full-time university workers, many with families to support, are not eligible for JobKeeper when workers in other sectors are. Universities across Australia employ 260,000 people. That's an enormous sector, and it does great work. Research conducted at Australian universities is saving lives and leading the world. Already this year, University of Melbourne researchers were the first outside China to develop a lab-grown coronavirus in a major breakthrough that will speed up work towards a vaccine for the disease. The University of Queensland has been asked to use its recently developed rapid-response technology to develop a new vaccine for the coronavirus outbreak which could be available worldwide in as little as six months time. Universities train the doctors, nurses and health experts that Australia has relied upon during this pandemic.

For months now, Labor has been urging the Morrison government to act, to help universities and to save jobs, but the Prime Minister hasn't done anything to help, and now jobs are being lost, with thousands more to come. We do not know how many voluntary redundancies will occur at UTAS or what will happen if enough people don't volunteer. The Morrison government changed JobKeeper eligibility criteria for universities after they were initially announced, which has stopped staff at many universities from getting fair access to the scheme. This is putting tens of thousands of jobs at risk, including many in regional Australia. Already we have seen announcements that hundreds of jobs will go at Deakin University, Central Queensland University and La Trobe University. The impact on regional communities will be devastating. Universities supporting 14,000 jobs in country Australia—*(Time expired)*

*(Quorum formed)*

**Senator BIRMINGHAM** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (09:47): I thank senators for their contributions to the detail of the debate on the Tertiary Education Quality and Standards Agency Amendment (Prohibiting Academic Cheating Services) Bill 2019. I note there were a range of other more extraneous and unrelated comments and contributions made during the debate as well. On that front, I would again remind senators that higher education in Australia continues to receive record levels of funding, support continues to grow in the forward years of the Australian budget and indeed the government has provided guarantees in relation to the flow of taxpayer support to Australian universities during the pandemic. But those matters are not what this bill seeks to address.

This bill seeks to ensure that we as a nation deliver a strong stand against cheating in Australian universities which tarnishes the reputation of our very valuable higher education sector. Our efforts here are designed to ensure that we continue to deliver a world-class higher education offering to students from Australia and from around the world who choose to study with Australian institutions. The penalties in this bill are designed to deter the undertaking of cheating and particularly to deter the provision and advertising of cheating, especially for academic cheating services. The capacity to block cheating websites will make it harder for students in Australia to access those services and for those websites to provide their scurrilous offerings.

I would like to thank the Parliamentary Joint Committee on Human Rights and the Senate Standing Committee for the Scrutiny of Bills for their consideration of this bill. As requested by the committees, an addendum to the explanatory memorandum was tabled to explain the compatibility of the civil penalties in the bill with the processes used in criminal law and reasons for placing the burden of proof on the defendant for particular offences. I'd also like to thank the opposition for their constructive engagement on the bill. Several other amendments to the explanatory memorandum were made to provide additional clarification on matters they and other stakeholders raised. These include clarifying that students who publish their old essays will not be subject to prosecution under the bill and that people who inadvertently promote academic cheating services on social media will also not be affected.

The development of this bill has been, indeed, a lengthy process. It commenced during 2016 and 2017 with consideration by the Higher Education Standards Panel of the issue of contract cheating. I was pleased to have initiated those considerations by the panel at the time. The panel found the complex array of state, territory and Commonwealth laws relevant to cheating offences made it difficult to pursue legal solutions against providers of cheating services. The panel's advice was that additional legislative backing was needed to more effectively deal with such risks, and the panel advocated that this should be modelled on New Zealand's approach, which ensures

legislation is aimed particularly at those who provide the cheating services rather than at students who might use those cheating services.

I thank the Higher Education Standards Panel, which reviewed this issue and whose work under the then chair, Professor Peter Shergold, has provided the strong basis for our government's actions in this bill. I thank the Tertiary Education Quality and Standards Agency, under its leadership, for their work and advice, as well as various universities, advisers and other stakeholders to government, including previous advisers Professor Don Markwell and Darren Brown, who have helped to drive this. I note the very valuable consultation and work that my successor in this portfolio, Minister Tehan, has continued to undertake with his advisers and team to ensure that we have a bill that will give public confidence in the quality of graduates from our higher education institutions and stop unscrupulous cheating services preying on vulnerable students.

Once again, I thank senators for their engagement in this topic and commend the bill to the chamber.

**The DEPUTY PRESIDENT:** Thank you, Minister. I believe there are amendments, so we'll move to the Committee of the Whole.

Question agreed to.

Bill read a second time.

### In Committee

Bill—by leave—taken as a whole.

**Senator FARUQI** (New South Wales) (09:52): by leave—I move Greens amendments (1), (2) and (3) on sheet 8866 together:

(1) Schedule 1, item 10, page 5 (lines 23 and 24), at the end of the heading to subsection 114A(1), add "*—criminal offence*".  
[civil penalty for academic cheating services—consequential]

(2) Schedule 1, item 10, page 6 (lines 10 to 17), omit subsection 114A(3), substitute:

*Providing etc. an academic cheating service for a commercial purpose—civil penalty*

(3) A person contravenes this subsection if the person provides, offers to provide or arranges for a third person to provide an academic cheating service:

- (a) to a student undertaking, with a higher education provider:
  - (i) an Australian course of study; or
  - (ii) an overseas course of study provided at Australian premises; and
- (b) for a commercial purpose.

Civil penalty: 500 penalty units.

[civil penalty for academic cheating services]

(3) Schedule 1, item 10, page 7 (lines 12 to 17), omit subsection 114B(2), substitute:

(2) A person contravenes this subsection if:

(a) the person advertises, or publishes or broadcasts an advertisement for, an academic cheating service to students undertaking, with a higher education provider:

- (i) an Australian course of study; or
- (ii) an overseas course of study provided at Australian premises; and

(b) either:

- (i) the person does so for a commercial purpose; or
- (ii) the academic cheating service has a commercial purpose.

Civil penalty: 500 penalty units.

[civil penalty for academic cheating services]

These amendments are about restricting the application of civil penalties in this legislation to commercial providers of cheating services and removing them from individuals who are non-commercial providers. I just want to be clear that this amendment does not remove civil or criminal penalties for commercial cheating services. As I spoke about in debate on the bill, this exposes individuals to civil penalties. Although the minister in the other place has said that students and families and friends are protected, I think we can make it completely watertight today and make sure that there are no civil penalties, which could be up to more than \$100,000 in the case of this particular legislation, to which individuals could be exposed.

Really, for instances like these, it is up to the universities to have the resources and the funding to be able to support their students and to be able to deal with this. These penalties are not even remotely commensurate with

the low-grade academic misconduct that might happen. Universities must be resourced to deal with this, so I commend the amendments.

**Senator BIRMINGHAM** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (09:54): The government does not support the amendments. We have consulted extensively on the legislation. This included the release earlier this year of an exposure draft of the bill from which a number of issues were raised that the government responded to. In terms of the issues that were raised, we looked carefully at criminal penalties and ensured they are limited to situations where the cheating service or advertising is done for a commercial purpose. The maximum civil financial penalty has been halved under the changes. The scope of cheating assistance that is prohibited by the bill has been more tightly defined to where a substantial part of an assessment task is undertaken by a third party.

The government recognises that the bill seeks to prohibit unpaid cheating assistance as well. That's based on the fact that Australian research has shown a large proportion of third party cheating occurs on an unpaid basis by friends, family or others in the community. This type of cheating is equally a threat to the integrity of student assessments and qualifications earned and, indeed, in some fields of study can lead to dangerous outcomes. It's not anticipated that many such cases in relation to unpaid cheating would reach the courts, except in the most serious cases of repeated, deliberate and extensive infractions. The clear intention of the bill is to deter cheating assistance rather than to prosecute family and friends.

I stress very much that in every case prosecution of offences under this law will be at the discretion of the Commonwealth Director of Public Prosecutions. The DPP will make an informed judgement about the strength of the evidence and likelihood of conviction as well as the seriousness and value of the offences in question, and the public value of achieving a successful conviction as a deterrent to other potential offenders. The government hopes to see prosecutions under the law where people are clearly doing the wrong thing. But, in the cases of family, friends and mild levels of cheating, we would anticipate that this should act as a clear deterrent and that the systems in place provide sufficient safeguards such that the types of outcomes that drive Senator Faruqi's understandable concerns would not be realised. We do think, on balance, that it is worth keeping the clear disincentive created by this bill in place, to make sure that all forms of cheating are discouraged under the legislation.

**The TEMPORARY CHAIR (Senator Stoker):** The question is that the amendments moved by Senator Faruqi be agreed to.

Question negatived.

**Senator GRIFF** (South Australia) (09:58): by leave—I move amendments (2) to (4) on sheet 8996 together:

(2) Schedule 1, item 10, page 6 (line 20), omit "or (3)".

(3) Schedule 1, item 10, page 6 (line 25), omit "or (3)".

(4) Schedule 1, item 12, page 10 (line 12), omit "114A(3) or".

We also oppose schedule 1 in the following terms:

(1) Schedule 1, item 10, page 6 (lines 10 to 17), subsection 114A(3), TO BE OPPOSED.

**Senator BIRMINGHAM** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (09:58): Just for the record, I understand Senator Griff's amendments are seeking to address broadly the same issues that Senator Faruqi raised before, and for the same reasons the government does not support those amendments.

**The TEMPORARY CHAIR:** The question is that amendments (2) to (4) on sheet 8996 be agreed to.

Question negatived.

**The TEMPORARY CHAIR:** The question is that schedule 1 stand as printed.

Question agreed to.

Bill agreed to.

Bill reported without amendments; report adopted.

### Third Reading

**Senator BIRMINGHAM** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (10:00): I move:

That this bill be now read a third time.

Bill read a third time.

## Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020

### Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

**Senator GALLAGHER** (Australian Capital Territory—Manager of Opposition Business in the Senate) (10:00): Labor will be supporting this bill today. The additional childcare subsidy for child wellbeing is a vital program that provides a safe and nurturing learning environment for children in extremely vulnerable situations at home. For most of these children it can be the difference between being able to stay at home or having to go into the child protection system. It's critical that the government treats this program with sensitivity and ensures families and providers are not overly burdened with red tape.

This Liberal-National government introduced a number of new requirements and rules that restricted access to the additional childcare subsidy in July 2018. This government like to bang the drum about cutting red tape. It's one of those media releases they put out on regular rotation, but they go out of their way to increase red tape for vulnerable families and the childcare providers trying to help them. In the first six months of the new system, the number of children receiving the child wellbeing subsidy collapsed by 21 per cent. These numbers have since recovered pre-July 2018 levels but only after a significant effort and resources from providers.

When asked in Senate estimates if the department was concerned about the drop, they admitted that they weren't and also confessed that they weren't even tracking families that had dropped out of the system. During the Senate inquiry into the government's first round of changes to the childcare legislation last September, the stakeholders all expressed strong views that the additional childcare subsidy was not working in the best interests of vulnerable children. The Early Learning and Care Council of Australia, Early Childhood Australia and Goodstart all called on the government to fix the red tape and restrictions on the ACCS.

Labor will support these changes because they fix some of the design flaws in their new system and will help to get vulnerable children the support they need, but the Liberals' childcare system still has many other serious flaws. This is a system which leaves one in four families worse off. It's a design feature where access to early education and care is reduced for 279,000 families. It's a system that only 40 per cent of providers and 41 per cent of families told the independent evaluation reviewers had resulted in positive change, and 83 per cent of parents told the evaluation that the new system had made no impact on their work or study. It's a system that has been forcing childcare providers to act as unpaid debt collectors for the government, because families are struggling to stay on top of the complicated activity and means tests. It's a system that has been riddled with software glitches that have left providers and families in the dark and staff without pay. It sends out blunt letters, telling families they owe the government money without any explanation. So far over 91,000 families, or 16 per cent of all families, audited so far have been hit with a childcare subsidy debt notice, which is more evidence that their new system is too complex and not working for families.

Childcare fees are already out of control in the new system. The CPI figures show childcare costs increased by 1.9 per cent in the December quarter, the fourth successive increase, and have now gone up by 7.2 per cent in the 12-month period. Fees are now 34 per cent up under the Liberal-National government. Families are now paying on average \$3,800 a year more for early education and care under this government. The government was very confident that the new system would put downward pressure on fees and they were driving down the cost of child care. The minister was keen to spruik a new website as a game changer and told families to shop around, but less than half of providers are providing accurate fee information to the website. You certainly don't hear the minister making these claims any more. And, like in every other portfolio, the government has no idea and no plan on how to bring fees under control. The Minister for Education claims taxpayer funding of early education and care is communism. The Prime Minister calls the childcare budget a money pit. These are unacceptable comments from an out-of-touch Morrison government.

Labor will support this bill, but we also note our ongoing concerns with the failure of the Morrison government to manage our childcare sector.

*(Quorum formed)*

**Senator FARUQI** (New South Wales) (10:07): I rise to speak on behalf of the Greens on the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020. The bill makes changes to additional childcare subsidy (child wellbeing) and to the calculation method used when an individual whose relationship status changes throughout the year meets the childcare subsidy reconciliation conditions. A major intention is to ensure that providers can care for a child at risk of abuse or neglect while a foster family determines its eligibility for the childcare subsidy and, potentially, the additional childcare subsidy.

The bill will also allow for the backdating of the additional childcare subsidy (child wellbeing) certificates and determinations for up to 13 weeks, which is up from the current 28 days in certain circumstances. Finally, it will extend the maximum period for an ACCS (child wellbeing) determination period from 13 weeks to up to 12 months for classes of children to be prescribed in the minister's rules.

The Greens support this bill as we support every measure to make subsidised early learning more accessible and more generous for families and children. Sadly, the way early learning in Australia is regulated is enormously complex and families can fall through the cracks of the system. This bill will help to ensure that more families can access subsidised early learning, particularly those where the children may be at particular risk of serious abuse or neglect.

In a second reading speech on this bill way back in February, Minister Tehan said:

Just over 18 months into implementation of the childcare package and it is clear that the government is delivering on its goals to create a more affordable, accessible and flexible childcare system.

They say hindsight is 20/20, but I think, in the intervening six months, we have seen that early childhood education and care is not the affordable, accessible and flexible system that the minister so wishes it to be.

After a brief flirtation with free childcare, most families are now back to paying fees in one of the most expensive childcare sectors in the world during a pandemic which has decimated our economy and jobs. As for accessibility, childcare is still out of reach for plenty of marginalised and disadvantaged families. As for flexibility, COVID-19 almost toppled the whole system. Far from being an agile, resilient and flexible system, it is a house of cards. Obviously the pandemic rattled our whole economy and society, but, unlike other sectors, early childhood education and care almost went under completely in a matter of just weeks.

As many have said, COVID-19 has exposed the cracks in the system which governments have tried to ignore or downplay for far too long. Precarious and insecure work, expensive child care, overstretched aged-care systems and health systems and an unemployment benefit that keeps its recipients below the poverty line are just a few of these structural problems that the government has had to face up to during this seismic change in our economy.

At the moment, across the country, families are struggling with the burden of going back to paying full fees for early learning. Free child care being cut off in July was the first of the big COVID measures to be wound back. Fees are back. We have a bizarre and, frankly, shameful situation now where parents are forced to pay fees, early learning centres can't access the JobKeeper wage subsidy and ECEC workers don't have a wage or income guarantee at all. They were the first workers to lose JobKeeper by decree of this Liberal government. This is unacceptable and clearly unsustainable. We need to chart a new course. We need proper government investment to make early learning well funded, high quality and fee free.

A recent report by the Grattan Institute looked at the value of investing to raise the CCS to make child care cheaper for families and, in particular, looked at the impacts of women's workforce participation. It found that getting rid of expensive fees is good for women, good for children and good for the economy. The reality is that expensive child care has held Australian women back for far too long. Child rearing in Australia is highly gendered, and it's women who lose independence and income when decisions have to be made about who will stay at home.

The government should invest in early learning and make it fee free for all. This will benefit women, this will benefit families and this will benefit the whole community. Early learning and care should be recognised as a critical part of a child's development and funded as such by government. It should be fee free so every family can access it without any barriers. It is an essential service, and it should be universally accessible.

I have enthusiastically welcomed growing calls to make early learning permanently free for Australian families. This is not pie in the sky thinking. Like free higher education, free child care is now in the basket of, 'We had it, and we can have it again.' I urge the government to go back to the drawing board on early learning and invest to make big changes needed and ultimately make this essential service accessible, universal and fee free for all families. Until then, we will continue to tinker around the edges.

As early childhood education consultant Lisa Bryant wrote in *The Guardian* recently:

... now would be a really good time for the government to announce that Australia's early education and care system is not fit for purpose, that the funding is still nightmarishly complex and they are going to make a fundamental change to how they are going to fund it.

They need to stop funding parents and start funding services.

This would certainly be a good place to start.

**Senator HENDERSON** (Victoria) (10:14): It's my pleasure to rise and speak on the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020. I want to

start my contribution by noting with some concern the contribution of Senator Faruqi. While Senator Faruqi made a number of statements critical of our government's support for families and for child care, she didn't really reference any facts. We are interested in the facts, and the facts of the matter are that around one million Australian families who are balancing work and parental responsibilities are benefiting from this package. At the moment in this country, Senator Faruqi, 72 per cent of families pay no more than \$5 per hour in day care centres. We have monumentally reformed child care in this country, and, of that subset of 72 per cent, Senator Faruqi, 24 per cent pay no more than \$2 per hour. We reject the proposition, which the Greens did not speak up about a number of years ago, that families earning \$1 million and more were being subsidised on their childcare payments.

**Senator Gallagher:** Madam Acting Deputy President, I rise on a point of order. I believe the senator should be making her comments through you rather than them being directed at any particular senator in the chamber.

**The ACTING DEPUTY PRESIDENT (Senator Stoker):** Senator Henderson, please direct your comments through the chair.

**Senator HENDERSON:** Through you, Madam Acting Deputy President, I reiterate my concern about the Greens' position and the distortion of the facts. The fact is that this government is providing record funding for child care—\$9.9 billion by 2022-23. Australians listening to that contribution from Senator Faruqi would not actually know that the most disadvantaged families in our country receive a rebate of 85 per cent of their childcare costs.

What our government has done is fundamentally change the way families are supported by directing the greatest amount of support to families who need it the most. We reject the proposition that the same level of subsidy should be provided to families earning very high wages. We don't think that's fair. Why is it that the Greens have not addressed this issue? The fact of the matter is that, when the Greens make a contribution on this issue, they should be candid with the Australian people as to what we are doing.

As part of our reform of child care, we are also proudly preventing \$3 billion of taxpayers' money from being claimed as part of the very strong stance that we have taken against fraudulent behaviour. So I am very proud of the way our government is supporting families and of the way our government is supporting the most disadvantaged families, and that is a fact.

*Honourable senators interjecting—*

**Senator HENDERSON:** It is also regrettable that—

**The ACTING DEPUTY PRESIDENT:** Senator Brockman on a point of order?

**Senator Brockman:** Interjections are always disorderly and, from the end of the chamber, we have constant interjections through this second reading contribution from Senator Henderson. I would bring the matter to your attention.

**The ACTING DEPUTY PRESIDENT:** Interjections are disorderly. The senator has the right to be heard in silence. Senator Henderson, please resume.

**Senator HENDERSON:** It is also regrettable that Senator Faruqi did not mention that the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020 now before the Senate for debate, in adopting the \$700 million transition package, is making all employees of childcare centres who are currently working eligible. She did not address the fact that one-third of childcare workers working in Australian childcare centres are not currently eligible for JobKeeper. We have been criticised for that. But now this issue is being remedied, because we're providing a new wave of support, and this is something that the Greens have suddenly forgotten to mention. The fact of the matter is that casuals who have been working for a childcare centre for less than 12 months, visa holders and other people who are not currently eligible for JobKeeper are eligible for this new transition package. As I said, it is regrettable that that very important point has been conveniently overlooked by the Greens in the contribution that we just heard.

The childcare relief package before the Senate will keep 99 per cent of childcare centres open. We know how difficult this has been; this pandemic has been so traumatic for families, has caused so many issues in our community and has put families under such pressure. For those who run childcare centres, when the numbers dropped away dramatically our government took immediate action to keep those centres open by providing free child care. And we're now working to give childcare centres the support they need and, importantly, childcare workers the support they need. Our \$708 million transition package will provide 25 per cent of fee revenue—that's 25 per cent of the existing hourly rate cap, whichever is lower, during the relevant reference fortnight, and the last two payments scheduled for September 2020 will be brought forward. Childcare fees will be capped and services need to guarantee employment levels by maintaining the same average number of employees. Activity tests will

be relaxed until 4 October 2020 to assist families whose employment has been impacted by COVID-19—again, a further concession to make sure that we're doing everything we can to support families. That's so families impacted by COVID-19 can receive up to 100 hours of subsidised child care per fortnight during this transition period. There is also a very significant gap-fee waiver when services are forced to close on public health advice as a result of COVID-19. That gap-fee waiver has been extended to 31 December.

It's also important to point out that we know how much pressure many Victorian families are under at the moment, with very extreme stage 4 restrictions applicable in Melbourne. Essential workers are struggling to find the child care that they need and so, as a government, we are providing some \$33 million in additional support for Melbourne. Melbourne services will receive a higher transition payment of 30 per cent and may also be eligible for a top-up where the childcare subsidy is received. That of course depends on attendances at the childcare centre. Victorian families will get an extra 30 days of allowable absences, to a total of 72 days. All services which are subject to stage 3 or higher restrictions—and stage 3 is applicable to regional Victoria—can waive gap fees if children are not attending. Absences are claimed, allowing enrolments to be maintained and the childcare subsidy to be paid. Outside school hours care services in Victoria will also receive an additional viability support payment of 15 per cent of their revenue if attendances have fallen by 40 per cent. On average, the government expects that services in Melbourne will receive between 80 and 85 per cent of their pre-COVID revenue.

We understand that childcare centres need incredible support at this time. The relief package with JobKeeper was a temporary measure. It did keep the very large majority of childcare services open but, as I mentioned, with one-third of educators not eligible for JobKeeper, educators and services asked for a more equitable arrangement. That's what they asked for, and that's why the bulk of the childcare industry is supportive of these measures.

The \$708 million transition payment, which is 25 per cent of the services revenue on top of the \$8.9 billion per year childcare subsidy and the many other top-up payments, is replacing what we had in place before in relation to JobKeeper. The transition package will see services receive the majority of their pre-COVID revenue even while their attendance is low. So the support is very much on par with what they were receiving previously, but, very importantly, one-third of childcare workers who were previously not eligible are now being supported.

A condition of receiving the transition payments—and this is a very important point to make—is that there will be an employment guarantee where the childcare service is required to maintain the same average number of employees. These payments going to childcare centres can't be just pocketed by childcare centres; they must be passed on and there must be that employment guarantee. That will, of course, ensure the viability of childcare centres and also make sure that childcare workers are receiving the support that they need.

I commend this bill to the Senate. This is another example of how our government is working so incredibly hard to support families at this time. We acknowledge that, in every sector of the economy, families, small businesses, sole traders, young people, students—so many Australians—are under pressure. As a member of the Morrison government, I am incredibly proud of the support that we are providing—support that represents in excess of \$300 billion in payments. Under JobKeeper, for instance, payments are rolling out for the \$100 billion JobKeeper program, the \$1,500 per fortnight wage subsidy, which, of course, flows through until September. With JobSeeker, we're paying a supplement at a rate of \$550 per fortnight. We recognise the extraordinary impacts this is having on mental health and on social isolation. Many people with spouses and children are getting by, but we also recognise that many Australians are living on their own and they are effectively locked in their houses on their own, and that social isolation can lead to some dramatic consequences. That's why our Mental Health and Wellbeing Pandemic Response Plan includes very substantial investment for mental health.

In my own region that I proudly represent—my Senate office is based in Geelong—there's been a very traumatic number of suicides involving young teenagers. We've made a commitment for a special suicide prevention program of in excess of half a million dollars just to support young people and school students, because we recognise that, when you cut anyone off from their friends and their family, stop them playing sport, stop them connecting, it can have very drastic consequences.

We acknowledge at the moment that stage 4 restrictions are causing a huge impact on the Australian economy—an impact that will cost the Australian economy some \$10 billion to \$12 billion. I've spoken out about my concerns in relation to the restrictions and how they must be justified and they must only be to the extent required to combat this terrible pandemic. Treasury estimates job losses in Victoria of up to 400,000 as a result of what we are enduring at the moment. So, as a member of the Morrison government, led by our magnificent Prime Minister, who is working night and day to get Australians through this, in conjunction with the leadership team, in conjunction with the national cabinet, I say to all Australians: I am incredibly proud of the way that our government is supporting Australians. The measures that have been set out in this bill are evidence of further support for families.

I want to finish off my contribution by reminding anyone listening or reading this speech in the *Hansard* that help is available 24/7. The National Coronavirus Helpline is 1800020080. Of course, if you are suffering from mental illness or mental health challenges please don't forget Lifeline and Beyond Blue, or 1800 RESPECT if you have concerns about family violence. Right across this economy we are working incredibly hard, including for families, childcare centres and childcare educators. I commend this bill to the Senate.

*(Quorum formed)*

**Senator O'SULLIVAN** (Western Australia) (10:32): I rise today to speak on the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020. This bill will amend provisions relating to additional childcare subsidy in the A New Tax System (Family Assistance) (Administration) Act 1999. The bill will strengthen and broaden access to additional childcare subsidy, with the period of time in which a provider can apply for additional childcare subsidy being increased from 13 weeks to 12 months for children under a long-term child protection order, such as those, importantly, who are in foster care. This is a huge increase. It represents a quadrupling of the previous limit. It is a commonsense change recognising the support that vulnerable children need over longer periods of time.

Additional childcare subsidy provides additional childcare fee assistance to an individual or provider, in limited circumstances, for children at risk of serious abuse or neglect, to ensure these children have streamlined access to and continuity of child care. In my first speech I spoke about the importance of improving early childhood education and how in fact it's a critical enabler for children, ensuring that children are able to achieve the best possible life outcomes. We know that a child's brain grows to 90 per cent of its adult size by the time the child is five years of age. It's incredibly important that we give access to as many children as possible, particularly those children who are vulnerable, those who come from vulnerable situations, because we know that investment in those early years yields tremendous results over a long period of time.

I was involved with a program in the south-eastern suburbs of Perth—a childcare facility that is linked to a school, which is quite a unique application of child care. It is a pilot program at Challis primary school called the Challis Primary School Early Childhood Education Centre, and it's amazing. Senator Birmingham visited that school several years ago. It's a wonderful example of how you can provide connections with families in those very early years when they're raising their children, and for many families it's a new experience, particularly if it's a first child. Connecting them with the supports that are necessary to raise a child and give that child the very best possible start at life is really important. I bring this to your attention because it's a model that I think could be further examined, and it is something that this government has looked at.

In the context of this legislation, ensuring that we're providing access to quality childhood education is really important. Childcare services are really important. In this particular program, kids who start school in year 1 in the south-eastern suburbs of Perth, in Challis or in Armadale, now start school at a level that is better than state average. This is a low-socioeconomic-status school and school area, and these kids start school better than the state average when it comes to literacy and numeracy. And their improvement across the year, even in just that first year, is also at a better rate than that of other schools across Western Australia.

It shows you that that interaction and involvement from the very early years, from zero years and right through, are really important to improving the outcomes for vulnerable people. These are kids who need the very best start in life. They're surrounded by circumstances that are trying and troubling, and it is about giving them the very best start at life, as their parents are wanting to. It's amazing to see the transition and the results. That program has now been running for some years. They now have longitudinal data to back up the evidence of the importance of this early investment. That is why this government is absolutely committed to ensuring that this investment is here, so that we are providing children with the very best opportunity.

Under this program childcare providers will be able to enrol children who are in foster care under an additional childcare subsidy for an initial period of 13 weeks, giving an individual foster family sufficient time to lodge their childcare subsidy claim and have it assessed by Services Australia. Existing provisions whereby providers are required to notify Services Australia when a child is no longer considered to be at risk will continue to apply. As Australians return to work, as businesses re-open and as children return to classroom learning, the government will resume the childcare subsidy to support families to access affordable child care.

This bill is yet another example of the strong consultation this government undertakes. We know government is not all-knowing. We consistently seek to improve. We listen to the community and we update our programs as the feedback comes in. This legislation is an update of the legislation, the regulations, based on on-the-ground feedback and, importantly, stakeholder consultation. The aim of this bill is very simple: the Morrison government seeks to support families while maintaining a strong and vibrant childcare sector across the nation.

I recently undertook a road trip, travelling many thousands of kilometres—in fact, 6,000 kilometres—up through the great state of Western Australia. I spent pretty much that whole time in one single electorate, in Durack, which just shows you how big that electorate is. I drove from Perth all the way up through the Mid West and then the Pilbara, and then into the Kimberley. It was a very insightful trip. I spoke to enormous numbers of people—whether they were shires or businesses or community groups; different stakeholders—about the challenges in their area. One of the recurring themes that I heard was that the need for child care was actually an integral part of the rural community, particularly in those towns where there's a heavy reliance on FIFO, a fly-in, fly-out workforce. These towns actually want to build their residential workforce, and they're wanting and needing—and they see the demand for—good-quality child care and ready access to child care so that they can attract more and more people into their town. This is something that we as a government support, because we recognise the importance of that. This flexibility should also be available to vulnerable and disadvantaged Australians, and that's what this bill will achieve. It's going to provide that flexibility.

This amendment is, of course, happening in the context of the coronavirus pandemic. The government's primary aim during this time supports families and business. Child care is integral to achieving both of these outcomes. Under the childcare relief package, around 99 per cent of childcare providers kept their doors open. What a fantastic outcome. When you consider, in particular, the breadth of the shutdowns that occurred in our economy, keeping the doors of childcare providers open not only allowed people to continue working but also provided the ability for those people to attend their workplaces as required, particularly those who were in the healthcare sector.

I spoke to one particular provider in the CBD of Perth. They're the major childcare provider, right next to Royal Perth Hospital. When we were in the depth of the pandemic crisis in Perth—and, thank goodness, we're not through it but things are much better in Perth now, and much better in Western Australia, compared to in March and April—this childcare provider kept running. They kept their doors open, and they ensured that they were providing important and valuable childcare services so that the parents could go to work. These were nurses and doctors, people who were running the hospital, and cleaners. This is right next door to the Royal Perth Hospital. And it was made possible because this government recognised the need. We provided the flexibility for that provider to be able to keep their doors open, even though they were seeing a reduced number of kids come in because the overall demand was a little bit lower than it would normally have been.

Since 13 July, the transition package that was designed and implemented included a payment of 25 per cent of a provider's pre-COVID revenue. This has supported centres across Australia. I'm pleased to inform the Senate that centres in Victoria have received appropriate assistance to the tune of \$33 million, recognising the severity of the ongoing situation there. This bill shows clearly that, following the return to the demand-driven childcare subsidy on 13 July 2020, we are committed to improving access to child care for vulnerable and disadvantaged children. This, in turn, provides support for disadvantaged families. There is much red tape in this sector. This bill also seeks to cut this red tape both for families and for providers. Cutting this red tape means that access to child care is going to be easier overall, and cheaper, and more time will be spent on important priorities than on compliance and overcoming access barriers.

So I'm glad that the opposition is supporting this bill. Senator Gallagher expressed earlier her support for cutting red tape in the sector, which is great. Child care is one of the most overregulated sectors of our economy. I hope that Senator Gallagher is equally excited about freeing up other sectors of our economy, but I do digress. It is important, at this time, that the government and opposition work constructively together—as we mostly have, I have to say.

The coalition is committing to providing record funding for child care. We are committed to quality, affordable child care as an important structural feature of our economy. We recognised this when we took steps to protect the sector during the coronavirus pandemic, and we recognise it now, but that does not mean that the coronavirus settings should be made permanent, as some have claimed. Our once-in-a-generation reforms have already delivered a 3.2 per cent decrease in out-of-pocket costs to parents. Further, we have strengthened assistance by preventing \$3 billion of taxpayer money being falsely claimed. This fraudulent behaviour weakens the system and hurts all Australians, and preventing it is a priority that we are delivering on.

Our new childcare package represents the most significant reforms to the early education and care system in 40 years. This is incredibly important. This is a priority for government because we recognise the value of quality child care, education and development. We know that it sets children up for life. We know that it enables the economic participation of parents, allowing them to get out there and work. That combination ensures a better future for our children. We know that, when you invest in children, you see a multiplier effect right through their lives. The cost reductions and the reduction in other challenges and social issues that follow, particularly for disadvantaged families, are profound and significant; they're material. It's something that this government remains

committed to because we recognise the importance of quality education. And that is why, even through the challenges of this pandemic, we've remained committed to child care. We have provided flexibility to providers to allow them to keep their doors open, even though they may have seen a reduction in the number of children turning up because parents are working from home or for various other reasons. We've continued to keep those doors open because we understand and recognise the importance of early childhood education for children and also for the economic participation of parents. I commend this bill to the Senate.

**Senator POLLEY** (Tasmania) (10:47): I move:

That the question be put.

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

The Senate divided. [10:52]

(The President—Senator Ryan)

Ayes .....21  
 Noes .....27  
 Majority.....6

AYES

|                  |                      |
|------------------|----------------------|
| Ayres, T         | Bilyk, CL            |
| Carr, KJ         | Chisholm, A          |
| Faruqi, M        | Green, N             |
| Hanson-Young, SC | Lines, S             |
| McAllister, J    | McCarthy, M (teller) |
| McKim, NJ        | O'Neill, D           |
| Polley, H        | Pratt, LC            |
| Sheldon, A       | Siewert, R           |
| Smith, M         | Urquhart, AE         |
| Walsh, J         | Watt, M              |
| Wong, P          |                      |

NOES

|                      |              |
|----------------------|--------------|
| Antic, A             | Askew, W     |
| Birmingham, SJ       | Bragg, AJ    |
| Brockman, S (teller) | Cash, MC     |
| Chandler, C          | Duniam, J    |
| Fierravanti-Wells, C | Griff, S     |
| Henderson, SM        | Hughes, H    |
| Hume, J              | Lambie, J    |
| McGrath, J           | McLachlan, A |
| McMahon, S           | Molan, AJ    |
| O'Sullivan, MA       | Patrick, RL  |
| Rennick, G           | Ruston, A    |
| Ryan, SM             | Scarr, P     |
| Smith, DA            | Stoker, AJ   |
| Van, D               |              |

Question negatived.

**Senator POLLEY** (Tasmania) (10:55): I rise to speak on the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020. This legislation makes further changes to the government's new childcare system to remove design flaws that have placed significant administrative burdens on at-risk families and early learning providers.

The additional childcare subsidy (child wellbeing) is a payment for at-risk and vulnerable families who need support with the cost of child care to support the child's participation in early learning. These children are typically at risk of child protection and child safety issues. Families who receive the ACCS (child wellbeing) payment are exempt from the activities test. Providers receive a subsidy equal to the actual fee charged by the service, up to 120 per cent of the CSS hourly fee cap. Therefore, almost all children receiving the ACCS (child wellbeing) receive free early learning.

Before I speak in greater detail regarding this bill, I want to pay tribute to all our wonderful teachers and teachers' assistants, social workers, speech pathologists, principals and educators across my home state of Tasmania and Australia. COVID-19 presented many challenges within our communities. The significant pressure it placed on our educators and educational institutions should not be underestimated. But in the true spirit of

Australian grit, resilience and passion, the education sector rose to the challenge. For weeks, teachers adapted to this situation as learning occurred from home and then via technology for many students. We know that our teachers are the bedrock of our children's future, and they really did rise to the challenge during this crisis. All Tasmanians thank our teachers and all educators.

Now to the substance of this bill. The additional childcare subsidy (child wellbeing) is a vital program that provides a safe and nurturing learning environment for children in extremely vulnerable situations at home. For most of these children, it can be the difference between being able to stay at home or having to go into the child protection system. It is crucial that governments at all levels, especially the federal government, treat this program with the sensitivity it deserves and ensure families and providers are not overly burdened with red tape.

The Liberal government introduced a number of new requirements and rules that restricted access to the additional childcare subsidy in July 2018. This third-term Liberal government likes to bang the drum about cutting red tape. It is one of the media releases they put out on a regular rotation. But they go out of their way to increase red tape for vulnerable families and the childcare providers trying to help them. In the first six months of the new system, the number of children receiving the child wellbeing subsidy collapsed by a massive 21 per cent. These numbers have since recovered to pre-July 2018 levels, but only after significant efforts and use of resources by providers. When asked in the Senate estimates at the beginning of the year if the department was concerned about the drop, they admitted they weren't, and also confessed they weren't even tracking if families had dropped out of the system. This is the kind of government those opposite believe is fit and proper. That isn't good governance by any stretch of the imagination or by any standard.

What are stakeholders' views regarding this? I am sure many people will be asking. The Early Learning and Care Council of Australia, Early Childhood Australia and Goodstart all called on the government to fix the red tape restrictions on the ACCS. What did the government do? Did they listen? Of course not, because the government are arrogant. Their born-to-rule mentality means they simply ignored the views of the sector. They ignored the views of those working in this important sector.

Of course, we on this side of the chamber will support these changes because they do fix some of the design flaws in the new system and will help get vulnerable children the support that they need. However, I emphasise the word 'some'. The government's childcare system still has many other serious flaws. This is a system that leaves one in four families worse off. It's a design feature that access to early education and care has been reduced for 279,000 families. It is a system in relation to which only 40 per cent of providers and 41 per cent of families told independent evaluation reviewers that it had resulted in positive change. Eighty-three per cent of parents told the reviewers that the system had made no impact on their work and study. It's a system that has been forcing childcare providers to act as unpaid debt collectors for the government, because families are struggling to stay on top of the complicated activities and means tests. It is a system that is riddled with software glitches that have left providers and families in the dark and staff without pay. I'm sure many people can recall that the system is known for sending out blunt letters telling families they owe the government money, without any explanation. So far, over 91,000 families, or 16 per cent of all families audited so far, have been hit with a childcare subsidy debt notice, which is more evidence that the new system is too complex and not working for families.

Childcare fees are already out of control in the new system. The latest CPI figures show childcare costs increased by 1.9 per cent in the December quarter—the fourth successive increase—and have gone up by 7.2 per cent in the past 12 months. Before COVID-19, fees were up 34 per cent under the Liberal government. Families were paying, on average, \$3,800 a year more for early education and care under this government. The government were very confident that their new system would 'put downward pressure on fees' and that it was 'driving down the cost of child care'. The minister was keen to spruik a new website as the 'game changer' for families and told families to shop around, but fewer than half of providers are providing accurate fee information to the website. You don't hear the minister making these claims anymore. Let's be frank: who knows how the government are going to treat child care once the COVID pandemic passes? I really do hope they don't toss the sector aside and treat it with the disdain it became accustomed to in the past.

Like in every other portfolio, the government have absolutely no idea, no plan, for bringing fees under control. The Minister for Education claims taxpayer funding of early education and care is communal, yet during COVID-19 the government were willing to support free child care for all families. The Prime Minister calls the childcare budget a 'money pit'—his words, not mine, and not the words of anyone on this side of the chamber. We on this side of the chamber are waiting, as are the Australian people, to see how this government treats our childcare system in a post-COVID-19 country. I, like so many other families that are relying on early childhood education and child care, hope that it is treated better, that they have respect for those families, that they respect the sector, that they respect the early educators in this country and that they support these families. As we know, this particular scheme is there for vulnerable children and for their families. This government needs to demonstrate

that it has respect, not just words, for the sector, that it is not just trying to spin a story but is actually there to support and encourage the early educators and give the support that the mums and dads and the children in this country so richly deserve.

**Senator CHANDLER** (Tasmania) (11:05): It is a pleasure to rise today to speak on the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020, which, as we've heard in the debate this morning, is, of course, one of the very important policies that the Morrison coalition government has put together to assist Australians and, particularly, Australian families deal with the impacts of the COVID-19 crisis. The Morrison government is supporting families and the childcare sector through the COVID-19 crisis to ensure that quality early childhood education and care is available to vulnerable and disadvantaged children and families.

Under the childcare relief package, around 99 per cent of childcare providers kept their doors open during the initial impact of the COVID-19 pandemic earlier this year. It's so important that parents are able to keep working wherever that is possible, and keeping childcare centres open and operating, particularly through the height of nationwide restrictions, is critical in allowing working parents to keep working. Since 13 July, our transition package, including a payment of 25 per cent of a provider's pre-COVID revenue, has supported centres around Australia, and centres in Victoria have benefited from additional support in response to the situation currently playing out there.

This bill that we are debating in the chamber today is an important next step in our support for the childcare sector. It improves access to child care for vulnerable and disadvantaged children and families and cuts red tape for families and childcare providers. We've already heard in the debate today just how regulated the childcare sector is and we as Liberals believe that reducing red tape will allow this sector to operate more effectively and more efficiently, which can only be a good outcome for the people utilising the services these providers give.

The period of time a provider can apply for an additional childcare subsidy determination will be extended from 13 weeks to up to 12 months for children under a long-term child protection order, such as those in foster care. This change recognises the support that vulnerable children need over longer periods. Other amendments will enable providers to apply to backdate a family's ACCS beyond the current limit of 28 days and by up to 13 weeks in exceptional circumstances. Childcare providers will also be able to enrol children who are in foster care under ACCS for an initial period of up to 13 weeks, giving an individual foster family sufficient time to lodge their childcare subsidy claim and have it assessed by Services Australia.

The additional childcare subsidy provides additional childcare fee assistance to an individual or a provider in limited circumstances for children at risk of serious abuse or neglect to ensure these children have access to and continuity of child care. The ACCS is part of the childcare safety net, giving the most vulnerable and disadvantaged children a strong start through access to quality early childhood education and care. ACCS is a top-up payment in addition to the childcare safety net. The Australian government paid almost \$50 million in ACCS child wellbeing subsidies to cover childcare costs for more than 21,000 children in the financial year 2018-19.

This bill has been drafted to address feedback from the childcare sector. The Morrison coalition government is a huge supporter of parents and the childcare sector. Our reforms have delivered a 3.2 per cent reduction in out-of-pocket costs to parents since our package was introduced. The new childcare package is providing more access and more financial support for those who need it most. Around one million Australian families who are balancing work and parental responsibilities are benefiting from the package. Seventy-two per cent pay no more than \$5 per hour in day care centres. Within that group, 24 per cent paid no more than \$2 per hour. The new childcare package represents the most significant reforms to the early education and childcare sector and system in 40 years.

When COVID-19 hit and began to impact heavily on working parents and childcare operators, our relief package kept 99 per cent of childcare centres open, as I alluded to earlier. As we move on into the next phase of reopening our economy, at least in most states outside of Victoria, we're delivering a \$708 million transition package. For Melbourne and Victoria there's an additional \$33 million in support because of the significant impact of the large-scale outbreak in that state. We know that COVID-19 has significantly impacted on the lives of so many Australians. The Morrison coalition government's assistance programs to help families, workers and businesses represent the largest assistance package ever delivered by an Australian government. On top of all of the funds and effort that have gone into the health response and mental health support for Australians, we're investing over \$280 billion to keep Australians in jobs, keep businesses in business, support households and keep investment flowing.

We know how important our JobKeeper scheme has been for Australian businesses and families. In recent months I've been conducting a Tasmania 'back in business' campaign and have been travelling around my state, speaking to as many businesses as I can—particularly small and family business owners. Without a doubt, the

most common sentiment I hear from these people is how important JobKeeper has been in getting businesses through the harshest period of restrictions. So many business owners have said that without JobKeeper being available at the time when they had almost no customers coming through their doors, their businesses would have most likely shut and they would have had to lay off staff. Because JobKeeper was available they were able to keep staff on the payroll and keep their businesses operating.

Now that Tasmania has eased many of its internal restrictions there is quite a lot of cautious optimism in the business community that they can turn the corner and begin to get back to normal in the months ahead. And, of course, it's not just JobKeeper but also the \$17.6 billion in the government's first economic stimulus package; the \$90 billion from the Reserve Bank of Australia and \$15 billion from the government to deliver easier access to finance; and \$66.1 billion in the second economic support package. That includes providing up to \$100,000 to eligible small and medium-size businesses and not-for-profits to help their cash flow so that they can keep operating, pay their rent and electricity and other bills and, most importantly, retain staff. That's another measure which has been incredibly welcomed by businesses around the country. I've certainly received very positive feedback from Tasmanian businesses as they relate to those policies.

For individuals: as well as the guaranteed income through JobKeeper for eligible employees, we've also supported Australians with the coronavirus supplement to JobSeeker of an additional \$550 per fortnight and by temporarily relaxing the partner income test to ensure that an eligible person can receive the JobSeeker payment. We've now made two payments of the \$750 stimulus payment to social security and veteran income support recipients and eligible concession card holders.

As the Prime Minister has said repeatedly, the approach we've taken as a government to support Australians during the COVID-19 crisis has not been to set and forget but to listen to Australians, to listen to businesses and industries and to listen to expert advice to understand what the next steps on the road to recovery should be. Not a week has gone by since COVID-19 first hit Australia that the government hasn't announced new programs and new measures to help Australians get through this incredibly tough time.

Just today, for example, the government has announced that Tasmanian workers who cannot work due to the need to self-isolate or quarantine and have no sick leave or other entitlements available to them to support themselves through that period are eligible for the pandemic leave disaster payment of \$1,500. This comes after an agreement was struck with the Tasmanian government to roll out the scheme in my state which has already been operating successfully in Victoria. To date in Victoria, almost \$8.8 million has been paid out for around 6,000 granted claims. This is just another example of how the government is continuing to respond to, and work with, the states to support the needs of Australians.

This fortnight in parliament we are focused on passing legislation like this bill that we are debating here today which enables important assistance programs to be rolled out. Of course we know that, in helping Australians in the here and now, we also have to have an eye to the future. There is no money tree, and what we spend now will have to be paid back at some point in time. That's why it is so important that what we are doing is putting in place the building blocks for economic recovery. That starts with keeping people employed so that they can continue to provide for their families and also help the businesses they work for recover and grow.

Ensuring that working parents have access to child care is an imperative part of that plan. But it's not just about keeping businesses surviving and trading water; we're also acting to create the right business conditions to build the infrastructure to support economic growth. That means in Tasmania, for example, continuing to invest in the rollout of new irrigation schemes which are so important to getting more agricultural production in our state. It means investing in energy infrastructure to capitalise on Tasmania's natural assets and hydro energy capacity. It means investing in skills and training opportunities for the current generations and the generations to come, not only so that they can get a good job but actually to help to drive more investment and business growth locally in our state.

As I said initially, the Morrison government is supporting families in the childcare sector through the COVID-19 crisis to ensure that quality early childhood education and care is available to vulnerable and disadvantaged children and families. That's because we know it's so important that parents of children are able to keep working and keep contributing to their workplaces wherever that is possible, and keeping childcare centres open and operating, particularly through the height of nationwide restrictions like we have seen over the past few months, is absolutely critical.

As I said, this bill is an incredibly important next step in our support for the childcare sector, above and beyond our initial transition package, which included a payment of 25 per cent of a provider's pre-COVID revenue to support centres around Australia and particularly centres in Victoria, which have benefited from this additional support in response to the situation there. This bill improves access to child care for vulnerable and disadvantaged

children and families and, as we've heard during debate, cuts red tape for families and childcare providers. It's such an important piece of legislation to support Australian families going through the COVID-19 crisis which will operate in addition to the other support packages that I have highlighted here today, particularly those that have been so well received in my own state of Tasmania, such as the JobKeeper payment, which has ensured that people can stay connected with their places of work. This bill today, as I've said, in keeping childcare centres open, operating and supporting parents to utilise childcare services is an imperative part of that connection as well.

In conclusion, I thank my colleagues. I note that Minister Cash is in the chamber. She is one colleague who has provided fantastic support to small businesses across the country, as has the entire Morrison coalition government team, who are all continuing to work so hard through this pandemic to respond to the needs of Australians. I congratulate the education minister for the work that he has done on this bill that we're debating here today which supports the needs of vulnerable children in our community. I commend the bill to the Senate.

**Senator PRATT** (Western Australia) (11:19): In relation to the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020, I move:

That the question be put.

**The ACTING DEPUTY PRESIDENT (Senator Bilyk):** The question is that the question now be put.

The Senate divided. [11:24]

(The Acting Deputy President—Senator Bilyk)

Ayes .....23  
 Noes .....27  
 Majority.....4

AYES

Ayres, T  
 Carr, KJ  
 Farrell, D  
 Gallagher, KR  
 Hanson-Young, SC  
 Lines, S  
 McCarthy, M (teller)  
 O'Neill, D  
 Pratt, LC  
 Siewert, R  
 Urquhart, AE  
 Watt, M

Bilyk, CL  
 Chisholm, A  
 Faruqi, M  
 Green, N  
 Lambie, J  
 McAllister, J  
 McKim, NJ  
 Polley, H  
 Sheldon, A  
 Smith, M  
 Walsh, J

NOES

Antic, A  
 Bragg, AJ  
 Cash, MC  
 Colbeck, R  
 Fawcett, DJ  
 Griff, S  
 Hughes, H  
 McGrath, J  
 McLachlan, A  
 Molan, AJ  
 Patrick, RL  
 Reynolds, L  
 Smith, DA  
 Van, D

Askew, W  
 Brockman, S (teller)  
 Chandler, C  
 Duniam, J  
 Fierravanti-Wells, C  
 Henderson, SM  
 Hume, J  
 McKenzie, B  
 McMahon, S  
 O'Sullivan, MA  
 Rennick, G  
 Scarr, P  
 Stoker, AJ

Question negatived.

**Senator PRATT** (Western Australia) (11:27): I'm disappointed that we were unsuccessful in our motion to pass the question before the chair, because the government seems to have no agenda in this place and because the bill before us fixes a litany of problems that this government caused. I've got no problem with continuing to debate the issue and the problems that it has subjected families to in this nation, but this is simply a manifestation of the fact that the government is determined to keep padding out the parliament's agenda because it doesn't have the capacity yet to move on with its agenda.

For three terms of government, we've been subjected to this government banging on about how it cuts red tape and cares about the Australian people while all the while we've had to watch the dismantling of child care and watch the gambling of our children's future. Here we are again debating needing to fix these problems, and the government seems happy enough to spend lots of time debating this bill and having its face rubbed in the mistakes that it has made in this space because it can't get on with its parliamentary agenda today. It's simply not ready to keep the parliament's business moving.

In June 2018 the government introduced a new childcare system, and it became obvious almost immediately—and Labor knew this was coming, because we saw the design flaws in it—that it would place significant burdens on at-risk families and early-learning providers. The additional childcare subsidy—or ACCS (child wellbeing)—is a payment for at-risk and vulnerable families who need support with the cost of child care. Typically these are children who are at risk in terms of child protection and safety needs.

We know that all children who are on the additional childcare subsidy receive free early learning because of this subsidy. The government wants to keep debating this issue before the chamber today. You're simply here to bang on about your supposedly great childcare system. The very bill before us today highlights the government's deeply flawed agenda. The system was designed to make sure that the help most needed by people was as difficult as possible to get and to be an administrative nightmare for people who already have enough to deal with. These are the core issues being fixed in this legislation today.

In continuing to debate this issue, you seem happy to have your face rubbed in the mistakes you've made. This debate reminds Australians of the massive mistakes that you have made in our childcare system. The changes that you introduced back in 2018 included reducing the initial approval period from 13 weeks to six weeks, approving eligibility certificates for only 13-week periods, and deeming any applications not approved by Centrelink within 28 days to have been refused. How can a system find an application to have been refused because—through no fault of the applicant—a government department doesn't make a decision within 28 days? It is a ridiculous state of affairs. I'm glad you're fixing it. It's years since these issues came to the fore, and I'm sure that your office, along with my office and all Centrelink offices, have dealt with this administrative burden and administrative nightmare on a regular basis in recent times. I understand firsthand the high level of pressure that families have been under since this government came in and began systematically putting pressure on, and defunding, Services Australia. While you defund Services Australia as well as put these administrative burdens on both Centrelink and families, it is little wonder that we end up back in this place needing to fix the crappy problems that you have put into our childcare system.

The fact that it took a pandemic to get more funding for Services Australia says a great deal. It also says a great deal that the government has cut millions of dollars from the department and then, as this bill highlights, set impossibly short processing times for them to approve applications for vital education for vulnerable families. What a short-sighted government! It shows a lack of the human element. It's supposed to be the department of human services, but you think that the system can somehow just keep up with understaffing and short administrative time lines. And where does the burden then fall? It falls on vulnerable families who can't possibly meet the bureaucratic funding expectations of the government. It's supposed to be a system that is there to serve them, but what you've done and what we're fixing today is the callousness and the poor management of this government. We warned the government—and the sector warned the government—that these changes would have a detrimental impact on vulnerable families, and this government chose to ignore it.

There was a 20 per cent collapse in the number of vulnerable children receiving the payment in the first six months of the new system. That is a disgrace. In the context of the aged-care disgrace, we have seen with blinding clarity that this government ignores and denies problems until they become bigger than Ben Hur. After months of submissions to the Senate inquiry highlighting the urgency of fixing the flaws in the policy, after months of the education department and the sector fighting to change the new system, the government finally acted. Finally, the debate on reversing this collapse is before the chamber today. I say: just get on and pass the bill. Get on and pass it.

Thanks to the department of education and the sector creating a working group, the bill before the Senate today does indeed reduce the administrative burden placed on both early learning providers and at-risk families. Providers now have the opportunity to enrol children in child protection under the name of the provider rather than that of the parent or the foster carer for up to 13 weeks while the paperwork is applied for. So I don't see any reason why the government needs to keep debating this issue today. Of course, if you're going to chew up the time then Labor senators are also going to want to point out—and I'm sure Greens senators will too—how ridiculous you are being in just not getting on with the business before the Senate.

These changes seem like an obvious decision to allow breathing space for people who already have enough on their plate. It's taken too long to get the government to the table to fix these issues. It shouldn't have taken months.

I call on the government to stop making life harder for those who are already having a difficult time, both parents and children, and who are struggling. And I call on them not just with respect to child care but for all of the major challenges confronting our nation at the moment. Our children should not be constrained from getting an education and getting the care that they need. They should not be constrained from getting that care and support, thanks to the bureaucratic disgrace that this government has subjected those families to and the bureaucratic disgrace that this system was in its original form.

Labor understands that the childcare subsidy for child wellbeing is a very critical program. It provides a safe and nurturing learning environment for children in what can sometimes be extremely vulnerable situations at home, and for many children it's the difference between being able to stay at home with the support of their family who might need the respite to deal with their own issues or health issues. It can mean the difference between being able to stay with their family and going into the child protection system.

The government needs to play an active role in keeping children out of the child protection system and keeping children safe. For too long we've had this confected debate about child protection simply being a state responsibility and not a Commonwealth problem. But, as we see, the funding of our childcare system and access to services through child care play a critical role in keeping children out of child protection. The system must be treated with sensitivity, and we need to ensure that families and providers are not burdened with red tape. The most important people in this debate are those children. So we want the focus to be on them, not on the administrative burden and administrative time lines that this government has previously imposed.

In recent times, during the pandemic, it's been really obvious how important childcare workers are to our economy and what a struggle it is for families not to be able to put their child in child care—and I shouldn't just refer to it as child care because, importantly, it is early learning—which makes balancing life incredibly difficult. Families are now working from home, have their children at home with them, are juggling family conflict and have pressure on their family finances. I understand why children need to be kept out of the childcare system in some circumstances at the moment, but what it highlights to me is how critical early learning services are. For millions of families around Australia, the experience of COVID simply reminded them about how grateful they are to early childhood educators in our nation for the work, support and learning that they provide to our nation's children.

This is despite the fact that childcare workers are among the lowest-paid workers in our nation. They are 96 per cent women and they're paid as little as \$22 an hour. When the pandemic hit and the free childcare initiative was brought in due to the importance of child care, again, ironically, free child care meant childcare workers were the ones to suffer and to lose their jobs. The government only subsidised 50 per cent of the cost of child care. This meant that the childcare providers were expected to run the same service plus deal with extra costs, including things like personal protective equipment. During a pandemic, it is patently ridiculous to be expected to be able to run an effective childcare service with, in some instances—as we certainly experienced in, say, the north west of Western Australia—exactly the same levels of demand taking place. In fact, there were childcare centres that simply closed because they could not afford to operate. People who are going to work—people who weren't staying at home because of the pandemic and who were required to go to work—simply couldn't get a place in the childcare system.

So—free child care. Yes, it was great, but only if you could get it and only if you were paid. Again, it highlights that this government creates a bureaucratic nightmare for families and workers in our early learning system day after day, with every move they make. We have seen childcare providers being forced to act as unpaid debt collectors for the government. This has happened because families have been struggling to stay on top of the complicated activity tests and means tests at the moment. So here today— (*Time expired*)

**Senator VAN** (Victoria) (11:42): I thank Senator Pratt for raising the bureaucratic nightmare that we're seeing in my home state of Victoria—a bureaucratic nightmare that those on the other side seem to not only have a blind spot for but have turned a tin ear to as well. I've not heard anyone on that side acknowledge what is happening in Victoria. I find that disgraceful. As of today, 462 Victorians have lost their lives. There are over 3½ thousand active cases. What does that do—

*Senator Pratt interjecting—*

**Senator VAN:** Really? Let's talk about the disaster that's happening in Victoria, Senator Pratt. There are over 14,000 people who have had coronavirus in Victoria. In stage 4 lockdown, people can't even put their children in child care. Your Labor premier has locked up the state so hard that people can't work. People are being put out of business. People are losing their livelihoods. So when you're saying, 'Let's look after people,' let's get on top of the coronavirus in Victoria. Let's get people out of lockdown. Let's let people get back to their lives, Senator Pratt. Let

people get back to their livelihoods. Let's look after their businesses and look after their livelihoods, instead of rabbiting on about this.

**Senator Pratt:** Lockdowns work.

**Senator VAN:** Lockdown isn't working. We've had six—

**The DEPUTY PRESIDENT:** Senator McAllister, a point of order?

**Senator McAllister:** I rise on relevance. There is a lot of latitude in these debates and senators make broad-ranging contributions, but Senator Van thus far is not really talking about the bill before us.

**Senator Dean Smith:** There is no point of order, Madam Deputy President. Senator Van had just started—

**The DEPUTY PRESIDENT:** I think that is my decision to make, thank you, Senator Smith. I am listening very carefully, and I do acknowledge that Senator Van has not yet addressed the bill, but I expect him to do that fairly soon, otherwise I'll remind him to address the bill in front of us.

**Senator VAN:** I was talking about child care, and those families that can't get their children into child care because of the lockdown and the impacts it's having on Victorian businesses. Labor say lockdown works. We've been in stage 4 for three weeks already, we've been in stage 3 for over six weeks, and there are the hotspot suburbs that have been in lockdown for over 10 weeks. So, if this was going to work, it would be working better. Perhaps we should be concentrating on better testing and better contact tracing, because that's where the Labor premier, Dan Andrews, is failing Victorians.

I now am very pleased to speak on the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020. Like all my colleagues on this side of the chamber, I recognise that good early child care provides the foundation for young Australians to grow and to learn and to form the confidence that they need for the future. During this government's time in office, we've invested heavily in making child care more affordable and more accessible for all Australian families. Just in the last financial year alone, we've invested over \$8.6 billion into the sector, and you'll be pleased to hear, Madam Acting Deputy President Bilyk, that this will continue to rise. Over the coming years we will see this investment climb to more than \$10 billion per year. But this is not just a large investment; this is a large investment that has ensured families right across the country are better off. This investment from the Morrison government has meant more families can now access child care, due to significant reductions in out-of-pocket expenses. A typical family is now better off to the tune of \$1,300 per annum per child. In difficult times this is a tangible and welcome benefit to families. But more can always be done.

As I spoke about last night, my home state of Victoria is dealing with a state of disaster. Every day I get calls from distraught business owners, who are mothers and fathers, who are suffering because of lockdowns that have been brought about in Victoria due to the state of disaster because of the disastrous handling of the coronavirus by the Andrews government. With lockdowns, we've seen, comes business shutdown, and with that comes rising unemployment. It is, therefore, vital that we get the policy settings right to assist those who are struggling to keep their businesses afloat and those families who are struggling to make ends meet. The Morrison government's primary aim at the moment is to support families through the COVID-19 crisis. As part of that, we are supporting the childcare sector, ensuring that quality early childcare education and care is available to vulnerable and disadvantaged children and their families.

In response to the COVID-19 crisis, the Morrison government initiated the childcare relief package, which has seen around 99 per cent of childcare providers keep their doors open. I'm sure all in here will agree this is a huge achievement and something this government should be proud of. This relief package not only supported families during the early stages of the pandemic but also supported the work of childcare centre staff, ensuring that they stayed in work. Since 13 July, the childcare transition package has included a payment of 25 per cent of a provider's pre-COVID revenue. This transition package has continued to support childcare centres right across the country. In particular, centres in my home state of Victoria have benefited from additional support to the tune of an extra five per cent, in response to the situation that we are facing. I thank Minister Tehan, Treasurer Frydenberg and Prime Minister Morrison for making these additional supports available. As you can see, Madam Deputy President, the introduction of this bill clearly demonstrates that, with the return of the demand-driven childcare subsidy system in July, the Morrison government is committed to improving access to child care for vulnerable and disadvantaged children and their families.

The Morrison government pride ourselves on our pragmatism. We listen to the experts, and we are willing to address matters following feedback, because that is what good governments do. This bill is no different in that regard. This bill has been drafted specifically to address feedback from the childcare sector. Following the new childcare package implementation that occurred on 2 July 2018, and, more recently, in submissions to the Senate inquiry into the Family Assistance Legislation Amendment (Building on the Child Care Package) Bill,

stakeholders raised areas where improvements could be made to streamline access to additional childcare subsidies. This bill does just that.

The additional childcare subsidy is part of the childcare safety net. It is designed to give the most vulnerable and disadvantaged children in Australia a strong start through access to quality early childcare education and care. The additional childcare subsidy provides additional fee assistance to an individual or, in limited circumstances, to a provider for children at risk of serious abuse or neglect. This subsidy will ensure these children will continue to have access to child care, something that I am sure all senators will agree is a good thing.

This bill also seeks to reduce unnecessary red tape for providers, families and state and territory governments by extending the backdating of additional childcare subsidy certificates and determinations from 28 days to 13 weeks in exceptional circumstances; by extending from 13 weeks to 12 months the period for which additional childcare subsidy determinations can be given for children on a long-term child protection order, including those in foster care; and by clarifying that a provider is eligible for additional childcare subsidy in respect of certain defined classes of children, such as foster children. The additional childcare subsidy is a top-up payment in addition to the usual childcare subsidy. In 2018-19, the Morrison government paid almost \$50 million in additional childcare subsidy, which supported 21,500 vulnerable and disadvantaged children and their families to cover childcare costs. All senators, and all Australians, should be proud of the contribution that we are making to the next generation of Australians.

In closing, I'd like to take this opportunity to thank childcare educators, both the owners of childcare centres and their teams—their teachers, nurses, cleaners and admin staff—for the outstanding work they do each and every day. Specifically, I would like to acknowledge the educators in Victoria, who have continued to provide high-quality support to children and families through the COVID-19 crisis. Our communities across the country are stronger for the work that childcare educators do. I know that sometimes they are looking after kids who, sadly, come from very difficult circumstances. Childcare educators are, for many of those kids, the ones they are closest to, the ones who provide the care they need and the ones who provide the few hours a day of normal life that children need to thrive. They are the ones who provide the time when children can really be children and not deal with the issues they face at home on a daily basis.

We've all heard of the 'blind pandemic' that's going on. This blind pandemic is not just family violence; it's suicide and it's depression. These are things people are struggling with every day across Australia but particularly, right now, in my home state of Victoria. We need to lift the lockdowns and get on top of health care in Victoria. Victoria needs to do better when it comes to contact tracing and better when it comes to testing. It needs to do more so that people's lives are returned to them—so that businesses can return to normal, so that employees can go back to work and earn money, so that children can go to school and child care and live normal lives. I call on the Andrews government to do more, to do better. Children in Victoria, the people of Victoria, deserve it. They really deserve it and they deserve it now. We're not seeing numbers come down fast enough. With less than another three weeks to go, it's hard to see how the Andrews government, because of their failures, will have any other choice but to use the one tool that they find available to them: all they have to resort to is locking down Victorians.

So it's time, if we care for our children, to get their lives back to normal, and we can only do this through better processes in contact tracing, in testing and, of course, let's not forget looking after people in hotel quarantine. The failures there are why we're in this position now, make no mistake about that; the failure in contact tracing is the added part to that. We've seen outbreaks in other states but they've managed to contain them. New South Wales provides the gold standard as to how to do contact tracing in a coronavirus pandemic—

**The DEPUTY PRESIDENT:** Senator Van, there is ample opportunity to address the points you're currently making at other times. I gave you leeway at the beginning, but I'm asking you now—

**Senator VAN:** Madam Deputy President, I have 2½ minutes—

**The DEPUTY PRESIDENT:** Senator Van, I'm not inviting you to argue with me, it's—

**Senator VAN:** Well, a point of order, then, Madam Deputy President. I am allowed to speak; I have 2½ more minutes. I have addressed the bill and I am allowed to continue to be—

**The DEPUTY PRESIDENT:** Senator Van, please resume your seat. Thank you. Senator Dean Smith.

**Senator Dean Smith:** Thank you, Madam Deputy President. With all due respect, of course, I think it's impossible for Senator Van to talk about this particular piece of legislation, which is deliberately constructed because of the context of the pandemic that is the coronavirus, and not mention the pandemic and the coronavirus. So I think that Senator Van is in keeping with the expectations of—

**The DEPUTY PRESIDENT:** Thank you, Senator Smith. As I said, I allowed Senator Van leeway at the beginning. I'm asking you, Senator Van, to conclude your remarks on the bill. Thank you.

**Senator VAN:** Yes—

**The DEPUTY PRESIDENT:** Senator Van, please resume your seat. I have another point of order. Senator Dean Smith.

**Senator Dean Smith:** Again, excuse me, Madam Deputy President, but Senator Van still has another 2½ minutes to make in his contribution, according to the clock.

**The DEPUTY PRESIDENT:** Yes. I was certainly not seeking to curtail his time. I'm asking him that in the remaining minutes to please confine his remarks, however broadly he wants, to the bill in front of us, which is the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020. Thank you, Senator Van.

**Senator VAN:** I will. And I note contributions from the other side, which ranged very widely across a number of different topics that weren't constrained to this bill.

*Senator Bilyk interjecting—*

**Senator VAN:** Sorry, what was that, Senator Bilyk?

**The DEPUTY PRESIDENT:** Order! Thank you, Senator Bilyk! Calling out is disorderly and more so when you're not in your seat. Please continue, Senator Van.

**Senator VAN:** Thank you. I will conclude here by saying that for many children, childcare educators are the best people in their lives. But for them to resume a normal life and to be able to go to child care because their parents are back at work is one of the most important things we can do. I think all senators would agree with that and I call on the senators for Victoria on the other side to join with me in calling on the Victorian government to do more to get people back to work. Thank you.

**Senator HUGHES** (New South Wales) (11:58): Today, I'd like to make a contribution with regard to the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020.

Earlier this week we marked the second anniversary of the elevation of Scott Morrison to the leadership of the Liberal Party. Over 12 months ago—

**Senator Dean Smith:** Hear, hear!

**Senator HUGHES:** Absolutely, Senator Smith! Congratulations all round on fabulous leadership by our Prime Minister—and of course well supported by the Treasurer, in Josh Frydenberg. Since that time, and since the election just over 12 months ago, Australians have consistently breathed a sigh of relief that it is once again the Morrison government charged with leading us through this pandemic and these unprecedented times. That's why I'm proud that our government has always, and very strongly, supported families and the childcare sector, both before and also during this pandemic—through this COVID crisis.

One of the things that I think we should all be very, very proud of and where we should give the credit where it is due—to the Prime Minister, Mr Frydenberg and the wonderful efforts of the leadership team—is that a staggering 99 per cent of childcare services in Australia have not ceased operation since the pandemic began. Let me just make that point again because I'm not quite sure those opposite fully understand this: 99 per cent of childcare services in Australia have not ceased operation since the pandemic began. This must be unique in so many ways to the childcare sector. Very few industries and organisations haven't been dramatically impacted by COVID. It's the incredible work and leadership by the Morrison government that has ensured that this number of centres have been able to remain viable.

This incredible achievement is so important for a huge number of reasons. It's not just that the service providers, organisations and families, as they are quite often small family businesses, are still operating. It's ensuring that families are able to keep working, that mums and dads can get their children where they need to be in safe childcare centres that they choose whilst they go to work. It's keeping Australia working and getting Australians back to work as we come out of COVID that is going to ensure that our economy can recover. So we need to make sure that not only are the childcare centres still operating but families are able to go to work and our incredibly precious resource that is our children can enjoy uninterrupted learning, consistent care and, most importantly of all, play.

The aim of this bill and the amendments in it is to ensure that care is available to the most vulnerable and disadvantaged children and their families. I can assure you, having spent a number of years living in a town called Moree, which, by any stretch of the imagination, has every sort of socioeconomic group and is certainly very

familiar with children who are at risk and very vulnerable, that it was quite often the childcare centres that offered children the opportunity to go somewhere stable every day. It was often in a family day-care setting or in a childcare centre setting where they received the most consistent care in an environment that was secure and safe for them, which was something that was unfortunately not always the case in their own homes. So this is ensuring that children of families that are vulnerable and disadvantaged are still getting opportunities, being exposed to peer play, exposed to early literature and getting to understand from other children and teachers how to participate in a learning environment. It is incredibly important that these families are front and centre of what we do and that we make sure that those families who rely on childcare benefits to keep their children in care are able to access them and able to do so as easily as possible.

As I've mentioned today, under the childcare relief package, around 99 per cent of childcare providers have kept their doors open. I think it's important to note that this financial year we will spend more than \$9.4 billion on childcare services support. It's record funding, yet those opposite still can never ever acknowledge that. In fact, I wouldn't be surprised if we start hearing about a cut, because I'm not sure their maths ever add up. It is an absolute record volume of spending and funding going into this important and precious resource, and it's needed. These once-in-a-generation reforms have delivered a significant reduction in out-of-pocket costs to parents. Since our package was introduced, more parents have had greater access and greater financial support. It's available to those who need it most.

There are over one million Australians who are balancing work and parenting. In fact, an increasing number of them work in this building and have travelled here to Canberra to work and contribute to our country—parliamentarians.

*Senator Dean Smith interjecting—*

**Senator HUGHES:** Exactly as Senator Smith acknowledges, there are plenty of parents who are parliamentarians working from home on Zoom calls but who have children in child care. Their children deserve that consistency of care, as do all children. It is all those one million Australians who are balancing work and parenting who are benefiting from the package.

What I think is incredible to note—and this is when we hear from the other side those decrying the cost of child care and saying that everything should be free; I'm not sure who's ever going to pay for it, but that's not part of their logic—is that around 72 per cent of parents pay no more than \$5 per hour in day-care costs. But it's also important to note that 24 per cent pay no more than \$2 an hour. The Morrison government has brought these significant reforms to the childcare sector—some the most significant reforms in the past 40 years.

I'd also like to acknowledge the work of the Morrison government in that we have prevented \$3 billion of taxpayers' money from being claimed fraudulently. At the forefront of all of these considerations that we must keep in mind is that this is taxpayers' money. These subsidies are taxpayers' money, and we need to make sure that they are being spent wisely and that they are accounted for but also that they are going to those who require them most.

Since 13 July 2020, our transition package, including a payment of 25 per cent of a provider's pre-COVID revenue, has supported centres around Australia. Recently, thanks to Premier Andrews, we saw a mismanagement of quarantine, perhaps, in the state of Victoria—we saw a second wave—meaning that parents are no longer able to go to work as they face another lockdown, and those centres are therefore vacant of children who are locked in their homes. But those centres in Victoria have benefited from additional support in response to this current situation.

The bill clearly shows that, following the return to a demand driven childcare subsidy on 13 July 2020, we are continuing to remain committed to improving access to child care, especially for the most vulnerable and disadvantaged. Of course, as Liberals we are committed in every sector—across all industries but especially here—to cutting the red tape for families and childcare providers. By cutting that red tape, the impact for providers and families will ensure that we have improved access to services for vulnerable children—those who require it most.

The additional childcare subsidy is a top-up payment to the childcare subsidy. The Australian government has paid almost \$50 million in the additional childcare subsidy (child wellbeing) to cover childcare costs for 21,500 children in the 2018-19 period, but we are still working to support this sector. The good news is that the determination for period of time a provider can apply for additional subsidy rates will be extended from 13 weeks to up to 12 months for children who are under a long-term protection order, such as those in foster care—and I think we can probably all agree that they are some of our most vulnerable and disadvantaged children. This change recognises the support vulnerable children need over longer periods.

Other amendments will enable providers to backdate families' additional childcare subsidy beyond the current limit of 28 days—and up to 13 weeks in exceptional circumstances. Childcare providers will also be able to enrol children who are in foster care under additional childcare subsidy arrangements for an initial period of 13 weeks, giving individual foster families sufficient time to lodge their childcare subsidy claim and to have it assessed by Services Australia. Of course, Services Australia has increased its productivity under the leadership of Minister Stuart Robert, and we look forward to that continuing as he continues to roll out improvements across Services Australia. There are existing provisions where providers are required to notify Services Australia when a child is no longer considered to be at risk. This will continue to apply, ensuring we maintain the targeted approach that we apply to all sorts of payments across our welfare system.

I will talk about a few more technical aspects of this important bill. The bill will amend provisions relating to the additional childcare subsidy as well as the childcare subsidy in the A New Tax System (Family Assistance) Act 1999 and the A New Tax System (Family Assistance) (Administration) Act 1999. The additional childcare subsidy (child wellbeing) provides additional childcare fee assistance to an individual or a provider in limited circumstances—for children that are at risk of serious abuse and neglect.

The bill was drafted after the Morrison government took on feedback from the childcare sector. I think something that cannot be stressed enough are the consultations conducted across the sector to ensure that this bill and its amendments are best suited to those who provide these services and the families that utilise them. Stakeholders have raised areas where improvements can be made, streamlining access to additional childcare services as they relate to child wellbeing. The sector and parents reached out to the Morrison government and we've listened, as we are prone to do.

These amendments are all in the context of the new childcare package implementation that occurred on 2 July 2018 and, more recently, in submissions to the Senate inquiry into the Family Assistance Legislation Amendment (Building on the Child Care Package) Bill 2019. I'm pleased to address this important bill which provides extra support to our most vulnerable Australian children.

Since the start of the pandemic, we've invested \$708 million in a transition package. This is on top of the \$8.9 billion per year in childcare subsidy payments. Childcare fees have been capped and providers have been required to guarantee employment levels by maintaining the same average number of staff. We're relaxing the activity test until 4 October 2020 to assist families whose employment has been impacted by COVID-19. Families that have been impacted by the pandemic may receive up to 100 hours of subsidised care per fortnight during the transition period. The Morrison government has committed to waiving the gap for those services forced to close on public health advice as a result of COVID-19 and we've extended the waiver until 31 December.

Now we come back to Victoria, as it experiences this second wave. We need to acknowledge that the Morrison government has provided Victoria with an additional \$33 million of support. Melbourne services will receive a higher transition payment of 30 per cent and they may also be eligible for a top-up where childcare subsidies received are low and they have greatly reduced attendances because families are experiencing a prolonged lockdown. Victorian families will get an extra 30 days of allowable absences, bringing their total to 72 days.

Hopefully, the 72 days and Premier Andrews's grab for power for the next 12 months don't come to fruition and things will be allowed to get back to normal—people will be allowed to get back to work as restrictions ease and therefore children will be able to return to child care. Childcare services subject to stage 3 or higher can waive gap fees if children aren't attending and absences are claimed, allowing enrolments to be maintained and the childcare subsidy to be paid. Outside-hours school services in Victoria will receive an additional viability support payment of 15 per cent of their revenue if attendance falls by 40 per cent. On average, the government expects that services in Melbourne will receive between 80 and 85 per cent of their pre-COVID revenue. Whilst I've no doubt we will see this decried from the opposition benches, I am sure there are plenty of travel and hospitality businesses—particularly in the 'Republic of Palaszczuk' and over in the 'Republic of WA', although I don't even think we can call it the 'Republic of WA' anymore when they're putting electronic bracelets on quarantined people—that would love to ensure their revenue remained at 80 to 85 per cent. But, of course, that is not the case.

I would like to congratulate the Morrison government on bringing forward these amendments and ensuring all children have access to child care. *(Time expired)*

**Senator BILYK** (Tasmania) (12:13): As a former early childhood educator for over a decade, I have extensive experience working in the early childhood education and care system and with the children of vulnerable and disadvantaged families.

The Additional Child Care Subsidy, or ACCS (child wellbeing), is an important program that provides additional support for children who are at risk of abuse or neglect, including children who experience domestic and family violence. The payment can make the difference between children being able to stay at home or going

into the child protection system. Because of the unique circumstances of families receiving the ACCS (child wellbeing) payment, they are exempt from the activity test and their providers receive a subsidy equal to the actual fee charged by the service—up to 120 per cent of the childcare subsidy hourly fee cap.

When the new childcare subsidy system started in July 2018, new requirements were imposed on providers and families trying to claim ACCS (child wellbeing). These changes included: reducing the initial approval period from 13 weeks to six weeks; approving eligibility certificates for only 13-week periods; only allowing 28 days of backdating ACCS payments; and deeming that any applications not approved by Centrelink in 28 days be refused.

Labor warned the government that these changes in the early-childhood education sector would have a detrimental impact on families. The government, of course, ignored these warnings, and within six months the number of vulnerable families accessing this payment collapsed by 20 per cent. Ever since these changes were made, the sector has been calling on the Morrison government to fix this red-tape nightmare. Unfortunately, the government spent many months with their heads in the sand over this issue, and as a result it's taken a long time to reverse the decline.

The department of education told Senate estimates that they were not concerned about the drop in the number of families accessing the payment; nor were they tracking whether families had dropped out of the system. I wouldn't be surprised if the decline in accessing the payment, a measure that supports at-risk and vulnerable children, resulted in an increase in demand for other support services. Even more worrying—and this especially concerns me as a long-time campaigner against child abuse and neglect—is the possibility that this resulted in worse outcomes for the children concerned. I'm completely baffled that the government would not be concerned about the decline in the number of families accessing the payment and not monitoring the impact it has on vulnerable and at-risk families, and those children in particular. While the number of children and families accessing the subsidy has reached the level it was at when the childcare changes were made, this was in part thanks to a significant effort and commitment of resources from providers. More needs to be done to reduce this red-tape burden for families.

This bill makes changes in a number of areas that will reduce the administrative burden on providers and at-risk families while providing greater financial security to these families. Providers will be able to enrol children in foster care under the name of the provider rather than that of a parent or foster carer for up to 13 weeks while the parent or foster carer is applying for a Centrelink reference number and childcare subsidy. This will help the transition for children in foster care when they enrol with a provider or move between foster care arrangements. Providers will be able to apply for ACCS to be back paid for up to 13 weeks instead of the previous four weeks. Providers will be able to request ACCS determinations for up to 12 months for children on long-term child protection orders or in foster care, up from the previous 13 weeks. Finally, the calculation method used when family circumstances change during a year for circumstances such as the separation of parents or the death of a parent or parents will be changed to ensure that CCS eligibility more accurately reflects the new circumstances and the CCS payments.

These are positive changes, and Labor will support them. Like my Labor colleagues, I welcome any reduction in the administrative burden on families who are relying on early-childhood education and care. Unfortunately, many of the recent changes made by the government have actually increased the red-tape burden for families accessing child care. And, for a government that likes to trumpet its credentials when it comes to red-tape reduction, its changes to the childcare subsidy are an indelible stain on its record. The new system introduces complicated activities and means tests. It forces childcare providers to act as unpaid debt collectors for the government. It is riddled with software glitches and raises childcare subsidy debts without any explanation.

The government's childcare system is not only complicated and administratively burdensome but, for families and providers, it's also expensive. Australia has some of the highest out-of-pocket childcare expenses in the world, and they have been rising rapidly under this government. Childcare fees have increased by 7.2 per cent in the 12 months to December last year, which adds up to an increase of 34 per cent since the Liberals came to power. This represents an average additional cost of \$3,800 per year per family.

While Australia's childcare system already confronts families with some of the highest out-of-pocket expenses in the world, the Morrison government has introduced a system that leaves one in four families worse off. That's 279,000 families for whom access to child care has become a greater strain on the family budget because of the changes made by those opposite. Is it any wonder that those opposite have gone silent on their claims that their new system would put downward pressure on fees and that they were driving down the cost of child care? No. But that is what the government were claiming at the time they introduced their new system: that it would put downward pressure on fees and drive down the cost of child care. Well, you don't hear those claims from them now—because they're not true.

In response to the COVID-19 pandemic, the government proudly trumpeted their free childcare policy but failed to adequately fund it in a way that provides enough childcare places to meet demand or that ensures the viability of providers. This has left many families without access to child care, while some providers have had to struggle to stay afloat. Instead of fixing the mess they have made, the government have now broken their promise to continue providing JobKeeper to early childhood educators until September, and 'snapped back' to the old childcare system last month. A survey commissioned by The Front Project before the childcare snapback predicted the disastrous impact that it would have on family budgets during the recession. In responding to the survey, 57 per cent of families said that childcare fees impact their social spending, 55 per cent said that the fees impact their grocery budgets and 35 per cent said the fees impact where they choose to live. Out-of-pocket childcare costs were already having a massive impact on family budgets prior to the COVID-19 pandemic. Now that Australia is in the midst of a recession, this snapback has put further pressure on families that are already struggling through the loss of work and reduction in household incomes.

When I think about Senator Rennick's comments in the chamber earlier this year, I'm hardly surprised that the childcare system under this government is so expensive and so complicated. Should we be surprised if it's the attitude of those opposite that parents should just stay home? According to Senator Rennick, that's the ideal for parents of preschool aged children: not engaging in work, not having their children receiving the developmental benefits of quality early childhood education and not balancing work and family commitments but staying at home with your kids—which is fine if you can afford to do it and choose to do it, and I'll speak more about that a bit later on. But it's of little surprise that Australia's childcare system is expensive and complicated and that subsidised early childhood education is seen as—and I quote Senator Rennick—'the hand of government reaching in and stealing our children's youth'.

I remind those opposite that, as yet, not one of you on that side of the chamber has challenged Senator Rennick's remarks nor sought to disassociate the government from them. Unless you do—and the debate on this bill is a perfect opportunity for you—then you own them. I call on those opposite; in fact, I challenge them, any one of them, to stand up for working parents and stand up for early childhood education and state, loudly and proudly, that Senator Rennick's comments do not reflect the views of the modern Liberal Party. If you fail to do that, this is the message it sends to the community: it tells early childhood educators—of which I was one for over a decade, as I said—that their work is not valued. It tells educators that, instead of playing a valuable role in contributing to the learning and development of children, they're holding them back. It tells working parents that, by participating in the workforce and placing their children in formal care, they are failing their children. The views that Senator Rennick expressed previously in the chamber belong way back in the past, and the failure of those opposite to reject those outdated views is an implicit endorsement of them by the Morrison government.

By contrast, the senators on this side of the chamber all value early childhood education and care. As a former educator myself, I know that it can make an enormous contribution to the physical, social, psychological and emotional development of children. That's not just a view I've formed from personal experience. It's backed up by the studies, both in Australia and overseas. Unlike Senator Rennick, I do not see government subsidised childcare as 'the hand of government reaching in and stealing our children's youth'. What an outrageous slur against early childhood educators. These comments are also a slur against working parents.

When Senator Rennick says that early childhood education is stealing our children's youth—and that's a direct quote—he implies that working parents with preschool-age children are complicit in this alleged theft. But parents should not be made to feel guilty because they choose to use early childhood services or choose to work instead of being stay-at-home parents. Being a stay-at-home parent is a legitimate choice, but it's just as legitimate a choice as pursuing a career. Surely a good parent, should they choose to, can balance their career and family life and still have a strong, productive relationship with their children. Let's not forget that not every parent has a choice. Not every parent can afford to stay home with their children. It's the height of hypocrisy for Senator Rennick to say that his party supports choice but then to delegitimise the choice of parents to work while having their children cared for and educated by trained professionals.

Attitudes such as Senator Rennick's are also a setback in the advancement of women's equality. Affordable quality early childhood education and care are key reasons why so many women in particular have been able to participate in the workforce. We know that women take on a disproportionate share of childminding responsibilities and that support, such as subsidised childcare, is a big driver when it comes to women's workforce participation and equal pay. Why is it that no-one, not one person, on that side will stand up and challenge Senator Rennick's out-of-touch and outdated views? Is it because those on the other side are too spineless to do so, or do you actually agree that Australia should be dragged back into the middle of last century?

I don't hold out much hope that those on the other side will challenge these comments, because their frontbench in the other place have already maligned the public funding of early childhood education and care. The Minister

for Education, Mr Tehan, has described it as communism and the Prime Minister has referred to the childcare budget as a money pit. Well, that tells us a lot. Attitudes such as those demonstrate that the government sees early childhood education and care as an unnecessary cost. They do not see it as an investment in the learning and development of children or as a means of supporting parents to participate in the workforce. They do not value the enormous benefits it provides to Australia's economy or to the learning and development of our children.

In conclusion, I would like to take this opportunity to thank all early childhood educators for their work, particularly during the pandemic. It's been a difficult time for all educators as they've faced multiple challenges and changes to childcare policy and they've dealt with rapid fluctuations in attendance. Despite the ongoing uncertainty facing the sector, educators have continued to focus on the development and wellbeing of the children in their care and have continued to deliver high-quality early learning. I know they will continue to do so.

As I said earlier, this bill makes changes which improve assistance for the vulnerable and disadvantaged, and Labor will support it; however, the bill does not go far enough towards fixing the expensive, complicated and burdensome childcare system that this government is so intent on presiding over.

**Senator McMAHON** (Northern Territory) (12:28): I rise today to speak on the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020. The bill has been drafted to address feedback from the childcare sector. It was one of the most common inquiries from stakeholder groups that I received when the raft of COVID-19 assistance packages came out. Stakeholders have raised areas where improvements can be made to streamline access to additional childcare subsidy in the context of the new childcare package implementation that occurred on 2 July 2018 and, more recently, in the submissions to the Senate inquiry into the Family Assistance Legislation Amendment (Building on the Child Care Package) Bill 2019.

The Morrison-McCormack government's primary aim is to support families and the childcare sector during the COVID-19 crisis to ensure that quality early childhood education and care is available to vulnerable and disadvantaged children and families.

Let me just say that I believe having children is a choice, and a choice that brings with it responsibility—responsibility to be financially, legally and morally responsible for those children. Having children doesn't necessarily benefit society, yet society is increasingly being expected to bear out the responsibility for them. Our Greens friends over there, who keep scaremongering about the climate crisis and screaming for us all to live in mud huts in the dark and cold, neglect to address the single biggest driver of climate change, greenhouse gas emissions, habitat destruction and species extinction in the world, and that is overpopulation. So instead of blaming us for all the evils on the planet and calling for us to live like hairy, tree-climbing primates, perhaps they should turn their attention to what is contributing to our world population at an escalating rate.

Having said that, however, I acknowledge and recognise that families are a vitally important part of the fabric of our society. Particularly in Australia, families are something that we all treasure and value immensely. If parents and families abdicate their responsibilities, our society dictates that the government will step in and make sure that people aren't neglected and disadvantaged. This government takes its responsibilities very seriously and continually excels in looking after Australian families and businesses.

Let me take us back to a decision that seemed like a good one at the time but which has had long-term unintended consequences for the Northern Territory. The payment that came to be known as the baby bonus was introduced by the Howard government in 2004. It was then called the maternity payment and it was a non-means-tested lump sum replacement of the first child tax rebate and the maternity allowance. I love the work of the former PM and his revolutionary government, but this decision was a bad one for the Northern Territory. It immediately came to be seen not as a baby bonus but as a 'buy things and spend it on yourself' bonus by many young girls. Many immediately began having one baby after another just for the \$5,000 cash bonus. These babies were frequently handed over to grandparents and other relatives to raise.

Sales of big-screen TVs, PlayStations, mobile phones and, yes, drugs and alcohol boomed. Very little, if any, of this bonus was actually spent on the vulnerable children. These baby bonus babies are now teenagers and have contributed in some cases to a generation of breakers. Towns such as Katherine, Tennant Creek and Alice Springs are suffering from an unprecedented plague of youth crime. Gangs of kids as young as nine are running unchecked through town, day and night, breaking, rock throwing, assaulting people and burning down buildings and public infrastructure.

Our shambolic NT Labor government is standing by haplessly and literally watching the NT crumble and burn. I speak regularly with the Mayor of Tennant Creek, Steve Edgington, and he continually informs me of the spiralling scourge of youth crime in his town. He told me just a few weeks ago that the town's only supermarket was burnt down by a gang of 12- and 13-year-old girls. These are not bad kids; they have just been failed by their

parents and the system. Many of them have FASD, little education, and poor or absent parenting, and they don't see anything positive in their futures. It is imperative that we do not repeat this process and in 10 years time end up with a generation of COVID-problem youth.

That is one of the many reasons that this government is listening continually to advice and providing support where it's needed. In this case, this bill has been drafted to address feedback from the childcare sector. Stakeholders have raised areas where improvements can be made to streamline access to additional childcare subsidy in the context of the new childcare package implementation that occurred on 2 July 2018. In the Northern Territory, childcare and early educators rely heavily on workers who are not covered by JobKeeper, such as temporary visa holders and casuals who have not been working for them for 12 months. This is a feature in general of the NT's itinerant workforce. These changes will address that issue and support childcare providers and early childhood educators.

The Australian government paid almost \$50 million in additional childcare subsidies to cover childcare costs for 21,500 children in 2018-2019. The bill will cut the red tape that's impacting upon providers, families and governments, improving access to services for vulnerable children. It will do this by extending the backdating of the additional childcare subsidy certificates and determinations from 28 days to up to 13 weeks in exceptional circumstances. This, importantly, helps provide care for children under a long-term protection order, like children in foster care. The bill will also extend from 13 weeks to up to 12 months the period that additional subsidy determination can be given for children on long-term child protection orders, including, again, those in foster care, and it will clarify that a provider is eligible for the additional subsidy in respect of certain defined classes of children. Again, children in foster care would fall under this.

These changes recognise the support that vulnerable children need over longer periods, and I particularly welcome these changes in the Northern Territory where, sadly, our children face significant adversity. A recent Productivity Commission report found that children in the Northern Territory are more likely than Australian children overall to come into contact with the child protection system and face higher rates of socioeconomic disadvantage, depriving them of the best start in life. This isn't new. It is well documented in the Territory that a history of family and domestic violence and lower socioeconomic status are compounded by isolation, particularly in rural and remote communities, and this contributes to a higher risk of a child being vulnerable to neglect and mistreatment. Children in our isolated communities are also less likely to access the care and early education they need, which places them at significant disadvantage alongside children from areas with ample access to care and early education.

In the NT, most childcare centres are small, family run, not-for-profit or solo operator run businesses. They rely heavily on workers not covered by JobKeeper. This is a feature that we are faced with generally in the Northern Territory, and these changes will address that issue. It is important to note that two-thirds of funding for early childhood education in the NT comes from the federal government, and I thank this government for the provision of that funding for NT families and children and small businesses. I applaud our government for this measure to help keep our children safe and ensure they receive the care and early childhood education they desperately need, at the same time providing support to many of our small businesses and solo operators.

Under our COVID-19 childcare relief package, around 99 per cent of childcare providers were able to keep their doors open. The coalition government is providing record levels of funding in child care. We are committed to quality, affordable child care, particularly as we navigate COVID-19. Since 13 July, our transition package, including a payment of 25 per cent of a provider's pre-COVID revenue, has supported centres around Australia, including in the Northern Territory. This bill demonstrates our commitment to improving access to child care for vulnerable and disadvantaged children and families and to cutting red tape for families and childcare providers.

I would also like to mention the outstanding result achieved by the Country Liberal Party in last Saturday's Northern Territory election. Going into the election, the Country Liberal Party held two seats. With one of those members retiring, this was effectively one. Whilst counting is continuing as I speak, the CLP looks to have secured five seats and possibly up to eight. This is not only a magnificent achievement by the CLP; it is a reflection of Labor's disastrous management of a decimated economy and complete loss of control of law and order. It is also confirmation of this federal government's performance generally and with respect to COVID with legislation such as this. This government supports families and supports a strong and vibrant childcare sector.

**Senator ASKEW** (Tasmania) (12:41): I rise today to speak on the Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020, which was introduced into the House of Representatives on 26 February this year. This bill seeks to amend several acts relating to the additional childcare subsidy and the childcare subsidy. As we've heard, it will extend the backdating of additional childcare subsidy certificates and determinations from the current period of 28 days to up to 13 weeks in prescribed exceptional circumstances, and extend the period from 13 weeks to up to 12 months to allow a determination to be

made for certain prescribed classes of children, such as children on a long-term child protection order, including those in foster care.

Additionally, the A New Tax System (Family Assistance) (Administration) Act 1999 will be amended to correct minor technical drafting errors to modify the calculation used at childcare subsidy balancing for individuals that change their relationship status through partnering, separating or bereavement during the year. The changes will bring the calculation into line with other government payments. The calculation method proposed in the bill will ensure families' childcare subsidy entitlements are fair, consistent and accurate. It will reflect the family's financial circumstances throughout the year by recognising periods when they were single with their own income or partnered with a combined income, and the actual incomes associated with those periods.

Lastly, the bill makes two minor technical amendments to add clarity. These amendments will provide exceptions where the secretary may vary the approval of a childcare provider to remove the service and will correct the omission of the civil penalty amount in section 204K(5).

This bill has been drafted to address feedback from the childcare sector. Stakeholders have raised areas where improvements can be made to streamline access to additional childcare subsidy in relation to the new childcare package implementation that occurred on 2 July 2018 and, more recently, in submissions to the Senate inquiry into the Family Assistance Legislation Amendment (Building on the Child Care Package) Bill 2019. Additional childcare subsidy is part of the childcare safety net giving the most vulnerable and disadvantaged children a strong start through access to quality early childhood education and care. Additional childcare subsidy is a top-up payment in addition to childcare subsidy. The Australian government paid almost \$50 million in additional childcare subsidies to cover childcare costs for 21,500 children in 2018-19.

This government's primary aim is to support families and the childcare sector during the COVID-19 crisis. We want to ensure quality early childhood education and care is available to vulnerable and disadvantaged children and families. As Australians return to work, businesses reopen and children return to classroom learning, the government resumed the childcare subsidy to support families to continue to access affordable child care.

Under the childcare relief package which was announced by Prime Minister Scott Morrison and the Minister for Education, Dan Tehan, in early April, around 99 per cent of childcare providers kept their doors open throughout this pandemic. Around one million families received free child care during the coronavirus pandemic under the Australian government's plan to support families and help the early childhood education and care sector. Like for so many of us here in this place, early in the outbreak of COVID-19 childcare concerns of both parents and providers were—

**The ACTING DEPUTY PRESIDENT:** It being 12.45, the debate is interrupted.

## STATEMENTS BY SENATORS

### Poate, Private Robert

#### Coalition Government

**Senator SESELJA** (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (12:45): It's always an honour to rise in this place and pay tribute to outstanding members of the Canberra community. Just last week I attended the tribute to Canberra's Private Robert Poate as we approach the anniversary of his tragic passing. I can think of no more appropriate words than those of his family, who loved him most in the world, to share with this place in relation to Private Poate's life. I will share some of those words now:

Robert attended Canberra Grammar School from pre-school to year 12, this period being two thirds of his short life. Robert was an intelligent student and a superb all-round athlete. He was awarded Blaxland House Colours and the Mark Sowell Award for outdoor education. He was Captain of the open grade Third Fifteen Rugby Football Team where he played as five eighth, and he regularly played with the Second Fifteen. In his final year at school, his football team presented him with the Players' Player Award.

Robert was gregarious, charismatic, he made friends easily and had a wonderful sense of humour. His family and his friends meant everything to him. He loved the outdoor life, particularly camping, fishing and hunting. This love of the outdoors was a strong influence on his decision to join the Australian Army in 2009.

Robert was posted to the 6th Battalion, The Royal Australia Regiment (6RAR) where he quickly earned himself a reputation as a fun-loving person and a great mate to be around. There was never a dull moment when Poatey was present. He was a great morale booster and was known as a dedicated soldier, a quick learner and a man on a mission to go to Afghanistan. As a junior soldier, he was also identified for his leadership skills ahead of most of his peers and he completed an Infantry section leaders course.

Robert deployed to Afghanistan as crew commander of a Bushmaster vehicle with Mentoring Task Force 5 in June 2012. The vehicle he commanded was regularly the lead vehicle in convoys and patrols. On 29 August 2012, Robert was tragically killed along with two of his mates by enemy fire at Patrol Base Wahab, Oruzgan Province, Baluchi Valley, Afghanistan.

Hugh, Janny and Nicola are left with wonderful memories of Robert, particularly his ever-present smile, his great sense of humour and his unconditional love.

I want to thank the Poate family for those beautiful words.

Soldier On, here in Canberra, in recent days hosted a tribute to the life of Private Poate, a life he led as both a man and a soldier that his friends and family will be eternally proud of. Locals Canberrans Colin Greef and Mike Hogan performed a touching musical tribute written in honour of Private Poate as part of the ceremony. Very movingly, a handmade quilt lovingly made by Avril Greef was presented to Private Poate's family. Overlaid with poppies, it was presented to Poatey's family on behalf of Soldier On.

Robert was aged just 23 when he and two mates were playing cards at their base in Tarin Kowt in Oruzgan province in August 2012 and a rogue soldier, a trusted sergeant with the Afghan army, turned on them. It has been reported that the man responsible is likely to be one of the prisoners released as part of the US-promoted peace negotiations between the Afghan government and the Taliban. Prime Minister Morrison has repeatedly confirmed it is the position of the Australian government that this rogue soldier, responsible for the murder of three young Australians, should never be released. I understand the Prime Minister has written to the US President strongly advocating our position on this issue, and I join with him in this plea. As the government continues to push for this offender to remain in prison, we near the anniversary of this fateful attack. Hugh, Janny and Nicola, my thoughts and prayers are with you.

There is no doubt that, if you look around Canberra, it is a place that has been built by primarily Liberal-National governments. It has been Liberal-National governments that have built Canberra and that have delivered us our wonderful institutions. Let's go through the list—the National Library, the National Gallery, the National Museum, new Parliament House, the National Portrait Gallery, the Australian Institute of Sport, the Royal Australian Mint, the Tidbinbilla deep space tracking station and it goes on and on. I want to talk about the fact that, as a Liberal-National government, we have been building on that legacy in the past couple of years through our massive and unprecedented investments in Canberra. Just in the past couple of years we have announced over \$1 billion in new investment right here in the ACT. I want to share some of those investments because I think they're investments not only that we as a government can be proud of but that Canberrans can be proud of and that are great for our local economy. But I think that, when we invest in our national capital—a capital that I believe we can all be proud of—and when we invest in some of our national institutions, Australians right around the country can be very proud.

I want to go through some of the major investments, new investments—just in the past two years—of more than \$1 billion from the Liberal-National government in Canberra. They are headlined by the \$500 million expansion of the Australian War Memorial, our most loved national institution and one of our most visited attractions, with over a million visitors per year. We are investing in honouring the memory of our fallen but also investing in the capital of our nation. We are investing in a great institution that draws a lot of tourists, and we are seeing local jobs delivered. In that vein, many of the other projects I'm going to go through are delivering jobs for Canberrans and indeed for people in our region, Canberra being at the heart of south-eastern New South Wales. These huge Liberal-National government investments are providing jobs in our region but also improving the lives of people here in the capital.

I've talked about the War Memorial expansion; we are also investing in the Barton Highway upgrade. We are investing \$80 million in upgrades to the National Gallery. We've seen \$33 million provided for the RMC here just in the past couple of years. There's \$100 million for the Monaro Highway, getting people in Canberra's south—and, indeed, people from over the border as that area grows—to and from work more quickly. We are investing in the future of our city. There is \$30 million for the duplication of William Slim Drive, a very important road for people in Belconnen. We've seen significant safety upgrades right around the city, most recently on Southern Cross Drive in Belconnen, and we're also investing in significant safety improvements in Mawson.

Over a million dollars was announced just recently for new research facilities at the Australian National University. It is my old university, Australia's foremost tertiary education institution, and we are investing in it here as our great national university.

In recent times we've seen \$17.6 million provided to deliver shovel-ready infrastructure projects—urgent road safety upgrades. It includes money for intersection upgrades around the city, \$6 million for the Mitchell light rail stop, \$5 million for upgrades to Northbourne Avenue, \$400,000 for traffic signal and uninterrupted-power-supply projects across 20 intersections, money for road safety barriers and \$350,000 for variable speed limits on the Tuggeranong Parkway between Cotter Road and Glenloch Interchange.

We've also, in recent times, committed another \$40 million under the Roads to Recovery program. As part of our commitment nationally to investing in recycling, \$21 million was announced. Just recently I had the privilege of being with Minister Ley as we announced \$21 million for the ACT Materials Recovery Facility.

Just today we heard an announcement of \$8 million for local infrastructure and community projects. Some of them are local cycleways and paths. That is really important. Canberra is a cycling city—we love getting around on our bikes—and improving some of those links is a wonderful investment from the Liberal-National government.

There's a million dollars for upgrades to the Stirling and Kambah playing fields and the pavilions at the Woden enclosed athletics track. Some of our street lamps are being replaced, and there will be upgrades to Belconnen and Woden skate parks. Belconnen, Dickson and Kippax library branches are being upgraded, and we're seeing a number of community centres right around the city, from down south in Tuggeranong to Woden, the inner north, Belconnen and Gungahlin. Right around our city, we are seeing significant investments. This latest announcement today builds on the more than \$1 billion in new investments announced by this Liberal-National government in Canberra. We are making this city a better place. We are investing in our local economy. What we are doing is building on that great Liberal-National tradition which is to build Canberra and to invest in our national capital. When we do that, I believe it is a wonderful thing for those people that I represent here in the ACT, but I think it is also an investment in a capital that we as Australians can all be proud of and continue to be proud of into the future.

### COVID-19: Queensland

**Senator WATT** (Queensland) (12:55): I rise today to speak about the issue that is affecting not just my home state of Queensland or the country but, really, the whole world. That is the COVID-19 outbreak. We have all watched in horror as we've seen—particularly with the events in Victoria—the tragic loss of life, particularly in the aged-care sector. That is something we've talked about at length in the chamber this week.

Even though in my home state of Queensland we certainly haven't seen the impact that we have in Victoria and other parts of the country, it still is something that is affecting us as well. One of the reasons why Queensland has been relatively unscathed compared to other states in Australia is the decisive action of the Palaszczuk Labor government in closing Queensland's borders and a range of other preventative measures.

It has been very interesting being back down here this week in the Senate, because it's the first time we've been here for a while. I remember very clearly the Queensland LNP senators—including your good self, Mr Acting Deputy President McGrath—literally screaming at us from the other side of the chamber about how Queensland needed to open its borders. They were yelling and screaming and carrying on—moving motions and making speeches and asking questions and all sorts of things, abusing Premier Annastacia Palaszczuk and the Labor Party for their strong decisions about keeping Queensland's borders closed. Well, haven't they been quiet this week? You can barely hear a mouse from the Queensland LNP in the Senate chamber this week, because they know that they made the wrong call and that the overwhelming majority of Queenslanders are against what the LNP has been saying, and that they are with Premier Annastacia Palaszczuk when it comes to our borders.

We all know that the Queensland LNP were only carrying on like pork chops about borders down here in the Senate at the last sittings because they thought they were on a political winner in the run-up to a Queensland election. Didn't they get that wrong? They completely misjudged the Queensland population. They completely misjudged the health risk that was posed to Queensland if we didn't have closed borders. Of course, then we saw what happened in Victoria and all of a sudden they realised they'd got it wrong. I'm sure that Queenslanders, when they come to vote in the Queensland election at the end of October, will very well remember the different positions taken on the issue by Labor on the one hand and by the LNP on the other. In the case of Deb Frecklington, the state opposition leader in Queensland, we are up to 64 times that she demanded the Queensland borders be opened. Of course, that was replicated here in Canberra by her state LNP colleagues. Haven't they changed their tune now? I'm very confident that Queenslanders will remember, at the end of October, that it was Labor, with Annastacia Palaszczuk, that kept their health safe. Equally, it will be Labor that guides Queensland to recovery in the months and years ahead.

In contrast to what we've seen from the Palaszczuk government, we are seeing a range of measures taken by the Morrison government and his LNP cohorts here in Canberra that actually jeopardise the Queensland economy right now and into the future. We know that at the end of September we will see cuts made to the JobKeeper payments and the JobSeeker payments that have been so crucial to so many Queensland families. Of course, only a few months ago the LNP and Prime Minister Morrison didn't want to have a wage subsidy; they had to be dragged kicking and screaming into paying one by Labor, the union movement and the business community.

Now, if you get around Queensland, every single business and every single worker you talk to will tell you how vital the JobKeeper payment is to their businesses staying afloat and to them being able to feed their families.

But we now know that at the end of September those rates are scheduled to be cut, which will mean that businesses will not be able to keep people on and Queensland families will have less money in their pockets. Probably the worst part of this is that, at the very time the federal government is intending to pull financial support out of the economy and pull financial support out of Queensland families, what they are also doing is not coming up with any plan around jobs. They want to take money out of the Queensland economy and out of Queensland families, and they have no plan for what the new jobs in Queensland and the rest of the country will be. That stands in stark contrast to the Palaszczuk government, which has a very clear plan for Queensland's economy, particularly based around spending on infrastructure projects, supporting small business and investing in new industries.

Over the last few weeks, now that those of us from Queensland are able to travel within Queensland, I've taken the opportunity to spend a lot of time in regional Queensland. I've literally been from Cape York to Coolangatta and pretty much every major provincial city in between. And what is very clear to me, no matter where I go in Queensland, is that people are desperately waiting for the Morrison government to come up with a jobs plan. They know that the clock is ticking on JobKeeper, on JobSeeker and on a whole range of other financial support that's being provided by the Morrison government. They also know that there is no jobs plan whatsoever from our federal government to make sure that there are going to be new jobs available for when this money does come out of people's pockets. It seems that we can't rely on Prime Minister Morrison or any of his LNP senators or MPs to come up with a plan.

Let me just put three basic ideas on the table that are based on the discussions that I've been having with people right throughout regional Queensland. There are three very easy things that the government could be doing. They could be fast-tracking infrastructure projects to get businesses and workers back on the tools; they could be rebuilding our manufacturing industry, particularly in regional Queensland; and they could be investing in the training that they have ripped money out of over the last few years. Let's just go through them one by one. On fast-tracking infrastructure projects, creating jobs is the key to our regions recovering from the first recession we have seen in 30 years. That's what the Morrison and Frydenberg government have inflicted on Queenslanders and on the rest of the country.

*Government senators interjecting—*

**The ACTING DEPUTY PRESIDENT (Senator Askew):** Order!

**Senator WATT:** I know government senators don't want to hear this.

**The ACTING DEPUTY PRESIDENT:** Please take your seat, Senator Watt. Senator Urquhart on a point of order.

**Senator Urquhart:** The previous contribution from the other side was not interrupted in any way, shape or form from this side. I would ask that senators on that side give our side the same courtesy.

**Senator Seselja:** Just on the point of order: it is important, and I will of course take your guidance, Madam Acting Deputy President, but it is also important that speakers tell the truth, if they don't want to be heckled.

**The ACTING DEPUTY PRESIDENT:** On the point of order, interjections are disorderly and I would ask both sides of the chamber to let the senator be heard.

**Senator WATT:** I can understand why the government don't want to hear this. But, unfortunately, they have not been capable of coming up with a jobs plan of their own, so here we are, happy to help. I'm from Queensland; I'm here to help. On the fast-tracking of infrastructure projects, Senator Rennick and his Queensland colleagues might not be aware of this, but only a few weeks ago we had the Prime Minister, also known as Scotty from Marketing, getting out there and making a big announcement about how—

**The ACTING DEPUTY PRESIDENT:** A point of order, Senator Seselja?

**Senator Seselja:** Apart from not telling the truth, Senator Watt is now not referring to people in the other place—that is, the Prime Minister—by their proper title.

**The ACTING DEPUTY PRESIDENT:** Senator Watt, I will ask you to refer to other members and senators according to their title.

**Senator WATT:** I'm happy to withdraw and to refer to the Prime Minister as the Prime Minister. A few weeks ago, we saw the Prime Minister make a big announcement, something that we know he likes to do—he's not so good on the follow-through, but he loves making a big announcement—usually with an ad ready to go. He said that he was going to have 15 major projects around the country fast-tracked so we could get infrastructure happening and jobs happening. Guess how many of those projects are in my home state of Queensland. Guess

how many projects are in the state that the Prime Minister has said delivered him his election victory last year. One. Out of 15 major projects being fast-tracked around the country, he could only find one project in Queensland that he was prepared to fast-track—and that project, the Inland Rail, is really, basically, a New South Wales-Victoria project and it doesn't go any further north than Brisbane. So there is not one project north of Brisbane that this Prime Minister and his government are prepared to fast-track. I get around regional Queensland, and I see a few of the projects that are happening—

**The ACTING DEPUTY PRESIDENT:** On a point of order, Senator Rennick?

**Senator Rennick:** The senator is being misleading. We've been—

**The ACTING DEPUTY PRESIDENT:** That's not a point of order, Senator Rennick.

**Senator WATT:** They're very touchy, Madam Acting Deputy President. And I would be, too, if I was a senator elected from a state where I couldn't deliver more than one project being fast-tracked. I'd be embarrassed as well: only one project being fast-tracked in Queensland, none of them north of Brisbane, and the one project that they have fast-tracked in Queensland won't actually start for two years. If that's fast-tracking I'd hate to be in the slow lane, but that's the plan that the Morrison government has. Central Queensland, North Queensland and our regions in general have every right to have projects fast-tracked as much as Sydney, Melbourne or anywhere else in the country.

The second point: how about rebuilding Australian manufacturing? I've had to sit here this week and try and keep a straight face as I've seen government senators talk about how important Australian manufacturing is. Hello! Where were you when you were turning your back on the car industry? Where were you when you were just letting our manufacturing industry slide? Where are you now as your own government tries to rip out \$2 billion in research and development tax incentives to help the manufacturing industry? Well, I'm glad that you've finally cottoned on that Australian manufacturing actually matters and that it creates jobs, good blue-collar jobs, not only in places like Brisbane, Ipswich, the Gold Coast and the Sunshine Coast but also in Rockhampton, Townsville, Mackay, Cairns and everywhere in between. So let's start seeing some actual investment in manufacturing to rebuild an industry that has died under this government's watch. Just outside Rockhampton I met with people of Central Queensland Sandstone, who are doing a fantastic job, getting state government grants to upgrade their technology and improve their productivity but nothing at all from the federal government, and it's about time we see it.

Thirdly, how about we see the government invest in training? In fact what we've actually seen from this government over seven years is \$3 billion being ripped out of TAFE. In Queensland alone we've got 27,000 fewer apprentices and trainees than were in place when this government was elected seven years ago. Let's start investing. Let's see a jobs plan. Let's get Queensland moving.

### **JobSeeker Payment**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (13:06): I rise this afternoon to talk about the JobSeeker payment. It breaks my heart that the Morrison government has not ruled out dropping the JobSeeker payment back to \$40 per day, way below the poverty line, at the end of December. At the end of September, in fact, the government is dropping the coronavirus supplement by \$300 to \$250 a fortnight, which will have a very significant impact on people's ability to pay their rent or mortgage, to pay essential bills and to put food on the table. This uncertainty is having a huge effect on people. I consider it reckless, unfair and fiscally irresponsible for the government not to be telling people what is happening with the JobSeeker payment.

Australia gave a sigh of relief when the government effectively doubled the rate of JobSeeker with the coronavirus supplement, relieving the unnecessary desperation and suffering that people in our community feel when they're forced to live on \$40 a day—single mothers going without meals so they could feed their children, people choosing between their medication or dinner and those people living in unsafe situations because there were no rental properties that they could afford to live in when they were living so far below the poverty line on \$40 a day. It also of course ensured that those who were losing their job due to the pandemic could live above the poverty line.

Since the JobSeeker payment was increased with the coronavirus supplement, I've been hearing from people about what they are doing with the increase—eating fresh food, paying their bills, looking after their health, buying medication and planning for their future. Today ACOSS reported that more than 80 per cent of community service workers who were surveyed about the coronavirus supplement said that the increased rates of income support were having a positive impact on the lives of the people they helped.

Nationally, the unemployment rate sits at a 22-year high of 7.5 per cent. The effective unemployment rate sits at 9.9 per cent, and Treasury predicts it will reach 13 per cent by December. This figure is a better representation

of unemployment in our country, because the effective unemployment rate includes people who have worked zero hours and those who have dropped out of the labour market altogether.

When the rate of JobSeeker payment is cut by \$300 a fortnight at the end of September, what will the millions of people out of work do? They need to survive, yet they're being forced below the poverty line. I must ask: what impact will this have on the economy?

The Prime Minister, Scott Morrison, recently said, 'If people are in jobs, they don't need income support.' Of course, there is the old classic, 'The best form of welfare is a job.' These statements miss the point and are like saying, 'If people aren't sick, they don't need hospitals.' The unfortunate truth is that this health and economic crisis will not be over at the end of September. It will not be over in December. Millions of unemployed Australians need an adequate amount of money with which to eat and pay their rent or mortgage.

The pre-COVID-19 JobSeeker rate of \$40 a day does not support an acceptable minimum standard of living. It is poverty. How can the government even consider going back to that? It is unimaginable and unthinkable that we could drop people back to \$40 a day. How can you not give millions of people in this country who will need to survive on the JobSeeker payment certainty that they won't go back to \$40 a day? That not only is cruel to people but also will wreak havoc on our economy.

Next week, Anglicare will release a special update to their rental affordability snapshot. As I understand it, this will show that rental affordability has actually worsened for people on the lowest incomes. Price drops at the higher end of the market have had little benefit to people on low incomes. People in our community are so stressed and anxious about how they are going to pay their rent and their mortgage come September and particularly come December. The Australia Institute estimates that when the government cuts the rate of the JobSeeker payment in September, 270,000 people who have mortgages or are renting will be forced into poverty. It is shameful that this government is willing to oversee hundreds of thousands of Australians being pushed into poverty for the first time all in the name of ideology, and that's what it is. What a terrible way to start 2021 with millions defaulting on their mortgage and rent—in other words, becoming homeless.

The government's plan to reintroduce the liquid assets waiting period in September will force unemployed Australians into precarious situations. They will have to wear down their savings before being able to access income support. This will leave many people without a critical lifeline to fall back on because their savings will be eroded.

While people are anxiously waiting to find out whether JobSeeker will drop to \$40 a day, they are also facing the reintroduction of mutual obligations. At the moment, you can only be penalised for failing to accept a suitable job. This hasn't stopped employment service providers resorting to predatory practices and behaviour and exploiting unemployed workers. We are still hearing reports of employment service providers forcing people to attend appointments, to sign off on job plans that are inappropriate and that they have had no say in and to undertake unpaid work trials.

This crisis has put a giant spotlight on how poorly this government and past governments have treated people on income support. It should not have taken a global pandemic for our unemployment payment to be increased. The government's failure to deliver certainty to people on income support is cruel and unfair and undermines confidence in the economy. Keeping the JobSeeker payment above the poverty line will save people's lives and livelihoods. We should not be cutting the JobSeeker payment by \$300 a fortnight; we should be continuing with the full supplement so that people have a liveable income. This is clearly a very significant issue and has a clear link to people's mental health.

There is a clear link between mental health and financial stress, and the government is contributing to the stress and anxiety in our community by not giving people certainty over their financial future. The government could make an additional significant investment in the mental health of 1.6 million people on JobSeeker by giving them certainty that it won't fall below the poverty line in December when people may be forced to be on \$40 a day. This government needs to break its addiction to stigmatising and targeting people on income support. It's unacceptable to treat people like second-class citizens just because they are on income support. If you have been on the JobSeeker payment, there is no doubt in your mind that, in the past, the government treated you as a second-class citizen. Unfortunately, it seems to be where we are slipping back to right now.

The choices our government makes now to help us get through this crisis could set a better course for the future of our communities. We can and should choose to adequately support people impacted by the high unemployment rates. No income support payment should be below the poverty line. Not only is this a significant investment in people; it is a significant investment in our economy. If people have to default on their mortgages or on their rent, they become homeless. What impact do you think that is going to have on our economy? It's going to have a

massive impact on our economy. How can we rebuild our economy if people are living in poverty and are homeless, when we know poverty, in itself, is a barrier to employment?

Cutting income support payments to those who need them most is a choice, not an inevitability. I never again want to see people in our community denied dignity and forced to live on \$40 a day because the jobs simply aren't there. It is critical that we keep the coronavirus supplement at the current rate, not cut it by \$300 a fortnight. People will be forced below the poverty line with that cut. Come December, it'll be further below the poverty line if we go to \$40 a day. We need to treat people in this country with dignity. We need to make sure our income support system is fit for purpose.

### COVID-19: Economy

**Senator RENNICK** (Queensland) (13:16): Having faced their toughest year in living memory, Australians will need to make some important decisions to ensure that we do not leave unsustainable debt levels for our children. Tax reform won't be enough to deal with the estimated \$1 trillion that many expect government debt to reach before the impacts of COVID are overcome. It is therefore necessary to look at other areas of reform—in particular, monetary policy.

Monetary policy was outsourced to unelected officials at the RBA by Paul Keating in 1992 in one of the greatest acts of democratic vandalism this country has ever seen. A government cannot control its economy if it doesn't control its currency. The last four governors of the RBA and most of its senior executive have only ever worked at the RBA. Their lack of knowledge when it comes to monetary policy became apparent when they lowered interest rates to zero, destroying the retirement incomes of our seniors and inflating house prices beyond the reach of our younger generation.

Rather than just change interest rates, they should have also adjusted the volume of money in the system. The expansion of credit should have then been used to fund nation-building infrastructure such as dams, power stations and transport corridors. Such a policy would create jobs, provide essential services and generate income for the government. Increasing the supply of energy, freight and water would also lower costs for business. Indeed, the 1937 banking royal commission expressly said that the central bank should control the volume of credit in the system.

This was the Australian government policy until 1985, when Paul Keating, in another great act of economic vandalism, allowed foreign banks into Australia. This effectively outsourced control of the monetary supply to unelected foreign banks, with no oversight of how foreign capital was invested. In 1985, the total amount of foreign debt held by financial institutions in Australia was \$10 billion. By 2008, it was \$800 billion. Most of this foreign debt was invested into housing, so today the average house price is almost 13 times average earnings, up from four times average earnings in 1985. The RBA, in complete ignorance of its role, sat on its hands, allowing the housing bubble to inflate, while other sectors of the economy, notably manufacturing, starved through a lack of credit. Furthermore, they have allowed foreign capital to take ownership of our essential infrastructure and much of our wealth. It's time for a new way of thinking.

The first myth that needs to be busted is that Australia has always relied on foreign capital. This way of thinking has resulted in the sale of critical infrastructure, unsustainable foreign debt levels in both the private and the public sectors, and billions of dollars in profits being sent offshore for the last 35 years.

Those who truly understand finance know that capital doesn't create wealth. In the words of our national anthem, wealth comes from toil. It comes from turning rainwater into energy and water into irrigation; sunlight into fields of wheat, barley and cotton; and iron ore into steel to build our roads and housing. As I said in my maiden speech, when the convicts got off the boats all they had was their will to survive. There were no financial instruments, regulations, scoping studies or subsidies in sight. Our prosperity has come from the hands of our carpenters and mechanics, the minds of our scientists and engineers, the hearts of our teachers and nurses and, most importantly, the persistence and innovation of small business owners.

Capital is not an asset but rather the means by which an asset is controlled. It is either debt or equity. In a lending arrangement, the lender has the power over the borrower. Those who say that we need to attract foreign capital are in effect saying that Australia should hand over its assets to foreign control. What's the point of being a sovereign nation if you don't maintain sovereignty over your infrastructure or banking system? Australia's way of life doesn't depend on foreign debt but rather on the ability to generate wealth. True wealth is the capacity to produce goods and services to ensure self-reliance and independence. It's worth noting that under Robert Menzies foreign debt was reduced to almost zero, while at the same time home ownership rose from 54 per cent to 70 per cent under his leadership.

To ensure that our nation's wealth is passed on to our children it is vital that the government funds wealth-creation projects via its own currency rather than foreign currency. This was well understood by modern

Australia's founding father, Lachlan Macquarie. He was the first governor to see Australia as a country rather than as a colony, and in order to fund infrastructure for the fledgling colony he introduced an official currency, the holey dollar, to fund significant capital projects, many of which still stand in Sydney today. Today the holey dollar is the logo for Macquarie Bank, which, like many private banks, profits from the sale of infrastructure, aided and abetted by superannuation funds.

If 30 years of neoliberalism has taught us anything it's that markets don't build infrastructure, governments do. Markets do not have the patience for the long lead time it takes for infrastructure projects to return a profit; nor do they tolerate the regulatory risk imposed by belligerent bureaucrats who are determined to impede rather than enable progress. Take, for example, the Bradfield Scheme. If it were to cost \$5 billion to build and the funding capital were funded via foreign debt, the first \$5 billion in wealth would be lost to foreign investors. If the cost of interest were added in, the amount of wealth lost could easily double.

In financial terms sovereignty is equity, so why do governments give up the security of our wealth so easily to foreign banks when our own government can fund infrastructure? The privatisation of infrastructure by government has been a failure. It has jeopardised Australia's economic sovereignty and created inner-city millionaires while leaving our regions destitute. How can we teach our children to be self-reliant when we've left them nothing in the cupboard to rely on?

While indeed money can't be printed out of thin air, wealth is generated from thin air by sunlight and water. Monetary policy can stimulate fiscal policy through the issue of infrastructure bonds by the RBA to an independent standalone infrastructure bank that reports to the Treasurer and parliament. It should have a strict mandate of investing in certain asset classes, such as dams, power stations, transmission networks, transport corridors, ports and oil refineries. It's time for the RBA to stop sitting on its hands and start funding significant nation-building infrastructure projects.

Productivity is the key to any successful economy, regardless of ideologically driven notions around economic philosophy. It is ultimately the job of government to create an economic environment to ensure that people are appropriately rewarded for their efforts and that markets remain fair, competitive and efficient. Part of Australia's recovery must be to re-establish our sovereign economic capacity. The pandemic laid bare just how important self-reliance regarding the issue of global supply chains is. They cannot be guaranteed, and a mandate of the infrastructure bank should be to ensure that Australia has the capacity to stand on its own feet in times of crisis, whatever those may be.

To understand how effective monetary policy can be, compare China with the US over the last 40 years. China has lifted a billion people out of poverty because its central bank, not private banks, funded the development of dams, power stations and transport corridors. It has also accumulated around a trillion dollars in US government bonds. On the other hand, the US has outsourced most government responsibilities to the private sector, including its central bank, resulting in over \$20 trillion of federal government debt, decaying infrastructure and unfunded public service liabilities that threaten the solvency of many of its states.

It is also time to overturn the autonomy of the RBA. In a democracy, decisions relating to interest rates and infrastructure development need to be subject to the approval of the people. Otherwise, where is the accountability? Who do retirees hold to account for the destruction of their savings income? The point of democracy is to hold government to account, yet how can this happen if the RBA is completely independent from government? It is important to note the distinction between an infrastructure bank and modern monetary theory. An infrastructure bank will create wealth by increasing the production of goods and services, whereas modern monetary theory will facilitate consumption, rather than production, of goods and services. To recover from COVID, Australia must abandon the policy of infrastructure privatisation and interest rate manipulation introduced by a reckless Labor Party and, instead, focus on building infrastructure that will provide a path to prosperity for our children.

### **COVID-19: Employment**

**Senator WALSH** (Victoria) (13:26): Right now we're facing a global pandemic that not only is impacting our health but also has caused Australia's first recession in almost 30 years. So many people are doing it tough right now. Too many people have lost their jobs and their livelihoods. But this crisis has shone a light on another crisis that Australia was already facing—the crisis of low-paid, insecure work. Overwhelmingly, those industries that have been hardest hit by job losses are those with highly casualised and insecure workforces. It is also workers in casual and insecure work who have often faced the terrible choice during this pandemic of whether to isolate at home when sick or risk going to work to pay the bills and keep their jobs.

In Victoria and around the country, far too many people are in low-paid and insecure work. In the long term, we need a plan that will create good secure jobs in Australia, but right now we need a solution to support these

workers through this pandemic. We need a solution that means workers don't face the awful choice I just mentioned and that helps us stop the spread of this virus, because COVID-19 is spreading through our workplaces. To stop it spreading in workplaces, people need to be able to stay home when they're sick, but 40 per cent of Australian workers have no entitlement to any form of paid leave today. In Victoria, the pandemic has been spreading along the fault lines of the existing epidemic of insecure work in our society. Too many people don't have sick leave. They can't afford to miss a shift and they can't afford to lose their job. Casual workers and gig workers know all too well that, in so many cases, the only way to hold onto their job is to just keep turning up.

These workers in Victoria have faced a dilemma that no-one should have to face: should I go to work sick in the middle of a pandemic or should I stay home with no income and no ability to support myself and my family? Should I go to work and put my workmates and my community at risk or should I stay home and risk my job? This dilemma is at the heart of the spread of COVID-19 in Victoria. The virus has been spreading through workplaces with high levels of insecure work, such as laundries, meatworks and aged care. It's been spreading in industries where people work one, two or even three jobs to make ends meet. It's been spreading in industries where people are in direct contact with each other and with the community and where working from home is just not an option. It's been spreading in parts of the city—in the north and the west—that have high levels of disadvantage and high levels of insecure jobs.

People in casual jobs, contract jobs, gig jobs and labour hire jobs want to do the right thing as much as anyone else does. But we have to make it straightforward for them to do what is necessary, and we have to make it clear to employers that we expect them to support their workers to stay home when they need to. Last month Victorian Premier Daniel Andrews told us that about 80 per cent of the state's new infections since mid-May had been driven by transmission in workplaces. He's told us that this COVID crisis is a crisis of insecure work. An estimated 3.7 million Australians don't have any access to paid sick leave or the other protections of permanent employment, including casuals, contractors, freelancers, sole traders and gig-economy workers. Research by the ACTU shows that too many people say they would still attend work even if they had COVID-like symptoms. They would go to work sick, and the reason is that they are afraid of losing their jobs if they didn't. They are afraid of having their shifts or their hours reduced, and in some cases they just can't afford to have unpaid time off work.

So, it's well past time to address this problem and for the government to deliver a national paid pandemic leave scheme, something that Labor and the union movement have been calling for since March. A national paid pandemic leave scheme is just as much about the government telling employers that they expect people to be able to stay home—no threats, no risks, no loss of pay. It's just as much about that as it is about making it straightforward for workers to stay home. And to be clear, this is not just a Victorian problem; it's a national problem. We're being told over and over again that we need to learn to live with this virus, that there'll be flare-ups and outbreaks, and paid pandemic leave is one of the vital tools in stopping those outbreaks from turning into second and third waves of the virus.

The idea that those opposite—those in government—who keep calling for the borders to be opened would make those calls without putting in place all the tools we need in order to stop outbreaks and stop new waves of the virus is nothing short of extraordinary. If government funded paid pandemic leave ends up not being needed, it won't cost a cent. If it is needed, it will save lives and livelihoods across the country. This fact has been obvious for months. It was obvious back in March when Minister Porter told casual workers they didn't need paid pandemic leave, because they should have just saved up their casual loading. These comments have not aged well.

It's not enough for the Prime Minister to step in and fund pandemic crisis pay that the Victorian government had already put in place two months ago when cases spiked again. Two months ago the Victorian government put a \$1,500 worker support payment in place for people with COVID-19 who needed to isolate, and the Prime Minister has re-badged that payment as a pandemic leave disaster payment for Victoria and taken over the funding. That is welcome; it really is. But right now, today, it is just not enough. The scheme has to be national and it has to be a clear employment right, and it should be provided through employers, who can then be reimbursed, and the federal government has to contribute. We need a national paid pandemic leave scheme. Until and unless the Prime Minister announces a national paid pandemic leave scheme, his decision to fund Victoria's existing payments will seem like just another photo opp without follow-through of what is really needed: a clear, consistent national paid pandemic leave plan that workers know is there for them and one that tells employers that they must allow their workers to stay at home and that they will be funded to do so.

Just as important as a paid pandemic leave scheme—to help to support workers now, to help to stop the spread of COVID-19 now—is the future. We need to address the problem of insecure work for good. We should be using this opportunity to rebuild the economy to work for everyone, to rebuild an economy where no-one is left behind—an economy that has as its foundation good, secure jobs that bring respect and that people can count on

and plan a future on. Australia can afford to do better and, as we recover from the COVID-19 crisis, let's focus on delivering the respect, the security and the opportunity that all Australians deserve. So I call on the government to deliver paid pandemic leave now, before it's too late. It will help stop new outbreaks. It will help prevent further lockdowns. It will help save jobs and lives. I also call on them to deliver Australians a recovery plan for good, secure jobs—deliver Australians a recovery and a future that they can count on.

### **National Security**

### **Higher Education**

**Senator LAMBIE** (Tasmania) (13:34): The Chinese Communist Party is paying hundreds of thousands of dollars to Australian academics to steal our country's intellectual property. This is just more on the list when it comes to the Chinese Communist Party—what do you know! It's called the Thousand Talents Plan. Australian university lecturers who sign up get flown over to China to share their research and share their knowledge of our latest technological developments with the Chinese government. Communist Party recruiters who sign up our lecturers get paid \$40,000 for each person they get on board. What do you know—it had to involve money! They've quietly set up 57 recruitment hubs around the country. Does that not scare anyone? It certainly doesn't in here. But, I'll tell you what: it scares millions of Australians.

They're recruiting from the ANU, the University of Sydney, Monash, the UWA and, of course, the University of Queensland. It's happening everywhere and it has been happening for years. But nobody here in this big, white house wants to talk about it. They don't want to talk about the Chinese Communist Party. God! Don't mention them! Goodness me! We might upset them. Who cares? These people are some of the best we have. They're experts in the latest technology in artificial intelligence, data mining and automation, and our government is letting them share their expertise with the Chinese military. And you want to speak to me about national security! This just keeps getting better in here, I tell you.

Tell me: how does this make any sense? Do we not worry about our national security here in this country anymore? The next time you guys come to me with a plan and need my vote for national security, we're going to have a problem, I reckon. Here we've got the federal government spending an extra \$270 billion—that's right, \$270 billion—on improving our defence capabilities over the next 10 years. When they made that announcement, it came with a big song and dance, as it usually does—everything you'd expect from you guys over there. But, at the same time, we've got our own experts and researchers going over to work with the Chinese military, and the government says, 'No worries. Nothing to see here.'

As long as the Communist Party keeps the money flowing, they're happy to look the other way, and the universities are doing exactly the same. Mind you, I imagine those universities are feeling the bite from not having those exchange students anymore, I'll tell you now. And probably you actually deserve it. That'll teach you; that'll serve you right. Instead of investing in overseas students, especially those from China, you should have been doing it for those in your own backyard. You universities out there that have been reliant on them, go suck it up, because, quite frankly, you deserve it.

There is a problem with our university system, and there has been for a long time. You have become reliant on the rivers of gold from international students and you have been turning a blind eye to overt Chinese influence. This is where we're supposed to be training our kids. This is where our best ideas are supposed to come from. And what are those unis teaching our students? What are they sharing with our nation's competitors? What you're teaching is not courage. You're not teaching them that. What you're teaching them is: 'Hey, take the money and roll over like a dog.' Apparently that's what we do now. That's what we do when we're frightened of another country. Don't show any leadership; don't show courage. Just roll over, because apparently that's the Australian way for the 21st century.

The fact is that those universities will always put their bottom line first, and they don't care about free speech. It's all about cash. They don't care about academic integrity. That has all gone out the window, and all they care about is keeping the Chinese dollars flowing. That's why the University of New South Wales backed down so fast when they tweeted an article supporting protesters in Hong Kong. How gutless is that? That is so un-Australian. It was up for only a couple of hours before their Chinese Communist Party masters pulled the puppet strings and forced the uni to take it down. How shameful of you. The tweet was deleted and the article mysteriously disappeared from the university website. What a mystery that is, hey!

Universities should be places where different ideas can be expressed and debated, because, once again, that is the Australian way. That's why those in the military, past and present, fought and shed blood, sweat and tears and died for this country—to give it those freedoms. And you're throwing it in their faces. The University of New South Wales pulling that article goes against everything it's supposed to stand for. It's a smack in the face to

anyone who cares about free speech in this country. The fact that one of the biggest universities in the country can be bullied by the Chinese Communist Party should scare the hell out of the lot of us.

But it doesn't end there; it keeps getting better. Charles Darwin University apologised—and you're no better either—for an assignment that stated coronavirus originated in China. I don't know where they think it came from but I think we already know; the rest of us know. So who is looking like an idiot? A university that's supposed to be full of academics. Nice one! The university apologised because Chinese students felt the statement was racist, once again teaching our kids in Australia to roll over. For what reason? Because of fear. How is it racist to tell the truth about the origin of this pandemic? How is that racist? Has truthfulness now turned into racism by telling the truth, because China doesn't like it? Who cares? Who cares what China thinks?

We have perfect timing right now with COVID-19 to loosen the strings with them a bit and to stand on our own two feet. My God, the opportunity is staring us in the face. What are we waiting for? I just can't believe that we've allowed ourselves to get to this point. It just makes me feel sick to the stomach, and there'll be plenty of other Australians out there saying the same thing, I can assure you.

These latest incidents prove that our universities are prepared to look the other way as they invite the Chinese Communist Party surveillance state onto their Australian campuses. Aren't you just shameful? Are you teaching anything about national security in there? Maybe it's about time the universities started doing that and doing it in big lots. Start teaching our kids of the future about national security, because, by God, we're going to need it at this rate. We need to toe the line, because they have been propped up by government policies that encourage foreign students to come to Australia and study courses they have no particular interest in. They don't care. Mum and dad are usually paying for them and they pay up-front—isn't that convenient for our universities? Those students know that it's a pathway to residency as well and eventually citizenship. When is all this going to stop?

That is the great unspoken truth of our current university business model, and it is absolutely disgraceful. You are shameful, and that is where we are at. I'm not saying that international students shouldn't come to study here. Things need to change now before our academics and students are forced into invisible gags—although I'd say they're pretty much there. They can't be afraid to speak the truth in case they upset the Chinese Communist Party and end the rivers of gold. That's where we're at.

Everyone can see that we have a problem. It's getting worse and worse every day, yet neither of you major parties has the courage to do anything about it. You are just as shameful. Six times the major parties have voted against Senator Patrick's motion to have a Senate inquiry into our economic reliance on China—six times. Yet you sit here and you talk tough on China. You're ridding, right? You don't want to deal with this problem. You don't want to go there. You might upset them—God forbid. What's going to happen if you upset them? What's going to happen? We'll have to become more self-reliant in our own country. We'll have to start manufacturing again and doing other things. Who needs who—that's what you need to work out. But by continually rolling over like a dog and not standing up and doing it the Australian way, we're going nowhere and the situation will continue to get worse. You might as well just roll over and say, 'Come on in, take over,' because that's where you're just about at. We're just about there.

I can tell you, right now there's a wrecking ball heading our way. Right now, when you say, 'Nothing to see here' when it comes to the Chinese Communist Party, you have got to be absolutely delusional. If you don't have the guts and courage to stand up as the major parties, then maybe you shouldn't be in politics. If you're not putting your country, your kids and our own Aussie students first, then you shouldn't be in this place. You should not be in this place.

Hopefully, when we put the motion back up again, you might actually come to your senses and say: 'You know what? It's not in the best interests of this country not to examine the Chinese Communist Party and put them under the microscope.' Because I want to see some courage coming out of here. I want to see some leadership, and so do our kids of the future. It will make them more resilient. It will make them ready for anything that's put in front of them. But right now the leadership from both these parties when it comes to dealing with the Chinese Communist Party is not the way to do things.

### COVID-19

**Senator STOKER** (Queensland) (13:44): These are interesting and troubling times. Many Australians are fearful of COVID-19 and what it might do to their health or the health of someone they love who is either older or immunocompromised. It means that measures like border closures have been at least superficially very popular, if we go by the polls. But there's a real problem with allowing mere popularity to drive policy because, as New Zealand, for instance, has shown us, mere hard border closures are not a long-term effective solution. Sure, while the hard lockdown is on it might reduce numbers a bit, but it cripples the economy without providing a long-term

strategy for living with this virus, because that's what we have to learn to do. We can't eradicate it. That's not realistic. What we need is a serious plan for living with it.

While the Queensland Premier has ramped up border closures, chasing base political advantage around two months out from an election, she knows in her heart that it's just a matter of time before this strategy falls apart. No doubt she will time that for the day after the election. But the medical advice on how we need to learn to live with this virus is absolutely clear. There are three measures: high testing rates, quality tracing and outbreak containment where those outbreaks occur. It's uncontroversial medical advice and it's borne out by all of those jurisdictions that are managing the virus well. Nowhere does the medical advice say that we should declare places without COVID cases, like the ACT, to be hotspots for exclusion or inflexibly close borders to deny proper medical care to people in border communities—nowhere! And the very inflexibility of Queensland Labor merely compounds the problem.

Here's an example that LNP leader Deb Frecklington has been fighting hard for. Ms Jayne Brown, a woman of Caloundra, recently underwent major brain surgery in Sydney under the care of Professor Charlie Teo. She requested an exemption, with the support of her doctor, from hotel quarantine to instead quarantine in her home given that she was recovering from major brain surgery and in fragile health. She and her partner had a home COVIDSafe health plan, but she was told no. Footballers and their coaches get exemptions and celebrities get exemptions but not truly vulnerable Queenslanders.

Here's another example—a Ballina mother, pregnant with twins and needing urgent medical care, wasn't granted permission to cross the border to get that care. Instead, she was sent on a 16-hour journey to Sydney. It's just not on. That's especially so when Australian taxpayers, as a whole, overwhelmingly fund health care. It's not true to say that Queensland hospitals are for the use of Queenslanders only. In fact, to allow only Queenslanders to use them even in critical cases like these is nothing short of ugly. It's not the Queensland spirit at all.

A Lismore mother was not allowed to accompany her newborn to Brisbane for urgent medical care. For four anxious days she paced, waiting for her baby to be returned. With a newborn baby, even an hour apart can feel like torture. Could you imagine waiting four days while your child was sick? I could keep rattling off case after case of this kind of barbarism.

The inflexibility is harming Queensland's businesses, too. I went to bat recently for a Queensland farming business that also has operations and staff in New South Wales. Their highly skilled staff operate in both states. They're not easily replaced. Yet, when they sought an exemption for their workers to go to their North Queensland farm, they didn't even get the courtesy of a no. They couldn't get a decision at all, not even a return phone call from the decision-maker's office. The date of the application had well passed before they even got a response and even then it was only once their federal representatives had been called in.

At last, on Monday, there was finally some change in the policy. But it remains the case that the kinds of decisions that, for instance, take the WA government 24 hours take Queensland Labor over two weeks. I had a South-East Queensland film company tell me their terrible experience of comparing dealing with the Western Australian government and its border closures with the inflexibility and chaos of how Queensland Labor has approached it. The reality is, it just means the business goes elsewhere. Queenslanders pay for it. They might not feel it today, because of the assistance that's being implemented by the federal government, but make no mistake: it is killing our businesses. It is driving mental health to the edge and it is taking a brutal toll on already vulnerable Queenslanders, who need either compassionate exemptions or the economic lifeline of a job.

An open economy within our national borders and a mobile population able to take advantage of markets and services is what has underwritten Australia's prosperity. Sure, we have to make some adjustments for the difficulties of managing the virus, but at least let it be driven by the medical evidence, at least let the advice of those who know how to manage a virus be taken into account. The hypocritical way that those opposite feign concern for the mental health of individuals, for low-income people and for our vulnerable people is nauseating—in circumstances where these same people champion border closures that are fundamental in driving poor mental health and personal hardship.

Queensland's health response is built on a lie. It's built on the lie that we can eliminate the virus from Queensland. It's a quest that might earn short-term political support, because it has the illusion of offering the comfort everybody needs and the comfort that everybody wants in a complex world, but it can't be achieved. It isn't based on the advice of people with the expertise to understand how viruses like these operate. It's based on a lie that was, I think, articulated quite well by Jennifer Westacott from the Business Council of Australia recently. She pointed out that those opposite treat anything above zero as a serious policy failure. You can guarantee that that's going to get you an unbalanced policy response—only looking at the harm that is done in one sector and counting any numbers above zero as a serious failure, while closing our eyes to the harm done in other spheres

and not paying attention to the harm to mental health or to the suicides that are going on because of this hardship. And this is a hardship that's happening because businesses are closing, because people can't plan out their economic future and because people cannot cope with the economic impact of these draconian measures. Gosh, it might be short-term populist politics, but it guarantees a flawed economic recovery and it turns Australia into a fragmented place, instead of the country banding together to confront one of the biggest policy challenges of our lifetimes.

Let's not forget this: while Queensland and the states more generally might bear primary responsibility for the health response, the economic responsibility is sheeted home to the federal government. The incentives are all in the wrong place. It means that we have a Queensland Labor government acting with reckless abandon for our economy—reckless abandon and a lack of balance in the way that we need to confront this challenge—because when it comes to the economic questions, they can just blame somebody else. Australians deserve better, and do you know what? Queenslanders are smarter than Premier Palaszczuk gives them credit for. Queenslanders can see through this shallow, populist strategy and they understand that there's more to this. They understand that they should listen to the experts, and that they are being fought for relentlessly by the LNP state team, by Deb Frecklington and Tim Mander, who will relentlessly fight for the kind of mature, measured policy that will get us through this difficult time.

### Far North Queensland

**Senator GREEN** (Queensland) (13:54): I want to begin by updating the Senate on a matter I raised yesterday. The Qantas job cuts mean that 30 Jetstar jobs will be lost in Cairns and a further 105 jobs will be affected. That's because 45 Qantas ground crew jobs are now under review and 60 aircraft staff will be transferred to Victoria. My thoughts are with those workers and their families who now face an uncertain time. Can I just say this: it is deeply disappointing that Qantas, an airline born in outback Queensland, is pulling jobs out of regional Queensland. It is a kick in the guts for Cairns. Qantas has received, and continues to receive, an enormous amount of taxpayer funding. It is unacceptable that the Morrison government hasn't placed conditions on that funding that prioritise keeping jobs in places like Cairns. Labor has been calling on the Morrison government to deliver a national aviation plan to protect these jobs, but they haven't listened.

What regional Queenslanders need right now from the Morrison government is a jobs plan so they can have some certainty about what will happen when support is taken away. But, instead of a jobs plan and instead of actual funding, there are just announcements and no delivery. You always have to check the fine print with this government, and you always have to check the delivery because that is where they have let Queenslanders down.

When it comes to NAIF, it's been five years since the \$5 billion fund was announced, and only \$1.7 million has been released in Queensland. In Far North Queensland, where the NAIF HQ is based and where they have a very nice corporate office, not a single cent of NAIF funding has been released. When it comes to infrastructure, the Prime Minister said that he would fast-track 15 projects across the country, but only one of those projects is in Queensland and not a single project is north of Brisbane. The inland rail project, the majority of which is in New South Wales and Victoria, won't start construction in Queensland until 2022 or 2023—the officials weren't quite clear about the details of when the one single project will begin. Despite announcements today about bringing defence upgrades forward, upgrades to HMAS *Cairns* which have previously been announced won't actually start construction until 2022.

But delivery of Indigenous housing has to be the biggest failure of this government in Queensland. During the final days of the 2019 federal election, the Morrison government and the member for Leichhardt, Warren Entsch, promised a re-elected Morrison government would directly deliver \$105 million in funding to remote Far North communities to build social housing. We are now 15 months on from that announcement and the LNP has only delivered 4.7 per cent of that funding. What is clear during COVID is that housing is necessary; it is a basic human right and it keeps people safe. I visited Aurukun and Wujal Wujal in the last couple of weeks and I was shocked to find out that people in those communities are living with 30 to 40 people in their houses. Thirty to 40 people, and sometimes more, are living in a three-bedroom house in Australia in a place that was promised funding by the Morrison government. This was a one-off payment; it is not recurring funding. The federal government has a responsibility to deliver this funding, but they've passed the buck. They haven't delivered. That is absolutely disgraceful at a time, during a pandemic, when we know that overcrowding in houses will lead to a health risk to First Nations people.

The Morrison government can give itself as many pats on the back as it likes, but right now, under this government, there are First Australians who were promised safe and secure housing 15 months ago and they are still living in conditions that are putting their health at risk. That is not good enough. The other reason that this funding is so important is the extreme health risk that COVID presents to people living in those communities.

The previous speaker, the senator from Queensland, said that the Palaszczuk government had shown reckless abandonment when it came to protecting Queenslanders. These are high stakes, because the federal government has failed to deliver housing funding to remote communities. This means that if there were a COVID outbreak in those communities it would be devastating.

Debate interrupted.

## QUESTIONS WITHOUT NOTICE

### COVID-19: Aged Care

**Senator CICCONE** (Victoria—Deputy Opposition Whip in the Senate) (14:00): My question is to the Minister for Aged Care and Senior Australians, Senator Colbeck. In July, the Prime Minister, Mr Morrison, said that the sudden withdrawal of aged-care workers during a COVID-19 outbreak couldn't be anticipated or foreshadowed. Why did the Morrison government fail to implement the aged-care workforce strategy promised by former Minister Fifield six years ago?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:01): Thank you to Senator Ciccone for his question, online from Victoria. The government is actually in the process of implementing the workforce strategy that was developed by the work of Professor Pollaers. In May last year we funded and established, or industry funded and established, the Aged Care Workforce Industry Council. That is industry led, which is quite appropriate. And we continue to implement other reforms out of the work of the Pollaers report.

That includes the research institute that Professor Pollaers recommended, and the workforce industry council appointed its first CEO in June this year. So we continue to apply the work that was recommended by Professor Pollaers. I have had a number of conversations with him recently about that process and in fact how we might speed up the process, because that's a concern that both he and I share. So not only do we continue to work and consult with the sector with respect to the implementation of the Pollaers report but I continue to consult with Professor Pollaers. He put considerable work into that report and we have had discussions only in recent times with respect to the process, that we may be able to speed up the work that was recommended by him. That's given that industry, quite rightly, leads the workforce industry council, as they are the employers and trainers of their workforce.

But there is some work that I think we can do together to increase the pace of that work—

*Honourable senators interjecting—*

**The PRESIDENT:** Order. I'm going to ask senators to remain silent, because it can occasionally be difficult to hear people remotely. Senator Ciccone, a supplementary question.

**Senator CICCONE** (Victoria—Deputy Opposition Whip in the Senate) (14:03): In 2018, the chair of the Aged Care Workforce Strategy Taskforce, Professor Pollaers, said about the government's handling of aged care:

They have known about these issues ... There's plenty of reports that have told them, but they have ducked it. ... the government has made no progress ... they've sat on the report.

Why has this Morrison government ignored the warnings of its own task force?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:03): I would not accept the premise of the question. I've clearly just explained the fact that we haven't ignored the work of Professor Pollaers's report. I've explained the fact that we have, following his report, established with industry the workforce industry council. That was established by the sector in May last year. They appointed their first CEO in June this year and they continue to build their workforce plans. That is their role and that is their responsibility. We have funded their work, which is what the report recommended.

So I reject the premise of the question that we have not acted on the report by Professor Pollaers. We continue to do that.

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

**Senator CICCONE** (Victoria—Deputy Opposition Whip in the Senate) (14:04): The aged-care royal commission's interim report, handed down in October last year, titled *Neglect*, revealed significant understaffing across the sector. Brendan, from Victoria, said his 94-year-old mother, who was removed from her room after testing positive for COVID-19, was found not to have been showered for four days due to staffing shortages. Why did the Morrison government ignore the royal commission's warning?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:05): The royal commission in its interim report last year made a number of suggestions to the government which we immediately took up. It talked to us about an additional investment into—

**An opposition senator:** Then why wasn't she given a shower for four days?

**The PRESIDENT:** Order!

**Senator COLBECK:** It talked to us about an additional investment into home-care places, it talked to us about getting young people out of residential aged care—it talked to us about a range of things that we have acted on and acted on immediately.

During the circumstance—and I'm not sure which facility Senator Ciccone is talking about—there were some circumstances which the government have said we wish hadn't occurred. We have had knowledge that in some circumstances some residents didn't get the care that they received in the events that occurred in Victoria, particularly in about four facilities that were quite critical at the time. We have acknowledged and apologised for those circumstances. *(Time expired)*

### Defence Industry

**Senator MOLAN** (New South Wales) (14:06): My question is to the Minister for Defence, Senator Reynolds. Can the minister outline to the Senate the economic recovery measures announced by Defence today and how they are contributing to the Morrison government's COVID-19 recovery efforts?

**Senator REYNOLDS** (Western Australia—Minister for Defence) (14:06): I thank Senator Molan not only for his service but for his continuing support of our forces—thank you. This morning the Prime Minister and I had the great delight of announcing a \$1 billion package to support Australia's economic recovery from COVID-19. This package of 22 discrete projects will support around 4,000 Australian jobs right around our nation while complementing Defence's *2020 Force structure plan*.

Firstly, we are accelerating existing capability projects and programs. This \$200 million investment will support 445 Australian jobs. Secondly, we are delivering a national estate works program right across Australia, including in bushfire affected areas. This \$490 million investment will support 2,950 Australian jobs. Thirdly, we're enhancing sustainment for existing capabilities. This \$200 investment will support 440 Australian jobs. Fourthly, we are also boosting funding for defence industry grants and defence innovation hubs to support businesses, particularly small and medium businesses, to strengthen our skilled defence industry workforce. This \$110 million investment will support 150 Australian jobs.

I'm so proud and pleased to report that Australia's defence industry here in Australia has demonstrated remarkable resilience and versatility during this pandemic. We have worked very hard to keep defence capabilities, and our Australian economy, moving. I commend the Defence Force and also the defence department for so quickly adapting to new business as usual ways during COVID-19. I'm so proud of the work that we are doing together to ensure that the business of defending our nation continues both here and overseas.

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

**Senator MOLAN** (New South Wales) (14:08): Can the minister outline the support provided to local businesses as part of these measures, including in the capital region and surrounding areas?

**Senator REYNOLDS** (Western Australia—Minister for Defence) (14:08): Again I thank Senator Molan for his question. Today the Prime Minister and I made the announcement at Datapod, a Canberra based company that's been selected to deliver additional deployable data centres to support defence operations. Datapod is a 100 per cent Australian owned and operated company. This decision will provide job security for Datapod's highly skilled workforce and over 80 manufacturing subcontractors. Datapod is a great Australian success story. It has adapted its business from mining to, now, defence and other industries both here and overseas. Datapod is providing opportunities for some of our most talented young STEM students and postgraduate workers, who I had the great pleasure of meeting here today.

We will also deliver infrastructure and capability projects, Senator Molan—through you, President—right across Australia, including in Jervis Bay, Eden and RAAF Wagga and also at Kapooka.

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

**Senator MOLAN** (New South Wales) (14:09): Can the minister advise how these measures are supporting the income of ADF reservists during the COVID-19 pandemic?

**Senator REYNOLDS** (Western Australia—Minister for Defence) (14:10): Thank you very much, Senator Molan. Can I say again that I am incredibly proud of our reserve forces, who have made such an important contribution to our nation's defence. They have served with great honour both in operations overseas and increasingly now in domestic support operations such as Operation Bushfire Assist and now Operation COVID-19 Assist.

Over 3,500 ADF members are supporting all states and territories, and that includes 800 of our Defence Force reserves. To support these Defence Force reserves who are now doing it tough during COVID-19, we're increasing the annual reserve days by 210,000 this financial year and we are providing support to recruit an additional 500 Defence reserves. The Morrison government is backing ADF reserves who have lost their primary form of civilian income, and today's measures will ensure we are best placed to meet the high-risk weather season. *(Time expired)*

### COVID-19: Aged Care

**Senator KIM CARR** (Victoria) (14:11): My question without notice is to the Minister for Aged Care and Senior Australians, Senator Colbeck. The Morrison government was warned of the risks to the aged-care workforce in the event of a COVID-19 outbreak, yet within three days of the first COVID-19 case being detected at the Dorothy Henderson Lodge on 3 March all permanent carers were forced into isolation. Why did the Morrison government ignore this warning?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:11): I reject the premise of the question from Senator Carr. In fact, we acted very, very quickly to ensure that there was capacity to provide surge workforce to the aged-care sector in Australia. In fact, I think the announcement of our funding was on about 11 March, which was only a few days after the Dorothy Henderson Lodge outbreak started. So we acted very, very quickly and put over \$100 million on the table to support the aged-care sector with surge workforce. So I reject completely the assertion of the question from Senator Carr, because we acted extremely quickly to ensure that there was capacity available, and we have continued to build and grow that capacity as the scale of the outbreak has continued, particularly in Victoria.

All through this process, we engaged with the aged-care sector. We started engaging with the aged-care sector back in January. We talked to them about their responsibilities with respect to having an infection control plan. We talked to them about the COVID-19 virus during February. We continue to work with this sector and have been there consistently with them all through this pandemic, providing them resources, ensuring they had information, providing advice from the AHPPC, acting on the advice of the AHPPC in our response to the pandemic and ensuring that they had information and resources available to them to be able to meet the requirements of an infection if, in fact, it occurred within their facility. It is worth noting that, as we said yesterday, 97 per cent of facilities in this country haven't had an outbreak, which I think is an incredibly good statistic for this country.

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

**Senator KIM CARR** (Victoria) (14:13): Within a week of the first COVID-19 case being detected at the Newmarch House on 11 April, 87 per cent of its staff were forced into isolation. Why did the Morrison government also ignore this warning?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:14): Not only did we not ignore it—so I again completely reject the premise of Senator Carr's question—we continued to build our workforce capacity through the pandemic. We continued to provide additional resources, and we continue to do that. In fact, we are working with other sectors to train staff and to build on workforce capacity. One of the reasons we built the arrangement with the Victorian government to close elective surgery was to provide not only additional capacity in the workforce but also beds within hospitals to relieve the stress on aged-care facilities. In fact, the hospital agreement which was part of the COVID national health plan, which pre-dates all of these circumstances, was put in place to ensure that we have the capacity to meet the needs of older Australians.

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

**Senator KIM CARR** (Victoria) (14:15): Elizabeth from Victoria said hospital doctors found that her mother also had a secondary chest infection and a UTI, in addition to COVID-19. She had been left in soiled nappies for hours—on many occasions, for the whole day. How many more of the 1,100 older Australians with COVID-19 are there in aged care who were dehydrated, soiled and showing signs of neglect as a result of the Morrison government ignoring these warning? *(Time expired)*

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:15): As I have said on a number of occasions, and as the Prime Minister has said on a number of occasions, in a number of facilities the circumstances were not as we would have wanted. They were not as we would have wanted, and residents, because of the circumstances that occurred, did not get the care that would have been received. We've acknowledged that and we've apologised for that, but what we have done is continue to build capacity to ensure that the facilities are well staffed and are providing the appropriate level of care, and we will continue to do that. Fortunately, what we're seeing now in Victoria is that, with the reduction in community

transmission, there is also a reduction in the infection rate within aged-care facilities, which is relieving pressure, and we are now seeing a reduction in the number of active cases in Victoria, both in staff and in aged-care residents. So there is a direct correlation— (*Time expired*)

### COVID-19: Exports

**Senator STOKER** (Queensland) (14:16): My question is for the Minister for Trade, Tourism and Investment, Senator Birmingham. Can the minister advise the Senate of what the Morrison government is doing to diversify and expand opportunities for Australian exporters and Australian businesses during the COVID-19 pandemic?

**Senator BIRMINGHAM** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:17): I thank Senator Stoker for her question and for her advocacy for Australian exporters and businesses, particularly those from Queensland. Without ever compromising on Australia's values or interests, our government works continuously to expand opportunities for our exporters right around our region and the world. Most notably, during the recent parliamentary recess we welcomed entry into force of the Indonesia-Australia Comprehensive Economic Partnership Agreement, on 5 July, which will allow over 99 per cent of Australian goods exports to Indonesia by value to enter duty free or under significantly improved preferential arrangements compared with their counterparts.

I am very pleased to advise the Senate that many Australian businesses and exporters are already taking advantage of the opportunities provided by our trade deal with Indonesia. Some 37 semitrailer loads of duty-free oranges have already been shipped to Indonesia this year. Some 510 tonnes of duty-free lemon and lime exports have already been shipped. Some 963 tonnes of mandarins have already been shipped. Close to 46,000 head of cattle have already been shipped duty free to Indonesia. We equally see huge opportunities for our grain growers. Ultimately, we will see next year more than 500,000 tonnes of grain able to enter Indonesia duty free, growing year on year thereafter. Frozen beef and sheep meat tariffs have halved already, and we see duty-free steel making its way to Indonesia as well—close to 5,000 tonnes already from Australian business.

This, in addition to the services opportunities created and the enhancement of regional opportunities that will be put in place through the regional comprehensive economic partnership agreement, shows just how strongly we are working to help Australian business diversify their trade across our region.

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

**Senator STOKER** (Queensland) (14:19): Thank you, Minister, for explaining those opportunities within our region. Can the minister also advise the Senate of the measures being implemented to diversify and expand the opportunities for our exporters beyond our region?

**Senator BIRMINGHAM** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:19): Beyond our region our government continues to pursue and negotiate the opportunities for enhanced trade with the European Union and the United Kingdom. Together there are more than 500 million consumers across those markets, where we see high restrictions, high tariffs and limited and small quotas for many of our particularly agricultural exports. Wine Australia estimates that EU tariffs add up to 25 per cent on the import price of Australian wines into that market. Beef and sheepmeat exporters face small quotas but high tariffs in those markets, a significant imposition.

Securing better, fairer access is the goal of our free trade agreements with both the EU and the UK, and I'm pleased to say that we have entered, through virtual rounds, the eighth round of negotiations with the EU and two rounds now with the United Kingdom. We are continuing to make good progress on those and we are determined to provide further opportunities for our farmers.

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

**Senator STOKER** (Queensland) (14:20): Minister, what practical steps are being taken to help Australian exporters take advantage of Australia's free trade agreements and help us grow a COVID-safe economy?

**Senator BIRMINGHAM** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:20): Opening access and reducing barriers through trade agreements is one thing. We then need to provide advice and assistance to Australian businesses to be able to take advantage of those opportunities. Yesterday I was pleased to launch the Indonesia-Australia Business Connect program, a three-month digital program of market webinars led by Austrade to provide business with an Indonesia market entry guide, particularly for our food and beverage exporters; a program of webinars unpacking market access arrangements, especially for horticulture, meat, livestock and grain producers; and online education, training and skills events. This is sitting alongside a 12-part free digital FTA seminar series that our government is providing.

So far almost 4,000 people have watched these free seminars but, importantly, they are part of the very significant growth in the number of Australian businesses we see exporting. We've managed to see growth of

more than 18 per cent of Australian businesses exporting in our term in office and we want to continue to help more businesses to do so. (*Time expired*)

### COVID-19: Aged Care

**Senator GRIFF** (South Australia) (14:22): My question is to the Minister for Aged Care and Senior Australians, Senator Colbeck. Since 20 March the federal government has paid an additional \$1 billion to the sector to manage the COVID-19 pandemic and continue to provide care for senior Australians in care. What transparency requirements did the government place on the aged-care sector to ensure how the additional \$1 billion was spent; and is the minister confident that all of the federal funds provided were spent as intended by the Morrison government?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:22): The \$1 billion that we've made available to the aged-care sector to manage the COVID-19 outbreak is not all just paid to the aged-care sector. There are a range of programs that provide different levels of support under different programs, whether that be to pay for surge workforce, for example, whether that be to support the Victorian Aged Care Response Centre, whether that be to support mental health or whether that be an uplift to provide capacity for the sector to deal with additional costs that they're facing with COVID-19.

One measure in that sense was a \$205 million general uplift that we provided to the sector, and we will be seeking a reconciliation of that amount. We are looking to get a sense of what's occurred with the funding that we provide into the sector, because we think it's appropriate. The other funds, such as those that support a facility that might have had a COVID outbreak, will be repatriated to the facilities based on accounting and paid in arrears. So there will be a clear understanding of what that funding was used for and a capacity for us to reconcile that against the accounts and the expenses that a facility may have occurred in managing a particular outbreak.

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

**Senator GRIFF** (South Australia) (14:24): With reference to the \$205 million that you referred to which was announced on 1 May, this was given to providers to cover the cost for additional staffing, training, visitations and connections and the provision of PPE in the pandemic; \$900 was paid per resident in major metro areas and \$1,350 in other areas. Can the minister advise how many additional staff were employed, how much additional training was undertaken and how much additional PPE was purchased per aged-care facility?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:24): I thank the senator for his question. We have not received those reconciliations at this point in time. That money was put out through our usual funding processes to ensure that the facilities had the capacity to meet those costs. We believe it was important that we provided that. We understood the costs were higher in regional Australia than they were in metro areas; that's why we made that important distinction. We have not received those reconciliations at this point in time, so I'm not able to give the chamber any advice on that.

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

**Senator GRIFF** (South Australia) (14:25): Minister, will you take on notice the request on the previous question to provide that reconciliation? Do you concede that, in order to restore trust with Australians, the government must implement financial transparency rules for the aged-care sector to properly account for the billions in federal funds providers receive annually?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:25): I actually agree with the senator that financial accountability is a very, very important element of where we go with the aged-care sector post the royal commission and how we respond to the royal commission. In fact, that's one of the conversations we've been having in our policy development work towards the response to the royal commission. I think it's a very important issue. Transparency and quality indicators as well, and I know that's something that you have an interest in, Mr President. Providing some visibility into the quality indicators that apply to the residential aged-care sector—and the home care sector, I might add—is important. We also do have some public reporting in respect of home care on the My Aged Care website. My view is that it's important—

**The PRESIDENT:** Order! Senator Wong, on a point of order.

**Senator Wong:** Point of order. I apologise to Senator Griff for taking a point of order on his question. The minister was asked to take on notice and come back to the chamber with the question he couldn't answer. He hasn't responded to that in this answer. As a matter of direct relevance, I'd ask him to do the chamber the courtesy of responding to that request.

**The PRESIDENT:** Senator Cormann, on the point of order.

**Senator Cormann:** Minister Colbeck could not have been more directly relevant if he tried.

*Senator Wong interjecting—*

**The PRESIDENT:** Order on my left, Senator Wong!

**Senator Cormann:** In terms of courtesy to the chamber, it would indeed be courteous to Senator Griff if he were allowed to pursue his own questions.

**The PRESIDENT:** The minister can respond to an answer any way he sees fit, as long as he's directly relevant. I believe he was being directly relevant to the answer.

**Senator Wong:** What are you hiding?

**The PRESIDENT:** Order on my left! Senator Cormann.

**Senator Cormann:** Interjections are always disorderly.

**The PRESIDENT:** They are.

**Senator Wong:** What are you hiding?

**The PRESIDENT:** Order on my left, Senator Wong! Senator Colbeck to continue.

**Senator COLBECK:** Thank you, Mr President. I will note that the royal commission is looking at those financial disclosure issues, and so we will consider that. Mr President, I will take on notice—

**The PRESIDENT:** Order! Time for the answer has concluded. There is therefore no option to have a point of order. Once the answer concludes—that was one second. Once the answer has concluded, there is no point of order on relevance to the question, unless Senator Griff wanted to raise another point of order.

### **Vocational Education and Training**

**Senator ANTIC** (South Australia) (14:28): My question is for the Minister for Employment, Skills, Small and Family Business, Senator Cash. Minister, how is the Morrison government supporting our skills system through the COVID-19 pandemic and putting in place reforms for a better skills system on the other side?

**Senator CASH** (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:28): I thank Senator Antic for the question.

*Senator Ayres interjecting—*

**Senator CASH:** I will take that interjection from Senator Ayres. Senator Ayres, it is a fact that the federal government does not fund TAFE. So every time someone on the Labor side opens their mouth and says, 'The federal government has cut TAFE,' you are actually wrong. You may want to speak to your own state government because they are responsible.

This week is the 10th National Skills Week. It is a week in which we celebrate vocational education and training in Australia. Certainly, as Australia recovers from the economic effects of COVID-19, a skilled workforce has never been more important. That is why the Morrison government has made such a large investment in making our skills system more responsive to the labour market demands of this country and more attractive to potential students from all walks of life.

As part of our economic response to COVID-19, we have committed \$2.8 billion across 2019-20 and 2021 to support small and medium business across Australia to retain their apprentices. That is of course through our Supporting Apprentices and Trainees measure. This subsidy will support around 90,000 businesses across Australia employing around 180,000 apprentices. It will ensure that they are allowed to continue in their jobs despite COVID-19. In fact, since we launched this subsidy on 2 April, as at 13 August this measure has already supported 87,570 apprentices across 50,260 employers and has resulted in \$462 million in payments that have been paid out to employers so that they can keep on their apprentices and trainees.

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

**Senator ANTIC** (South Australia) (14:30): Minister, how will the government's JobTrainer fund support Australians to get skills in the areas of demand and drive further reform of Australia's vocational education and training system?

**Senator CASH** (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:30): I've referred to the \$2.8 billion that the government have committed to supporting apprentices and trainees as a result of the impact of COVID-19, but we have also now partnered with states and territories around Australia to establish a \$1 billion JobTrainer fund. The Commonwealth has committed half a billion dollars towards this fund, and I'm very pleased to say that all states and territories have signed up and have agreed to commit the matched funding. This will now deliver an additional 347,700 training places across Australia. Those training places will be free or low cost. They will also be in identified areas of skills need in individual states and territories.

All states and territories have also signed our Heads of Agreement for Skills Reform. We are working across Australia, with our state and territory counterparts, to make positive— (*Time expired*)

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

**Senator ANTIC** (South Australia) (14:31): Minister, how will the government's JobMaker plan support labour force recovery and build on the coalition's strong record of economic management and job creation?

**Senator CASH** (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:31): The investment in JobTrainer and the investment that we've made in ensuring that employers across Australia are able to keep on their apprentices and trainees is all part of our broader JobMaker plan. The JobMaker plan is the Morrison government's plan for economic recovery as a result of COVID-19. Of course, at the heart of this plan is job creation, ensuring that employers across Australia are able to stay in business, keep their doors open and, to the extent possible, prosper, grow and create more jobs for Australians. Undertaking skills reform is an integral part of that JobMaker plan. We need to ensure that we have a training system in place that responds to what industry and employers are telling us they need. We need to have a training system that ensures that the people going through it are job ready at the end of it, and that is what we are committed to. (*Time expired*)

### COVID-19: Arts

**Senator HANSON-YOUNG** (South Australia) (14:32): My question is to Senator Cormann, the Minister representing the Prime Minister. Do actions speak louder than words?

**Senator CORMANN** (Western Australia—Leader of the Government in the Senate, Minister for Finance and Vice-President of the Executive Council) (14:33): Yes.

**The PRESIDENT:** Senator Hanson-Young, a supplementary question?

**Senator HANSON-YOUNG** (South Australia) (14:33): Back in June, the Prime Minister stood with Guy Sebastian and promised a COVID package for the arts, yet nothing has flowed—nice words, no action. Why?

**Senator CORMANN** (Western Australia—Leader of the Government in the Senate, Minister for Finance and Vice-President of the Executive Council) (14:33): I completely disagree with the premise of the question. We have provided substantial support for the arts sector. Large parts of the arts and entertainment sector are receiving substantial support through JobKeeper. There was also an announcement in relation to a package to help with recovery in what is an important sector in our economy, and of course that is being implemented as planned.

**The PRESIDENT:** Senator Hanson-Young, a final supplementary question?

**Senator HANSON-YOUNG** (South Australia) (14:34): Two weeks ago the secretary of the Prime Minister's department told a Senate committee that the money promised by the Prime Minister would not flow until restrictions were lifted. No money has been spent—nice words, no action. What are you doing?

**Senator CORMANN** (Western Australia—Leader of the Government in the Senate, Minister for Finance and Vice-President of the Executive Council) (14:34): I again reject the premise of the question, and I refer the senator to my answer to the first supplementary question.

### National Security

**Senator PATRICK** (South Australia) (14:34): My question is to the Minister representing the Attorney-General and relates to interlocutory matters and matters incidental to the proceedings of the Commonwealth v Collaery. During the proceedings, Mr Collaery subpoenaed documents from the oil and gas producer Woodside. In response, the Attorney-General sought first access to Woodside's return to subpoena on the basis that their documents could contain matters related to national security. How is it possible that an energy company such as Woodside could be in possession of documents that could contain matters related to national security? Or is this simply the Attorney further abusing the NSI Act?

**Senator PAYNE** (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:35): I thank Senator Patrick for some advance advice of his question. While obviously I cannot—and will not—disclose national security information, what I can say in response to Senator Patrick's question is that the NSI Act provides a framework for how national information is disclosed and protected in legal proceedings. It seeks to balance the need to protect national security information with the principle of open justice. Importantly, what protections are put in place are ultimately a matter for the court.

With respect to the senator's specific question, I can advise that the Commonwealth made an application to the court seeking early access to any documents produced by Woodside Petroleum in response to the subpoena dated 2 March 2020. The subpoena called for Woodside to produce documents relating to its dealing with the Commonwealth in relation to negotiations between Australia and Timor-Leste in respect of revenue-sharing arrangements under the CMATS Treaty. Given the nature of the information sought by the subpoena, documents

produced by Woodside might have included national security information, the definition of which can include international relations, which in turn includes economic relations with foreign governments.

It was appropriate for the Attorney-General to have an opportunity to consider whether to issue a certificate under the act or whether any other form of application or claim ought to be made in relation to any documents produced by Woodside. This was a precautionary approach. It's not uncommon where documents might reveal interaction with the Commonwealth. The application was allowed by the court. Ultimately I would note to the chamber and to Senator Patrick that the Commonwealth did not seek any protection orders and the documents were provided to the parties.

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

**Senator PATRICK** (South Australia) (14:37): Thank you for that answer, Minister. Was the Attorney-General's interest in the Woodside documents centred on a concern that they would reveal knowledge of a fraud on Timor-Leste in relation to the giveaway of Timor's helium assets to Woodside and ConocoPhillips?

**Senator PAYNE** (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:37): I absolutely don't accept the premise of Senator Patrick's question, and I refer the senator to my first answer.

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

**Senator PATRICK** (South Australia) (14:37): Is the Attorney aware of claims that Timor's helium, a highly valuable commodity, was wrongly characterised as waste in the production-sharing contracts and therefore lost to Timor-Leste but a nice profit for Woodside? Is that the dirty secret that is being concealed?

**Senator PAYNE** (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:38): Again, I absolutely do not accept the premise of the question from Senator Patrick, and I refer him to my first answer.

### **COVID-19: Aged Care**

**Senator O'NEILL** (New South Wales) (14:38): My question without notice is to the Minister for Aged Care and Senior Australians, Senator Colbeck. Victorian Liberal MP Russell Broadbent said that the government ignored his pleas about the vulnerability of the aged-care sector, describing it as 'disaster waiting to happen'. Why did you ignore Mr Broadbent's warning?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:38): I thank the senator for her question. Mr Broadbent has a perspective on how he believes the aged-care sector should be structured, and I respect his perspective. He talks about the changes that were made in the late nineties and the opportunity for different forms of providers to come into the aged-care sector. I respect Mr Broadbent's perspective on that, but governments since that period of time, since the late nineties, have continued on a path that we see now, where we have a range of provider types. We have government providers through the states, we have providers that are community based, we have for-profit providers and we have not-for-profit providers. That is the current structure of the aged-care sector in this country. I will point out the fact that we wanted a forensic inspection of the entire aged-care sector, which is why the Prime Minister called a royal commission, which is currently underway. We look forward to the recommendations of the royal commission with respect to the structure of the sector—

**The PRESIDENT:** A point of order, Senator O'Neill?

**Senator O'Neill:** The question was very specific. It was about Mr Broadbent's claim that it was a disaster waiting to happen. That was a very significant warning. Why did you ignore Mr Broadbent's warning?

**The PRESIDENT:** With respect to the minister, he doesn't have to address a quotation when there's a question like 'Why?' at the end of it. I think he has done that and he is continuing to be directly relevant.

**Senator COLBECK:** Thank you, Mr President. As I said, we acknowledged that there were issues with the aged-care sector in this country, which is why the Prime Minister called for the royal commission, and issues such as the structure of the sector will be matters that the royal commission can report on. We look forward to seeing that report when it's brought down on 26 February next year. I have said—and the government has said—that we will respond to that report once the commission has completed its work in February next year. We look forward to its report.

**The PRESIDENT:** Senator O'Neill, a supplementary question?

**Senator O'NEILL** (New South Wales) (14:41): Mr Broadbent also said that he sounded warnings about the Morrison government's aged-care system but was 'ignored completely'. If a member of the Morrison government's own party was ignored completely, what hope do older Australians who are suffering in the Morrison government's broken aged-care system have of being heard by this government?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:41): As I said, I respect the views of my friend and colleague Mr Broadbent, but the fact is that we've actually called a royal commission to look at the concerns and the issues within the aged-care sector and the opportunity exists for any of Mr Broadbent's concerns to be addressed as a part of that process—an opportunity which, I note, has been taken up by others among my colleagues. Senator Fierravanti-Wells has made a submission to the royal commission, appropriately, because she had some concerns that she wanted to raise with the royal commission and have addressed. The opportunity exists for any Australian to make a submission to the royal commission. I don't concede that the government has ignored or dismissed Mr Broadbent's concerns, because we are now conducting a royal commission to take a forensic look at the entire aged-care sector and provide us with recommendations so that we can then act to improve the delivery of aged care in this country.

**The PRESIDENT:** Senator O'Neill, a final supplementary question?

**Senator O'NEILL** (New South Wales) (14:42): Mr Broadbent was so disgusted that his warnings about the Morrison government's aged-care system continued to be ignored that he resigned in protest from two parliamentary positions. How many of the 335 older Australians who have died might be alive if the Morrison government had not ignored Mr Broadbent's warnings?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:43): I think it's really unfortunate that the opposition seeks to make the correlation it does with respect to COVID-19 and other discussions that are being undertaken. I think it's very, very unfortunate that it seeks to make these sorts of correlations. I take very seriously the views that Mr Broadbent has expressed and, as I've just said in the first two answers to questions from the senator, I believe the government is taking those things into account by conducting a royal commission. We are conducting a royal commission. Every single one of the deaths that has occurred in this country as a result of COVID-19 is an absolute tragedy, but I don't seek to make the correlations that the Labor Party is trying to make, quite unfortunately, for political purposes.

### COVID-19: Vaccine

**Senator SCARR** (Queensland) (14:44): My question is to the Minister For Foreign Affairs, Senator Payne. Can the minister update the Senate on what steps the government is taking in relation to COVID-19 vaccine access in the Pacific and in South-East Asia?

**Senator PAYNE** (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:44): I thank Senator Scarr for his question and for his interest.

The coalition government is determined to ensure that our closest neighbours have access to safe, effective and affordable COVID-19 vaccines. Today we announced that Australia will contribute \$80 million to the Gavi Covax Facility Advance Market Commitment, or the AMC. The Covax Facility pools the purchasing power and risk for participating countries. It's going to help fast-track manufacturing and prepare the largest and most diverse portfolio of potential COVID-19 vaccines under development.

Importantly, when vaccines have completed full clinical trials and been assessed as safe and effective by the World Health Organisation they will be made available to eligible countries in our region. Australia is very proud to work with key partners in support of the AMC's aim of mobilising one billion vaccine doses for developing countries in the acute phase of the pandemic. In making this investment, Australia joins contributors including the United Kingdom, Canada, Italy and Norway.

We know that international investment in vaccine manufacturing and procurement is stronger when nations work together. I was very pleased during my recent visit to Washington to discuss Australia's commitment to supporting our region with the Gavi chair, Dr Ngozi Okonjo-Iweala. This investment builds on our efforts to secure safe and effective COVID-19 vaccines for Australians. We know that our own security and prosperity are closely linked to that of our closest neighbours. When it comes to this pandemic, we are standing and will continue to stand together.

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

**Senator SCARR** (Queensland) (14:46): Minister, how will support for COVID-19 vaccine access in the Pacific and South-East Asia support recovery in our region?

**Senator PAYNE** (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:46): We know that early access to vaccines will play a critical role in the economic recovery of our Pacific family and regional partners. The AMC itself will initially address, as I said, the acute phase of the pandemic, providing doses for up to 20 per cent of countries' populations. That includes healthcare professionals and vulnerable groups, including of course the elderly.

The Pacific countries that are eligible for support through Covax AMC include Papua New Guinea, Solomon Islands, Vanuatu, Fiji, Samoa, Tonga, Tuvalu and Kiribati. Eligible countries from South-East Asia are Indonesia, Timor-Leste, Cambodia, Laos, Myanmar, the Philippines and Vietnam. As we committed to when we announced our partnerships for recovery to respond to COVID-19, Australia's development assistance is focused on responding to our region's most pressing needs in the recovery from the pandemic.

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

**Senator SCARR** (Queensland) (14:47): Can the minister advise the Senate about the government's focus on regional health security?

**Senator PAYNE** (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:47): Australia's investment in the Covax AMC builds on our work with neighbours on health security in the Indo-Pacific. Our Indo-Pacific Centre for Health Security delivers our health response in the region, particularly relating to the COVID-19 pandemic. Our contribution to the WHO's Pacific coronavirus response plan is helping Pacific countries to access medical supplies and to receive technical advice in areas such as infection prevention and control and in clinical management. We of course know that immunisation saves lives, which is why we were also pleased to announce our \$300 million contribution to Gavi's broader vaccine initiatives in June.

Through all of Australia's international engagements—from the World Health Assembly to AUSMIN—working across government, we are delivering on our commitment to improving health security in our region.

### Aged Care

**Senator CHISHOLM** (Queensland) (14:48): My question is to the Minister for Aged Care and Senior Australians, Senator Colbeck. Minister, Senator Fierravanti-Wells said:

... the failure of the Abbott government and those advising it, exacerbated the already deteriorating situation which has now resulted in the failures in the aged care sector of today.

Why was the former shadow minister for ageing and a senior New South Wales Liberal, Senator Fierravanti-Wells, ignored by the Morrison government?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:49): I don't believe that Senator Fierravanti-Wells has been ignored by the Morrison government, in the same way that I don't agree with the assertion with respect to Mr Broadbent. Senator Fierravanti-Wells, as I said in an answer to a question earlier, has had the opportunity—by virtue of the fact that Prime Minister Morrison called a royal commission into the aged-care sector—to make a significant contribution to that royal commission. And I welcome that. Senator Fierravanti-Wells, I know, because I interacted with her on a number of occasions when she was the shadow minister—in fact, she did some work with me in aged-care facilities in the North West of Tasmania—put significant amount of effort into the policy work that she did. So not only do I respect the work that she's done and respect the opinions that she has but Senator Fierravanti-Wells has had the opportunity, through the fact that Prime Minister Morrison called a royal commission, to make a contribution to that process and to the determination of this government under Prime Minister Morrison to improve the residential aged-care sector in this country.

So I don't accept the assertion in the question from the minister, and I look forward to the report of the royal commission, which is due on 26 February next year. And I look forward to then implementing measures, off the back of the royal commission report, to improve the delivery of aged care in this country.

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

**Senator CHISHOLM** (Queensland) (14:50): Senator Fierravanti-Wells also said:

... the Coalition failed in their promise to reform aged care and simply opted for a shift that had no demonstrable positive outcome for the wellbeing of our older Australians.

Why was the former shadow minister for ageing and a senior New South Wales Liberal, Senator Fierravanti-Wells, ignored by the Morrison government?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:51): I would refer the good senator to the answer to my first question. But, can I say, my view, and based on my conversations with the Prime Minister about what we will be doing after the royal commission makes its final report on 26 February next year, is that the aged-care sector will look very different after we implement our reforms off the back of the royal commission. There is a sincere determination to ensure that the sector provides a higher quality of care. The fact that Prime Minister Morrison very early in his prime ministership called for a royal commission into aged care—

*Opposition senators interjecting—*

**The PRESIDENT:** Order!

**Senator COLBECK:** is a clear demonstration of the determination of this government to improve the delivery of aged care in Australia.

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

**Senator CHISHOLM** (Queensland) (14:52): Given that even warnings from within the government were ignored, isn't it clear the Morrison government was already failing and neglecting older Australians in residential aged care, even before COVID-19 reached our shores?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:52): We've acknowledged that there are issues in aged care, and if we didn't acknowledge there were issues in aged care we would not have called the royal commission. As I said, one of the very first actions of Prime Minister Morrison was to call the royal commission. Of course, even though we have called the royal commission, we've continued to implement reforms to the aged-care sector while the royal commission has continued. We have created the new Aged Care Quality and Safety Commission, which didn't exist until the beginning of last year. We've put in place new Aged Care Quality Standards, which started on 1 July 2019. We've commenced the process of aged-care quality indicators and their public reporting. So we have continued to improve the aged-care sector. We will continue to do that, particularly off the back of the royal commission when it reports on 26 February next year.

### Services Australia

**Senator DAVEY** (New South Wales—Nationals Whip in the Senate) (14:53): My question is to the minister representing the Minister for Government Services, Senator Ruston. How are enhancements to Services Australia's digital services assisting Australians through the current pandemic and supporting a COVID-safe economy?

**Senator RUSTON** (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:54): I thank Senator Davey for her question. Quite clearly, the economic fallout from the coronavirus pandemic has led to an unprecedented demand for access to government services, particularly for Australians who are required to register for income support payments. The government has responded very quickly, and we have surged thousands of extra staff into Services Australia to make sure that they are able to handle the increased demand to assist people who find themselves in extremely changed circumstances. I'm pleased to advise the chamber that, since 24 August—

*Honourable senators interjecting—*

**The PRESIDENT:** Senator Cormann, on a point of order?

**Senator Cormann:** Point of order. Interjections are always disorderly.

**The PRESIDENT:** I would describe that more as cross-chamber chatter, but that is also disorderly to the extent that ministers can't hear—

*Senator Wong interjecting—*

**The PRESIDENT:** Senator Wong!

**Senator Cormann:** Senator Wong is literally interjecting during your ruling.

**The PRESIDENT:** Order! Senator Wong, on the point of order?

**Senator Wong:** Mr President, I was responding to Senator McKenzie who was responding to me. And I was asking, 'Why is this bloke a protected species?' when she had to resign.

**The PRESIDENT:** Order! Senator Wong, that was inappropriate. I grant leaders some latitude. I did not see Senator McKenzie, if that is the case—I may have had my line of sight blocked. Cross-chamber chatter is also disorderly to the extent that it can be heard by other senators and there are other places in this building to do that—well spaced apart, of course. I call Senator Ruston to continue.

**Senator RUSTON:** Thank you very much, Mr President. I would like to reiterate what I—

*Senator Watt interjecting—*

**The PRESIDENT:** Order, Senator Watt! Count to 10!

**Senator RUSTON:** It's important that the chamber hears that on 24 August, the government had paid out \$8.8 billion in two \$750 payments to eligible Australians as part of their economic support payments. In addition to that, a further \$10.5 billion has been paid as part of the coronavirus supplement to Australians who find themselves unemployed, so it's really important that we put in place assistance to people so that they are able to easily access the financial support they need. Services Australia has made sure that we also are working in a

COVID-safe environment. We've upgraded the capacity of myGov. Previously, 90,000 people could be on the system concurrently; since our upgrade, 300,000 Australians are able to use it at any one time. We're making sure that claim forms are much simpler so that people are able to get access really quickly and we've also made it available so that people can obtain a customer reference number and identify themselves online to save them having to attend a physical Services Australia site. At the height of the pandemic we also put in an attempt to claim— (*Time expired*)

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

**Senator DAVEY** (New South Wales—Nationals Whip in the Senate) (14:57): What steps have the Liberals and Nationals in government taken to ensure access to government services for all Australians?

**Senator RUSTON** (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:57): It's absolutely important that anybody who is required to self-isolate or quarantine is assisted to be able to stay at home to stop the spread of COVID. Eligibility for the JobSeeker payment has been extended and broadened to include access for people who find themselves sick, possibly with the COVID-19 virus, and who have to self-isolate or quarantine or who may be caring for somebody who is in those circumstances. We've also stipulated that they do not have to provide a medical certificate for that period of time. We announced a couple of weeks ago that a pandemic leave disaster payment would be made available to Victorians. This morning, the Prime Minister announced that that has now been extended, at their request, to Tasmanians, so that people who are required to self-isolate or quarantine will be able to get access to that temporary two-week payment. More than \$9 million has been paid out to people in Victoria. We are also pleased to announce that people calling up for the first time— (*Time expired*)

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

**Senator DAVEY** (New South Wales—Nationals Whip in the Senate) (14:58): How is the government supporting the residents of our rural and regional border communities, in particular, to access the services they need during the COVID-19 pandemic?

**Senator RUSTON** (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:59): Thank you very much, Senator Davey. Services Australia have focused also on boosting services in rural and regional Australia. In fact, today I can announce that there is now a mobile service unit that is providing assistance on the ground in Wodonga, on the other side of the river from Albury, for people in that area who may require face-to-face services. I acknowledge the very strong advocacy of Senator McKenzie on behalf of her own community that has allowed us to have the information to understand that the demand exists within that community for this mobile service centre. So we are now able to provide face-to-face services for people in that community, and people can start attending the service centre as of 8.30 this morning to 4.30 this afternoon and ongoing at Junction Square in Wodonga. This will ensure that Victorian communities have access in their own location, but this is in addition to telephone and internet services that are also available. (*Time expired*)

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

## PARLIAMENTARY REPRESENTATION

### Victoria

**The PRESIDENT** (15:00): I inform the Senate I have received a letter from Senator Di Natale resigning his place as a senator for the state of Victoria. Pursuant to the provisions of section 21 of the Constitution, I have notified the Governor of Victoria of the vacancy in the representation of that state caused by the resignation. I table the letter and a copy of my letter to the Governor of Victoria.

## STATEMENT BY THE PRESIDENT

### COVID-19: Parliament House

**The PRESIDENT** (15:00): Senators, I want to bring to your attention another matter. The Speaker is making a statement in the House about this. I normally don't replicate everything done in the other place, but on this occasion I thought I should. I want to make a statement with respect to the medical advice that I and the Speaker have received about the wearing of masks. In doing so, I wish to correct the record with respect to a claim in *The Australian* today.

The Speaker and I have advised that all of our decisions regarding the operations and restrictions in Parliament House since the beginning of the pandemic have been based on advice received from the office of the Chief Medical Officer. Last Friday, the advice we received regarding the wearing of masks was communicated to all building occupants and the media. We said in the statement:

While recognising that the wearing of masks is not mandatory in the ACT, at the specific request of the Acting Chief Medical Officer and out of an abundance of caution, in the public common areas of Australian Parliament House everyone is recommended to wear a mask at all times.

As an additional precaution the wearing of masks is encouraged in the presence of others, especially where physical distancing is not possible, and by those at increased risk of COVID-19.

The article today claims that according to a source:

... the CMO wanted a mandatory memorandum for the sitting fortnight, but was overruled by the presiding officers.

This is incorrect. To allow this to go uncorrected would be to suggest that the Speaker and I had not followed medical advice. Further, it would suggest our statement to all of you—that we have always acted on medical advice—was not accurate. To make it clear, we have always followed the advice from the Chief Medical Officer or his office when it comes to measures being adopted in Parliament House. Finally, if advice was received that recommended mandating masks here in Parliament House without that requirement being present in the rest of the ACT, the Speaker and I would present that advice to both chambers. I thank senators.

## QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

### COVID-19: Aged Care

**Senator WATT** (Queensland) (15:02): I move:

That the Senate take note of the answers given by the Minister for Aged Care and Senior Australians (Senator Colbeck) to questions without notice asked by Opposition senators today relating to COVID-19 and aged care.

Here we go again—another woeful performance from the utterly out of his depth incompetent minister for aged care, Senator Colbeck. There have truly been a sad series of days this week here in the Senate watching Senator Colbeck flail around and demonstrate day after day why older Australians and their loved ones can have no confidence whatsoever in the man who is overseeing and running our aged-care system in this country.

Let's be really, really clear: it is the Australian government—the federal government—that is responsible for keeping older Australians safe in aged care. It's not the state governments, it's not the territory governments and it's not local governments; it's the federal government that regulates aged care. It's the federal government that funds aged care. It's the federal government whose job it is to keep aged-care residents safe, and they have grossly failed in that responsibility.

The Prime Minister and the series of aged-care ministers we have seen in this government have failed to plan for this aged-care crisis, they have failed to act when the crisis hit and they have completely failed to take responsibility for the problems that are of their own making. The Prime Minister, as he is wont to do, says that it's not his fault, that it's not his responsibility, that there is no responsibility here and that none of these problems could have been anticipated. The only way you could not anticipate what we have seen play out in aged-care homes across Victoria is if you had kept your eyes shut, covered your ears, closed your mouth and ignored warning after warning after warning in the seven years this government has been in power about the state of the aged-care system and the risk that it posed to residents.

Today in question time we went to only a small number of the warnings this government have received. We would need weeks and weeks of question times to point out every warning this government has received. But let's be generous to the government and focus on just a small number of them. Six years ago this government was handed an aged-care workforce strategy by a committee chaired by an expert, Professor Pollaers, which illustrated what needed to be done to make sure that the aged-care sector in Australia had the workforce it needed. But as we went on to see, as with every other warning, that strategy was ignored. It was not implemented. In fact, just recently Professor Pollaers, who conducted that strategy, says that there has no progress by this government in implementing it and that in fact they have just sat on his report.

This government's sitting on that report has put the lives of older Australians at risk. They had the opportunity to get the workforce in place. They had a report that told them what to do, and they couldn't get around to doing it over the next six years, and we are now seeing the result of that. Last year the royal commission's interim report was handed down, titled *Neglect*. It doesn't get more obvious than that. What exactly did the government need from its royal commission to realise how serious the problems in the aged-care system were? Again, they failed to act.

Then we get to this year, once we see COVID hit, and we see all around the world the problems that are happening in the aged-care system, but nothing is done here to prepare. In March it starts impacting on Australian aged-care centres. At Dorothy Henderson Lodge, tragically, lives were lost. All the permanent carers were forced into isolation, because COVID got into the aged-care home. But still nothing was done. A month later, in April, we see it again: Newmarch House; 87 per cent of staff go into isolation. Again, older Australians' lives are lost

because of the failures to take the precautionary measures needed. Then we get to Victoria, where it's run like wildfire through Victorian aged-care homes, and we are now seeing hundreds of older Australians die and over 1,000 aged-care workers contract COVID themselves. This government has known what needed to be done. It has had warnings repeatedly. It has failed to plan, it has failed to act and it fails to take responsibility. (*Time expired*)

**Senator SESELJA** (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (15:07): The coalition government—the Prime Minister and the minister responsible, Minister Colbeck, and the entire government—has from day one treated issues around aged care and protection of the community in aged-care homes and in other settings with the utmost of seriousness. That is backed by our record, by the amount of investment that we are putting in, by the way we are responding. It would be a lot easier to take the attacks coming from the Labor Party seriously if they didn't resort to the politics of smear against the minister and if they didn't resort to outright lies in order to make their case.

The minister, the Prime Minister and the government have not only taken this seriously and of course expressed our sincere condolences to those who have lost loved ones. We are working to address these issues and are continuing to work with other governments. When we have Senator Watt come in here and engage in the politics of smear, it needs to be seen for what it is. It would be a lot easier to take it seriously if they didn't have to resort to outright lies, as we have seen on a number of occasions in this space. If the attack was to be taken seriously, if we were to believe they were actually sincere—well, they wouldn't have to tell bald-faced lies in this place and in the other place. We had it in question time again today, where they claim—and they did it in the House today—

**The DEPUTY PRESIDENT:** Senator Polley?

**Senator Polley:** Madam Deputy President, I want to bring to your attention the language that the good senator is using. It's unparliamentary and I ask him to withdraw it.

**The DEPUTY PRESIDENT:** Senator Seselja, whilst you haven't named senators directly, it's close to the wind. So I ask you to refrain, if you wouldn't mind. Please continue.

**Senator SESELJA:** Thank you for your guidance, Madam Deputy President. The Labor Party has been going in there, into the House of Representatives and the Senate, and outright lying when it comes to aged care. We can go to the facts. Because Mr Albanese—

**The DEPUTY PRESIDENT:** Senator Polley?

**Senator Polley:** Madam Deputy President, I raise with you again that the assertions of the senator are unacceptable and unparliamentary. I ask you to remind him or ask him to withdraw.

**The DEPUTY PRESIDENT:** Senator Seselja, you can't actually say, 'People have come into this chamber'. That's my advice from the clerk.

**Senator SESELJA:** Thank you. The Labor Party has been going around the place lying about this issue. It goes to the fact that this is about politics rather than getting to the substance of the issue. The substance of the issue is something this government takes seriously and treats with the utmost seriousness. But you have to come in and claim that we've cut funding. We inherited a spend in aged care of a tick over \$13 billion annually from the Labor Party. That has gone up to \$22 billion, and in the forward estimates will go to \$25 billion. So, when the Labor Party comes in here and pretends that they are serious about the issue and that they are serious about accountability, let's go to the fact that they don't want to speak to the fact that they want to make up their own numbers—false numbers and fake numbers. That's what we've heard from Mr Albanese in the other place, and that's what we've consistently heard from senior Labor—

*An opposition senator interjecting—*

**Senator SESELJA:** Well, we've got the budget papers, where it goes from \$13 billion, when we came to government, to \$22 billion. We are taking this issue seriously and will continue to take this issue seriously. But when you see this kind of smear from Senator Watt, and when you see this kind of dishonesty from other members of the Labor Party, it goes to the other fact: they are running a protection racket for the Victorian Labor government. At no stage in considering the facts of the matter and considering the serious challenges in aged-care facilities in Victoria do they go to the fact that these things are happening in Victoria because of the serious failings of Dan Andrews and the Victorian government in quarantine, in testing and in tracing. This is a government that had the toughest lockdowns, but the biggest—

**The DEPUTY PRESIDENT:** Senator Polley?

**Senator Polley:** Madam Deputy President, I just draw your attention that we should be using the correct titles. It is Premier Dan Andrews.

**The DEPUTY PRESIDENT:** Thank you, Senator Polley. Senator Seselja, please continue.

**Senator SESELJA:** Thank you. It is Premier Dan Andrews and his failings that this lot over here want to run a protection racket for. They want to ignore the failures of quarantine. They want to ignore the failures of testing and tracing. This is a government where Premier Dan Andrews acted like a dictator during this process. He had the toughest lockdowns and the biggest failings, and the people of Victoria are suffering the consequences. Those on the other side ignore that. I haven't heard a Victorian Labor senator come in here and raise one iota of criticism of Dan Andrews from the Victorian Labor government. Why is it happening in Victoria and not in New South Wales? Has New South Wales not faced similar challenges? Of course they have, but they have responded differently. This goes to the heart of the political attack. They will lie, they will smear and they will continue to run a protection racket for their mate Daniel Andrews in Victoria.

**Senator CHISHOLM (Queensland) (15:14):** The performance that we just saw from Senator Seselja was completely unbecoming of this chamber. One of the things that I have really found difficult to deal with over the last couple of months has been speaking to some of my Victorian colleagues and hearing the firsthand accounts from them of the work that they have been doing, dealing with the aged-care crisis in Victoria. They have been traumatised by the work they have had to do helping out their constituents in aged care. Some of the stories that we have been highlighting at part of our work here this week have been really important to put a spotlight on the neglect of this government. What we went through in question time today was not only the neglect that this government has been responsible for this year but that, going back over many years, this government has been responsible for the neglect in aged care.

We saw through the questions from Senator Watt, Senator Ciccone, Senator O'Neill, Senator Carr and me that the government were warned by experts and they were warned by their own reports, but they were also warned by people on their own team—by Mr Broadbent and Senator Fierravanti-Wells—numerous times about their neglect of aged care. Senator Ciccone and Senator Carr focused on the workforce issues. As Senator Watt mentioned, the government had a report on that years ago that they failed to actually take any action on. Senator O'Neill and I focused on the warnings from colleagues.

There is a history and a pattern with this government when it comes to difficult challenges on this issue. There is a timeline through this that tells the story of the government's neglect of aged care now going back five or six years. The timeline actually centres around the now Prime Minister, who was Treasurer at the time. We know that in December 2015 and May 2016, as Treasurer, the now Prime Minister cut \$2 billion from the aged-care budget. These decisions have real consequences. In June 2018, the government received a report from the Aged Care Workforce Strategy Taskforce and failed to implement its recommendations. What happened after this? We know that—and I am sure Senator Cormann recalls this as well; the anniversary was recently—on 24 August Scott Morrison became Prime Minister. We saw Minister Colbeck respond on this numerous times today. We know that a few weeks later he called a royal commission into aged care. What we know with this Prime Minister is that, before he makes any decision, it's politics first, politics second and politics third. We know in those three weeks after he became Prime Minister, before he called a royal commission, he would have been sitting around with his colleagues saying: 'Right. What do we have to try to neutralise to get through an election campaign? I know! Let's have a royal commission into aged care.' Their motivation wasn't to fix these problems. Their motivation was to get this off the agenda so they didn't have to deal with the real challenges of aged care between then and their election. That's what their motivation was. Their motivation was always around the politics and not around fixing these challenges. We know this because they received the interim report from the royal commission titled *Neglect*. What could possibly get you more motivated to take more action than receiving a report titled *Neglect*? They failed to act on its findings.

What we have seen this year is devastation that this government needs to be held accountable for. We saw aged-care homes hit throughout the world, providing a warning shot for the Australian government to be ready. We know in March and April there were outbreaks in New South Wales and then obviously over the last couple of months we have seen the devastation in Victoria. There is one figure that Senator Seselja didn't mention, and that's the more than 300 deaths that we've had in Victoria as a result of this, with more than a thousand people in aged care battling the virus at the moment.

Minister Colbeck happens to be the one who is in the job now who is bearing responsibility for these decisions that the government have made over numerous years. The minister was warned and the government were warned about years of neglect. The minister was the one there when it all caught up with them in devastating fashion, because they have been found wanting in aged care. They have been found wanting in their response to COVID and how they are dealing with it. There is no doubt that there is a lack of confidence in this minister to deal with this COVID outbreak. But the long-term worry for Australians is that he's not going to be capable enough to put in the long-term reforms that aged care needs, and this is what this government needs to be held accountable for.

**Senator MOLAN** (New South Wales) (15:19): We have taken responsibility. We have acted. We will continue to act, and we will act effectively. From day one, based on our record—and our record is known—we will be accountable. We will not smear and we will not lie. What we've seen in the last few days is a game of numbers that is a disgrace to those who have suffered in aged care or anywhere else with COVID-19. Perfection might be something which exists in the world opposite, but, in the real world in which we live, let's look at how we compare.

Of course every death in Australia due to COVID-19, including the deaths of older Australians in residential aged care, is a tragedy. I extend my deepest sympathy and condolences to the families and carers of those who have died. I also acknowledge the extraordinary work that's been put in by the workers—the dedicated aged-care workforce who turn up, work and face extraordinarily confronting situations each and every day. But—and this is an important point—during the COVID-19 pandemic, no country has been able to avoid outbreaks or deaths in residential aged care when there has been widespread community transmission, as we saw in Premier Dan Andrews's Victoria.

I totally reject the assertion that Australia has a high death rate in residential aged care by international comparisons. In actual fact, the contrary is true. Of course that doesn't detract from the tragedy of every death. I know that the opposition does not like facts, but these are the facts. Australia's overall COVID death rate as a proportion of cases is around 2.1 per cent, compared to 13.1 per cent in the UK, and 3.2 per cent in the USA. The death rate in aged care across Australia as a proportion of total aged-care residents is around 0.18 per cent, or 1.2 per cent in a thousand, compared to 5.3 per cent in the UK, where there have been nearly 20,000 deaths. These are the facts. The opposition has been playing some fun catch-me-out mathematical game for a week or so. These are the mathematical facts: in the UK, of the 9,081 care homes included in a recent study, 56 per cent reported at least one confirmed case of coronavirus among the staff or residents, compared to 7.7 per cent in Australian aged-care homes. Nationally, there have been 25,053 cases of COVID-19, including 525 deaths. Of those deaths, 342 have been aged-care recipients: 335 in residential care and seven in home care. This represents a national crude case fatality rate of 2.1 per cent and a per capita death rate of two per 100,000 of population. Globally, there is a crude case fatality rate of 3.7 per cent, whereas Australia's crude case fatality rate is comparatively lower at 2.1 per cent. By comparison, the crude case fatality rate in the United Kingdom is 13.1 per cent; in the United States, it's 3.2 per cent; and in Canada, it's 7.4 per cent.

We have taken responsibility. We have acted. We will continue to act, and we will act effectively—as we have from day one, based on our record. We will be accountable, without smearing or lying. (*Time expired*)

**Senator AYRES** (New South Wales) (15:24): I'm sure I'm not the only person in the chamber or the only person listening to that last contribution who finds the effort to obscure the government's responsibility with a wall of figures as odious as we should find it. The idea that Senator Molan—

*Government senators interjecting—*

**The DEPUTY PRESIDENT:** Order! Senator Ayres, resume your seat. Order! Senator Ayres has the right—

*Senator Wong interjecting—*

**The DEPUTY PRESIDENT:** Senator Wong—to be heard in peace. I meant 'silence', sorry. Thank you, Senator Ayres.

**Senator AYRES:** I'd settle for a bit of peace at the moment! Comparing our performance in Australia, a First-World developed country, to Florida or the United Kingdom, old Jim's ideological bedfellows, where it's a complete and utter disaster—exactly where Prime Minister Morrison would have taken the country if left to his own devices—is absolutely odious.

But this is about aged care. Minister Colbeck's performance in this chamber during question time today and yesterday and the day before has been excruciating. It should be a source of shame to him and an embarrassment to his colleagues. But the problem is much deeper than Minister Colbeck's embarrassing performance. It's systemic, it's political, it's an abject failure of governance and it's a symbol of the utter contempt that this government has for its most basic responsibilities—that is, to govern in the interests of all Australians. In this case it's older Australians, who deserve our respect, our love and the highest standards of service, not cuts or a system that's all about profiteering and neglect.

There were plenty of warnings. We went through those in some detail in question time today. Forty per cent of US COVID deaths have been in aged-care facilities, as have 80 per cent of Canada's deaths. There were the outbreaks at Newmarch and Dorothy Henderson Lodge in March. At the height of the Newmarch crisis, 87 per cent of their staff were unable to attend work. No action from the government! Federal advice was to prepare for up to 30 per cent of staff being infected or quarantined, yet only 50 per cent of this so-called surge funding, breathlessly announced in another press conference, another announcement, has been spent. A report from

Professor Gilbert was handed to the government on 14 April. It was only made public when it was submitted to the royal commission into aged care. It focused on the outbreak at Dorothy Henderson Lodge, where six people died. The warnings went unheeded.

It's abundantly clear that Minister Colbeck isn't fit to run Australia's aged-care system, which is why, despite having the title of Australia's aged-care minister, he's had many of his responsibilities in this pandemic stripped away from him. The safest bet in politics at the moment is that Senator Colbeck's ministry will not survive the next reshuffle. Why was Senator Colbeck ever put in charge of our aged-care system? Senator Colbeck has no experience in the sector. He briefly served as Minister for Tourism and International Education. In 2016 he was demoted to fifth place on the Liberal Party's Tasmanian Senate ticket, and he only returned to the parliament because former Senator Parry had to leave. A man who the Tasmanian Liberals didn't even want to put into an electable position on the Tasmanian Senate ticket has been put in charge of a system that provides care for 1.3 million older Australians.

Beyond supporting the appointment of this minister, the Prime Minister is deeply implicated in the aged-care crisis. As determined as he always is to avoid responsibility, aged care is funded and regulated by the federal government. It is a core federal responsibility. From the Prime Minister there's no shortage of sympathetic words, crocodile tears and focus-group-tested apologies to the residents of Australia's aged-care system, but his fake empathy derives from only one thing, and that is his fear of the exposure of his role in the running down of Australia's aged-care system, in the cuts to funding for Australia's aged-care system, and his role as an utter failure at doing what should have been done all this year to make sure we defended Australia's aged-care residents against the coronavirus pandemic.

Question agreed to.

### COVID-19: Arts

**Senator HANSON-YOUNG** (South Australia) (15:29): I move:

That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Hanson-Young today relating to support for the arts and entertainment industry.

I rise to take note of the answers given by Senator Cormann to my question today relating to the lack of action this government has taken to support the arts and entertainment industry. I asked the minister whether actions spoke louder than words. His response was yes. But, of course, as we go through what the government has actually done in relation to the arts and entertainment sector in the midst of this pandemic, it's quite clear that they speak a lot but they don't do a lot. There are a lot of promises made and very little delivered. The Prime Minister stood with Guy Sebastian, the *Australian Idol* superstar, back in June. He promised that finally, after waiting for months, the arts and entertainment industry would receive some funding. Two months later, while arts industries, workers in the arts and those in the creative sector have struggled with very little support, we still see no money flowing.

I was puzzled about this, so a couple of weeks ago I asked the head of the Prime Minister's own department about it, as part of the Senate's COVID committee. Under questioning, the departmental secretary said, 'No money's going to flow until after restrictions have lifted.' That is simply not good enough. That is not what the Prime Minister had promised. It's not what he told Guy Sebastian he was going to do. And it's certainly not in the spirit of the announcement that he made.

Now, why does this matter? It matters because the reason our Australian artists are struggling right now is the restrictions themselves. That is why the arts and entertainment industry has been amongst the hardest hit. As soon as those restrictions were put in place in March, entire shows, productions and events were shut down overnight. People lost their jobs. They've lost income and they've lost access to insurance, and, of course, because of the nature of the gig-to-gig type of environment that they work in, the JobKeeper supplement has not been made accessible to many of these workers or businesses. So artists have largely been left out by JobKeeper, and now they are not even getting the money they were promised.

It seems that under this government's watch words are fine but action is lacking. As long as they can get a photo op with a few celebrities, they think they've done their job. Well, it is not good enough. Australian artists can see this for what it is. The Australian people can see this for what it is. What's next? Will the Prime Minister line up a press conference with Tina Arena? Is that what he's looking for? He wants to stand there with Tina Arena and say, 'Yes. Sorry, we did promise the money. We'll try again.'

We can't trust this government. They just don't care about Australian artists, the music industry, the festival industry, our authors and our First Nations artists. These are all people who are struggling right now. A press conference with a few celebrities might look good for the nightly news, but it sure as hell doesn't deliver the support that's needed.

This government needs to think very carefully. We are on the brink of losing an entire generation of artists in this country. Six months on, no money has flowed. It is precisely during the restrictions that money is needed to ensure that businesses can stay afloat, that workers can be paid and that artists can keep paying their bills while continuing to create. It is precisely during the restrictions that this support is needed, so I ask the minister again to take on notice and to think very carefully: is it really the view of this government that no money will flow to Australian artists until restrictions are lifted?

If that is the case, this whole package is a sham. If that is the case, it is quite true that this government doesn't care about artists, it doesn't care about the creative industries in this country and it simply doesn't get the cultural and artistic value to our society and our broader community.

Question agreed to.

## NOTICES

### COVID-19: Pensions and Benefits

#### Presentation

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:35): I give notice that, on the next day of sitting, I shall move:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Coronavirus Economic Response Package (JobKeeper Payments) Amendment Bill 2020, allowing it to be considered in this period of sittings.

**The PRESIDENT:** There being no other notices of motion, I shall now proceed to the placing of business. Is it desired to postpone or rearrange the business?

## BUSINESS

### Leave of Absence

**Senator URQUHART** (Tasmania—Opposition Whip in the Senate) (15:35): by leave—I move:

That leave of absence be granted for Senator Carr for Tuesday, 25 August for personal reasons.

Question agreed to.

## NOTICES

### COVID-19: Pensions and Benefits

#### Postponement

**The Clerk:** Postponement notifications have been lodged in respect of the following:

General business notice of motion no. 739 standing in the name of Senator Bilyk for today, postponed till 27 August.

**The PRESIDENT** (15:36): I remind senators that the question may be put at the request of any senator.

## BILLS

### Family Law Amendment (Risk Screening Protections) Bill 2020

### Sport Integrity Australia Amendment (World Anti-Doping Code Review) Bill 2020

#### First Reading

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:36): I indicate to the Senate that these bills are being introduced together. After debate on the motion for the second reading has been adjourned, I will be moving a motion to have the bills listed separately on the *Notice Paper*. I move:

That the following bills be introduced: A Bill for an Act to amend the Family Law Act 1975, and for related purposes.

A Bill for an Act to amend the law relating to sport, and for related purposes.

Question agreed to.

**Senator DUNIAM:** I present the bills and move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

#### Second Reading

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:37): I move:

That these bills be now read a second time.

I table the explanatory memoranda relating to the bills and seek leave to have the second reading speeches incorporated in *Hansard*.

Leave granted.

*The speeches read as follows—*

FAMILY LAW AMENDMENT (RISK SCREENING PROTECTIONS) BILL 2020  
SECOND READING SPEECH

The Australian Government is committed to addressing family violence and continuing to improve the protections offered through the family law system to those vulnerable families affected by violence and abuse.

In December last year, the Government announced \$13.5 million for the federal family law courts to pilot a trial of a systematic approach to screening matters for family safety risks, and triaging matters into case management pathways, according to their identified level of risk. This will include a specialist family violence list for high-risk matters.

The Family Law Amendment (Risk Screening Protections) Bill 2020 will support the effective implementation of these important new family safety risk screening and triage processes.

The new family safety risk screening processes will improve the identification of, and responses to, family safety risks in family law matters, to achieve better outcomes for families navigating the family law system.

This Bill reflects the Government's continued commitment to ongoing improvements to the family law system so that families can resolve matters safely, fairly and quickly. The \$13.5 million funding for the pilot of risk screening measures builds on the Government's heavy investment in addressing domestic violence, with:

- \$340 million in funding as part of the Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children 2010–2022,
- a \$150 million COVID-19 Domestic Violence Support Package and
- around \$20 million in additional legal assistance funding to support those affected by domestic violence during the pandemic.

The Bill and the pilot also responds to findings from reports examining the family law system, including:

- The Family Law Council's 2016 report, *Families with Complex Needs and the Intersection of the Family Law and Child Protection Systems*,
- The House of Representatives Standing Committee on Social Policy and Legal Affairs' 2017 inquiry, a *Better Family Law System to Support and Protect Those Affected by Family Violence*, and
- The Australian Law Reform Commission's 2019 report, *Family Law for the Future – An Inquiry into the Family Law System*.

*The new Family Safety Risk Screening processes*

A pilot of the new family safety risk screening processes will operate from 2020 to 2022, from the Brisbane, Parramatta and Adelaide court registries, which collectively receive more than 42 per cent of filings.

During the pilot, a dedicated team within the courts will screen newly filed parenting matters for family safety risks, and triage and manage matters according to their level of identified risk. A family counsellor will take early action in high risk cases, including conducting a follow-up risk assessment, developing safety and wellbeing plans, and offering referrals to support services. A specialist family violence list, named the Evatt List in honour of the Hon Elizabeth Evatt AC, will be established to manage and resolve high-risk matters. The Evatt list will be supported by a judge-led, multidisciplinary team including registrars, and family counsellors.

The new risk screening and triage processes will be complemented by tailored court processes, safety planning and referrals to support services for at risk families.

*Measures in the Bill*

The Bill will make minor amendments to the Family Law Act in order to support the new risk screening process by protecting information that will be generated through the new risk screening process, and which are based off existing Family Law Act provisions.

The Bill will ensure that information obtained or generated through the risk screening process cannot be disclosed, except in limited circumstances. Important exceptions to this confidentiality will enable disclosure if it is necessary to protect a child from the risk of harm, or to prevent or lessen serious threats to the life, health or property of a person.

These confidentiality provisions are consistent with existing family counselling provisions of the Family Law Act.

The Bill will also ensure that information obtained or generated through the new risk screening process is inadmissible in any court or tribunal. A critical exception would apply where family safety risk screening information or evidence indicates that a child has been abused or is at risk of abuse.

These admissibility provisions are also consistent with existing family counselling provisions of the Family Law Act.

By ensuring the confidentiality and inadmissibility of information obtained through risk screening, the Bill will enable parties to freely and confidently participate in the process. This is especially important for protecting family violence victims in high-risk cases, and for maintaining the accuracy and reliability of the risk screening information used to triage matters.

The confidentiality and inadmissibility protections for risk screening information are also appropriate because the intention is the early identification and management of safety concerns, and provide an appropriate case management pathway for matters, including referring high-risk cases to a dedicated court list. The risk screening information is not intended to serve the same purpose as, or replace, evidence in proceedings, which is provided through usual methods, including the notices of risk that form part of existing practice.

Finally, the Bill will provide immunity for court officials, such as registrars and family counsellors, when undertaking new non-judicial roles as part of the risk screening process.

This immunity reflects the protection currently afforded to family consultants under the Family Law Act. It will support court workers to carry out the new functions involved in risk screening, such as making referrals and triaging matters into case management pathways based on risk screening information.

#### *Conclusion*

This Bill will enhance the family law system's approach to risk identification and management and improve outcomes for vulnerable families. It is another example of this Government's continuing commitment to addressing family violence in Australia and to ensuring that the family law system protects victims of family violence.

### SPORT INTEGRITY AUSTRALIA AMENDMENT (WORLD ANTI-DOPING CODE REVIEW) BILL 2020

#### SECOND READING SPEECH

The Australian Government is a strong advocate for clean and fair sport, as demonstrated by the sport integrity reforms enacted in its response to the Review of Australia's Sports Integrity Arrangements (Wood Review). While Australia can do what it can in its own backyard, sport is a global activity, and it is important that Australians are subject to the same anti-doping arrangements as our international competitors.

The World Anti-Doping Code (Code), administered by the World Anti-Doping Agency (WADA) and implemented by sports and governments around the world, ensures that athletes are treated the same and abide by the same core set of rules everywhere, regardless of nationality and sport. Australia, as a signatory to the *UNESCO Convention against Doping in Sport* (Convention), has an obligation to implement anti-doping arrangements that are consistent with the principles of the Code.

WADA initiated a comprehensive review of the Code in late 2017, as it does every six years, to ensure it remains up to date with doping methods and practices. A key theme of the review was proportionality – to ensure the Code targets the right stakeholders and applies consequences that are proportionate to an individual's culpability.

Consequently, some of the key changes to the Code include:

- Broadening the scope of who may fall within the Code's jurisdiction to include people involved with an anti-doping organisation, but who do not meet the definition of athlete or support person;
- Providing more flexibility for an anti-doping organisation to manage a violation committed by a recreational athlete or an individual who may not have the mental capacity to understand the anti-doping rules,
- Creating a new anti-doping rule violation to protect individuals who provide information on possible anti-doping rule violations and are consequently the subject of threats and intimidation; and
- Encouraging athletes who return a positive sample for a 'substance of abuse' to seek help and assistance from an approved counselling or rehabilitation service.

To ensure that core anti-doping arrangements are harmonised across the world, international sporting federations, governments, and anti-doping organisations that are signatories to the Code are currently updating their anti-doping policies and legislation to reflect the revised Code.

The Sport Integrity Australia Amendment (World Anti-Doping Code Review) Bill 2020 ensures Australia continues to meet its international obligations to enact legislation that is consistent with the principles of the Code and its associated International Standards. The revisions to the Code will commence from 1 January 2021. If Australia does not amend its legislation to reflect the revised Code, we will be non-compliant with our obligations under the Convention, and Australian athletes will be subject to out-of-date anti-doping arrangements.

Sport Integrity Australia is the Australian government agency responsible for working with sporting organisations to eliminate doping. Sport Integrity Australia's powers and functions are specified under the *Sport Integrity Australia Act 2020* and the *Sport Integrity Australia Regulations 2020*.

A key revision to the Code is broadening the scope of those who can be subject to anti-doping arrangements. This is largely in response to the Russian doping scandal, where the McLaren report stated that Russia operated a state-sponsored doping scheme for several years. Key facilitators of the scheme sat outside the jurisdiction of the Code. In response, the revised Code will now provide anti-doping organisations authority to subject individuals such as board members, officers, directors, and specified employees to certain anti-doping rules which target facilitation. Importantly, the Code recognises that such individuals should not be subject to the full requirements of the Code, such as whereabouts and testing.

The revised Code also recognises that, in certain circumstances, it may not be appropriate for an anti-doping organisation to publish the details of an individual's anti-doping rule violation. The Code requires an anti-doping organisation to maintain a

public-facing violations list which details information of all anti-doping rule violations (except for those under 18 years old). The revised Code broadens this exception to include athletes who compete for recreational purposes (unless that person has been considered a national-level athlete or international-level athlete within the previous five years), and individuals who do not have the mental capacity to understand the anti-doping rules.

The revised Code recognises that anti-doping organisations require greater flexibility to respond to misinformation regarding an ongoing anti-doping rule violation. Currently, the Code restricts when an anti-doping organisation can respond to address misinformation to when the comments can be directly attributed to the athlete or support person, or a member of their entourage. The revised Code broadens this to include where the comments can be attributed to information provided by an athlete or a member of their entourage. This revision also allows the Government to continue to implement its sport integrity reforms outlined in its response to the Wood Review.

The proposed amendment to the definition of athlete sits outside the revisions to the Code. The amendment is necessary to clarify the operation of the National Anti-Doping Scheme, that a person remains an athlete (and subject to the anti-doping rules) for six-months after the time that person last competes. This provides more clarity and certainty around whether a person is an athlete.

The Government remains committed to the fight against doping, and it is paramount that the international sporting movement and governments work together to implement harmonious core anti-doping programs that reflect the Code and its accompanying International Standards. This Bill ensures that Australia continues to play its part in international anti-doping arrangements, safeguards the health and wellbeing of athletes, and meets its obligations under the Convention.

**The PRESIDENT:** In accordance with standing order 111, further consideration of these bills is now adjourned to 6 October 2020.

Ordered that the bills be listed on the *Notice Paper* as separate orders of the day.

## MOTIONS

### Murray-Darling Basin

**Senator PATRICK** (South Australia) (15:38): I move:

That—

(a) the Senate notes that:

(i) on 16 November 2017, the Senate ordered the production of all documents relating to water purchases across the Murray Darling Basin from 1 January 2017,

(ii) on 12 February 2018, documents were returned redacted, including the valuations of Clyde and Kiora in Queensland (the 'watergate' purchases), with a claim of public interest immunity and the documents were re-tabled on 26 October 2018, with the 'watergate' valuations remaining redacted,

(iii) despite denying the Senate access to the 'watergate' valuations, the department has released them to a citizen under freedom of information law, and

(iv) 'watergate' purchases were effected at \$2,745 per megalitre, despite an independent valuation recommending between \$1,100 and \$2,300 per megalitre;

(b) the Minister representing the Minister for Resources, Water and Northern Australia, attend the Senate at 12pm on 31 August 2020 to explain, for no longer than 15 minutes, why an improper public interest immunity claim was advanced in relation to the 'watergate' valuations, and why the Commonwealth paid more than the independent valuer's range; and

(c) any senator may move to take note of the explanation and the debate (maximum 1.5 hours; 15 minutes per speaker) shall have precedence over all business until determined.

Question agreed to.

### Defence Amendment (Sovereign Naval Shipbuilding) Bill 2018

**Senator PATRICK** (South Australia) (15:38): I move:

(1) That so much of the standing orders be suspended as would prevent this resolution having effect.

(2) That the Defence Amendment (Sovereign Naval Shipbuilding) Bill 2018 be restored to the *Notice Paper* and consideration of the bill resumed at the stage reached in the 45th Parliament.

Question agreed to.

### Aboriginal Flag

**Senator McARTHUR** (Northern Territory—Deputy Opposition Whip in the Senate) (15:38): I, and also on behalf of Senator Dodson, move:

That the Senate—

(a) notes that:

(i) the Aboriginal Flag is an official flag of Australia and a symbol of strength and unity,

(ii) the Aboriginal Flag is the single unifying symbol of Australia's different and diverse Aboriginal Nations,

- (iii) commercial interests are restricting the use of the flag and putting profit before pride, and
- (iv) Aboriginal organisations have been sent cease and desist orders, simply for using the flag; and

(b) calls on the Government to do everything in its power to free the flag, and get it back so it can be used by the whole community; at the same time as respecting Mr Harold Thomas.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:39): I seek leave to make a short statement.

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

**Senator DUNIAM:** The Aboriginal flag is a powerful and respected signal for all Australians and to Minister Wyatt, who knows the creator and copyright owner, Harold Thomas, and the government encourages all Australians to fly and show the flag with pride. The Australian government is aware of the concerns around the copyright of the Aboriginal flag and is seeking to resolve the matter in a way that respects the rights of the flag's creator while ensuring the flag continues to be a symbol of unity for Aboriginal people.

Question agreed to.

### COVID-19: Pensions and Benefits

**Senator URQUHART** (Tasmania—Opposition Whip in the Senate) (15:39): I move:

That the Senate—

(a) recognises that Health Services Union (HSU) members in the aged care, health and disability support sectors are some of the most at-risk people during this pandemic;

(b) acknowledges that for many workers in these sectors the choice of saying no to a shift can mean the difference between putting food on the table or going hungry;

(c) notes that forcing sick workers to come to work due to lack of appropriate leave provisions will only inhibit efforts to contain the COVID-19 pandemic;

(d) urges the Morrison Government to legislate and fund paid pandemic leave for health, aged care and disability support workers; and

(e) commends the HSU for standing up for its members on this crucial issue.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:40): I seek leave to make a short statement.

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

**Senator DUNIAM:** The government acknowledges the efforts of all workers in the aged-care, health and disability sectors regardless of their membership in a union. The government has implemented a pandemic leave disaster payment to support those who don't have paid leave entitlements yet have been directed to isolate for 14 days when they otherwise would have been working. This includes workers in the aged-care, health and disability sectors. The payment is currently available in Victoria and Tasmania, and the Prime Minister has written to state premiers, extending the offer if required.

**Senator FARUQI** (New South Wales) (15:41): I seek leave to make a short statement.

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

**Senator FARUQI:** The Greens support the motion. Paid pandemic leave should be for all workers. The COVID-19 pandemic has highlighted the profound precariousness and inequality that exists in workplaces. No one—not a single person—should be forced to choose between protecting their health and the health of those around them and being plunged into economic hardship, yet this is the exact situation many workers find themselves in. The government needs to support workers and guarantee and fund a safety net so all workers have access to at least 14 days of paid pandemic leave. This needs to happen right now. We can't wait for a state of disaster to be declared. We need to act to prevent disasters. The Greens have a bill before the Senate to do that just that, and we urge the Senate to pass the bill for the sake of workers, for the sake of communities and for the sake of public health.

Question agreed to.

### Murray-Darling Basin

**Senator DAVEY** (New South Wales—Nationals Whip in the Senate) (15:42): I, and also on behalf of Senator McKenzie, move:

That the Senate—

(a) notes that over 2.6 million Australians call the Murray-Darling Basin home, with \$24 billion worth of food produced annually to feed the nation and the world;

(b) acknowledges the significant financial and emotional hardship faced by primary producers along the Murray-Darling Basin communities, arising from outdated, fragmented, and unfair regulations around water management;

(c) welcomes the Australian Competition and Consumer Commission (ACCC) *Interim Report into Murray-Darling Basin Water Markets*, that notes major reform is necessary to build integrity within the water market and ensure the water market operates in an open, fair and efficient way;

(d) further notes that the ACCC is now undertaking targeted consultation on the observations in its interim report before delivering a final report in November 2020; and

(e) calls on state governments to work with the Federal Government to explore solutions to the ACCC's interim observations, with a view to implementing key final report recommendations relating to:

(i) increasing water data availability and pricing transparency,

(ii) implementing a licence system to accredit and regulate water brokers, and

(iii) immediately separating the Murray Darling Basin Authority enforcement and river management functions, in line with the Productivity Commission's 2019 review.

**Senator ROBERTS** (Queensland) (15:42): I seek leave to make a short statement.

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

**Senator ROBERTS:** One Nation will support this motion. Nationals Senators Davey and McKenzie refer to 'outdated, fragmented and unfair regulations around water management'. That is, in fact, federal law: the Water Act 2007 and the Murray-Darling Basin Plan water trading regulations. The Howard-Turnbull pair introduced both. Taken together, the act and regulations implemented a globalist strategy to replace family farming and family based communities with large corporate mono-agriculture and on-farm accommodation. They separated water allocations from land ownership. The ACCC report confirms that the plan has produced unfair outcomes and potentially illegal behaviour. The Nationals should know that these regulations are unfair, because the Nationals passed them. Now, 13 years later, with disastrous opinion polls, the Nationals are talking of family farms, yet coalition elites block their path. This motion has limited credibility.

Question agreed to.

### Violence Against Women

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (15:44): I move:

That the Senate—

(a) notes that:

(i) 36 women have been killed by violence in 2020, as reported by Counting Dead Women Australia from Destroy the Joint, 28 since the horrific murder of Hannah Clarke and her children six months ago,

(ii) there is no national government toll reporting women killed by violence in real time,

(iii) more than 370,000 women are subjected to violence from men each year,

(iv) 1 in 3 women have experienced physical violence and, on average, one woman is murdered every week by her current or former partner,

(v) women are nearly three times more likely than men to experience intimate partner violence and 2.5 times more likely to be hospitalised from family and domestic violence,

(vi) young women, women with disabilities, and First Nations women are more likely to experience violence,

(vii) demand for domestic and family violence services continues to increase, and

(viii) COVID-19 has put more women and children at risk and increased the demands on front-line domestic and family violence services; and

(b) calls on the Government to recognise violence against women as a national security crisis and increase funding accordingly so everyone seeking safety can access appropriate services when and where they need them.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:44): I seek leave to make a short statement.

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

**Senator DUNIAM:** Domestic violence and family violence is a scourge and its impact is horrific. The government has swiftly committed \$150 million for the domestic violence specific COVID-19 support package. This funding is on top of the \$340 million the Commonwealth has already invested in the fourth action plan initiatives.

Question agreed to.

### Minister for Aged Care and Senior Australians

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (15:45): I move:

That—

(a) the Senate requires the Minister for Aged Care and Senior Australians to attend the Senate on 27 August 2020, before government business is called on, to provide an explanation, of no more than 15 minutes, of his administration of his portfolio, with particular reference to the Commonwealth's support to, and regulation of, aged care providers during the COVID-19 pandemic;

(b) at the conclusion of the Minister's statement, or if the Minister fails to make a statement, the Leader of the Opposition in the Senate may move a motion - without notice - relating to the explanation or the conduct of the minister;

(c) a motion moved under paragraph (b) may not be amended; and

(d) any motion under paragraph (b) shall have precedence over all other business until determined, and if the question has not been resolved at 11 am the question shall then be put.

Given that there is a different voting intention, I understand, from One Nation in relation to different paragraphs, I would ask that paragraph (a) be voted on separately to paragraphs (b), (c) and (d). I seek leave to make a short statement.

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

**Senator WONG:** This is an important motion. It is a motion which goes to ministerial accountability. It is a motion which goes to the basic requirement that a minister should be required to attend the chamber and should be required to respond to matters within his or her portfolio which are of such concern to the community. I would argue that it would also empower the chamber to determine what action should be taken. So I would say to the crossbench that I ask for support not only to require Minister Colbeck to come down to the chamber to respond to the extraordinary maladministration in his portfolio. I would also say—I notice that Senator Roberts is on the monitor—that the second part of the motion which currently One Nation is seeking to oppose gives the Senate the power to act. It gives the Senate the power to act. This chamber—

**The PRESIDENT:** Order, Senator Wong. Time—

**Senator WONG:** I seek leave to finish my statement, Mr President. Another minute.

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

**Senator WONG:** I thank the chamber. I make this point: there are not many occasions in this place where we are confronted with hundreds of Australians dying whilst we are sitting here, day by day. The fact that the government failed to act on multiple warnings—I think it is demonstrably the case they failed to do so—has caused enormous and tragic consequences. This minister should be held to account by this chamber. It is a basic principle of ministerial accountability. We move this motion and we ask for support from the crossbench for all of the paragraphs in the interests of that accountability. I flag here that we will continue to press ministerial accountability because Minister Colbeck has demonstrably failed to do what he ought to have done as a minister of the Crown.

**Senator CORMANN** (Western Australia—Leader of the Government in the Senate, Minister for Finance and Vice-President of the Executive Council) (15:47): I seek leave to make a two-minute statement.

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

**Senator CORMANN:** Our government takes ministerial accountability and responsibility very seriously—very seriously indeed. Senator Colbeck has been answering questions all week. I think he's fielded every Labor question in the chamber this week. He has done his absolute best to provide the information that was sought of him. He is dealing with a very difficult challenge and a very difficult circumstance.

In Victoria—in Melbourne, I should say—there is a very significant outbreak of a terrible virus. There is a significant increase in infections, which inevitably, sadly, exposes those most vulnerable in the community the most. That sadly includes residents in aged-care facilities. Of course we all are focused on doing the absolute best we can to make sure we get on top of that very challenging and tragic situation as swiftly as possible. The minister is being accountable. We absolutely think it is appropriate in these circumstances, if the chamber seeks the attendance of a minister, for the minister to attend and for the Senate to take note in relation to the minister's explanation. That is not something we have a problem with.

We do have a problem with paragraphs (b), (c) and (d) because they seek to provide unprecedented power to Senator Wong to move without notice a motion and to have the motion dealt with without amendment. It actually says so in the motion.

**The PRESIDENT:** Senator Wong, on a point of order.

**Senator Wong:** Yes, a point of order. The Leader of the Government is misleading: it is not unprecedented; it is like a suspension of standing orders to move a motion. It is not unprecedented—

**The PRESIDENT:** Senator Wong, I'm afraid that—

Senator Cormann interjecting—

Senator Wong: Don't lie!

The PRESIDENT: Senator Wong, I ask you to withdraw that term.

Senator Wong: I withdraw.

Senator Cormann interjecting—

Senator Wong: Don't mislead; it is not—

The PRESIDENT: It is not a point of order, I'm afraid, Senator Wong. Please cease interjecting. Senator Cormann.

Senator CORMANN: I'm reading directly from the motion. Senator Wong is seeking the power to move a motion without notice relating to the explanation of the conduct of the minister. For that motion to be moved under paragraph (b) it may not be amended. If Senator Wong wants to move motions in relation to the minister she should follow the normal processes of the parliament. This is just an extension of Labor's attempts to play politics with what is a very serious issue.

The PRESIDENT: The question is—and I have separated the motion pursuant to the request of the Leader of the Opposition in the Senate—that clause (a) of motion 744 be agreed to.

Question agreed to.

The PRESIDENT: The question now is that clauses (b), (c) and (d) of motion 744 be agreed to.

The Senate divided. [15:54]

(The President—Senator Ryan)

Ayes .....25  
Noes .....25  
Majority.....0

AYES

- |               |                       |
|---------------|-----------------------|
| Ayres, T      | Bilyk, CL             |
| Carr, KJ      | Chisholm, A           |
| Farrell, D    | Faruqi, M             |
| Gallagher, KR | Green, N              |
| Griff, S      | Hanson-Young, SC      |
| Lambie, J     | Lines, S              |
| McCarthy, M   | McKim, NJ             |
| O'Neill, D    | Patrick, RL           |
| Polley, H     | Pratt, LC             |
| Sheldon, A    | Siewert, R            |
| Smith, M      | Urquhart, AE (teller) |
| Walsh, J      | Watt, M               |
| Wong, P       |                       |

NOES

- |               |                    |
|---------------|--------------------|
| Antic, A      | Birmingham, SJ     |
| Bragg, AJ     | Brockman, S        |
| Cash, MC      | Colbeck, R         |
| Cormann, M    | Davey, P           |
| Duniam, J     | Fawcett, DJ        |
| Henderson, SM | Hughes, H          |
| Hume, J       | McGrath, J         |
| McKenzie, B   | McMahon, S         |
| Molan, AJ     | Paterson, J        |
| Rennick, G    | Reynolds, L        |
| Ruston, A     | Ryan, SM           |
| Scarr, P      | Smith, DA (teller) |
| Van, D        |                    |

Question negated.

Superannuation

Senator POLLEY (Tasmania) (15:57): I move:

That the Senate notes that—

(a) COVID-19 and the associated recession should not be used to justify changes to the scheduled superannuation payment increase from 9.5% to 12% by July 2025 – too many people retire with insufficient retirement savings, and data from the Australian Bureau of Statistics does not show that an increase in superannuation leads to a decrease in wages;

(b) with superannuation withdrawals at \$32 billion, and predictions that this will reach \$42 billion by the end of the year, Australians will regard this temporary measure that is allowing early access to super as careless policy management and a complete lack of foresight;

(c) there have already been 560,000 Australians who have completely cleared out their retirement savings, with 82% of these people under the age of 35 – young people will already fare worse following this pandemic and this has aggravated the problem;

(d) females are already worse off, with women retiring with approximately 47% less super than men – this is due to higher levels of part-time and casual work and repeated career breaks; and

(e) there also needs to be a more targeted approach to reducing inequalities females face, and prevent them from retiring in poverty.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:57): I seek leave to make a short statement.

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

**Senator DUNIAM:** Early access to super, in addition to the government's \$314 billion economic response to the coronavirus, has been a lifeline for millions of Australians. Data from the ABS and from banks has shown that, overwhelmingly, those who have accessed their super have used it to pay down bills, personal loans, car loans and mortgages and to put food on the table. It's enabled families to build financial resilience during a once-in-100-years global pandemic.

**The PRESIDENT:** The question is that motion No. 725 be agreed to.

The Senate divided. [16:02]

(The President—Senator Ryan)

Ayes .....22  
 Noes .....24  
 Majority.....2

AYES

|               |                       |
|---------------|-----------------------|
| Ayres, T      | Bilyk, CL             |
| Carr, KJ      | Chisholm, A           |
| Farrell, D    | Faruqi, M             |
| Gallagher, KR | Green, N              |
| Griff, S      | Hanson-Young, SC      |
| Lines, S      | McCarthy, M           |
| McKim, NJ     | O'Neill, D            |
| Patrick, RL   | Polley, H             |
| Pratt, LC     | Sheldon, A            |
| Siewert, R    | Urquhart, AE (teller) |
| Walsh, J      | Watt, M               |

NOES

|                |                    |
|----------------|--------------------|
| Birmingham, SJ | Bragg, AJ          |
| Brockman, S    | Cash, MC           |
| Chandler, C    | Colbeck, R         |
| Cormann, M     | Davey, P           |
| Duniam, J      | Hughes, H          |
| Hume, J        | McGrath, J         |
| McKenzie, B    | McLachlan, A       |
| Molan, AJ      | Paterson, J        |
| Rennick, G     | Reynolds, L        |
| Ruston, A      | Ryan, SM           |
| Scarr, P       | Smith, DA (teller) |
| Stoker, AJ     | Van, D             |

Question negatived.

**Environment Protection and Biodiversity Conservation Act**

**Senator HANSON-YOUNG** (South Australia) (16:04): I seek leave to amend general business notice of motion No. 732 standing in my name in the terms circulated.

Leave granted.

**Senator HANSON-YOUNG:** I move the motion as amended:

(1) That the Senate notes that:

(a) the Final Report of the Independent Review of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is due to be presented to the Federal Government in October 2020; and

(b) the EPBC Act states that the Final Report of the Independent Review of the EPBC Act must be laid on the table by the Minister representing the Minister for the Environment within fifteen sitting days of the Minister receiving the report.

(2) That consideration of the proposed introduction of any government bill to amend the EPBC Act be deferred until:

(a) the next sitting day after the Final Report has been tabled.

(b) the next sitting day after the tabling of Interim National Environmental Standards that have been endorsed by the full Consultation Group being chaired by Professor Graeme Samuel.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:04): I seek leave to make a short statement.

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

**Senator DUNIAM:** This is an irresponsible motion that stands in the way of a bipartisan national cabinet decision agreed by all states and territories. Moving towards a single-touch approvals process is a key reform that will assist with economic recovery post COVID and save industry over \$426 million a year in regulatory costs by reducing duplication. The single-touch model will deliver greater certainty without reducing environmental protection.

**An honourable senator:** Oh, really?

**Senator DUNIAM:** Yes.

**The PRESIDENT:** The question is that motion No. 732 be agreed to.

The Senate divided. [16:09]

(The President—Senator Ryan)

Ayes .....23  
Noes .....23  
Majority.....0

AYES

Ayres, T  
Carr, KJ  
Farrell, D  
Gallagher, KR  
Griff, S  
Lambie, J  
McCarthy, M  
O'Neill, D  
Polley, H  
Sheldon, A  
Urquhart, AE (teller)  
Watt, M

Bilyk, CL  
Chisholm, A  
Faruqi, M  
Green, N  
Hanson-Young, SC  
Lines, S  
McKim, NJ  
Patrick, RL  
Pratt, LC  
Siewert, R  
Walsh, J

NOES

Birmingham, SJ  
Brockman, S  
Chandler, C  
Cormann, M  
Duniam, J  
Hume, J  
McKenzie, B  
Molan, AJ  
Rennick, G  
Scarr, P  
Smith, DA (teller)  
Van, D

Bragg, AJ  
Cash, MC  
Colbeck, R  
Davey, P  
Hughes, H  
McGrath, J  
McLachlan, A  
Paterson, J  
Ryan, SM  
Seselja, Z  
Stoker, AJ

PAIRS

Brown, CL  
 Ciccone, R  
 Dodson, P  
 Gallacher, AM  
 Keneally, KK  
 Kitching, K  
 McAllister, J  
 Rice, J  
 Smith, M  
 Steele-John, J  
 Sterle, G  
 Waters, LJ  
 Whish-Wilson, PS  
 Wong, P

Canavan, MJ  
 McMahon, S  
 Payne, MA  
 McDonald, S  
 Abetz, E  
 Fierravanti-Wells, C  
 Ruston, A  
 O'Sullivan, MA  
 Roberts, M  
 Hanson, P  
 Reynolds, L  
 Antic, A  
 Henderson, SM  
 Askew, W

Question negatived.

**Immigration Detention**

**Senator McKIM** (Tasmania—Deputy Leader of the Australian Greens in the Senate) (16:11): I, and also on behalf of Senator Griff, move:

That the Senate—

(a) notes that:

(i) 19 July 2020 was the seventh anniversary of the introduction of Australia's current policy of offshore detention,

(ii) on 19 July 2013, then Prime Minister Kevin Rudd announced his Government had entered into a regional resettlement arrangement with Papua New Guinea, which would reintroduce offshore processing and detention for people seeking asylum who arrived by sea, and

(iii) since this arrangement was entered into, the following 13 people who were sent to Manus Island or Nauru by Australia under its offshore detention system have died: Reza Barati (2014); Sayed Ibrahim Hussein (2014); Hamid Kehazaei (2014); Omid Masoumali (2016); Rakib Khan (2016); Kamil Hussain (2016); Faysal Ishak Ahmed (2016); Hamed Shamshiripour (2017); Rajeev Rajendran (2017); Jahingir (2017); Salim Kyawning (2018); Fariborz Karami (2018); and Sayed Mirwais Rohani (2019);

(b) expresses sincere condolences to the families and friends of these men who died while subject to Australia's offshore detention policy; and

(c) at the passing of this motion rises and spends a moment in silence to reflect on the deaths that have occurred in Australia's current offshore detention system.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:11): I seek leave to make a short statement.

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

**Senator DUNIAM:** The government cannot support Senator McKim's motion, which is just another example of the Greens abusing this chamber as a platform for cynical political stunts. Australians haven't forgotten what happened when Labor and the Greens weakened our borders. Fifty thousand people arrived on more than 800 boats. At least 1,200 lives were tragically lost at sea, and 8,000 children were detained. The Greens want to give the keys to our borders back to people smugglers, just like they did during the Rudd-Gillard-Rudd border disaster. The Morrison government will never return to the failed policies of those opposite. We will not adopt policies which will condemn vulnerable men, women and children to perilous sea voyages.

**The PRESIDENT:** The question is that motion No. 738 be agreed to.

The Senate divided. [16:14]

(The President—Senator Ryan)

Ayes .....22  
 Noes .....25  
 Majority.....3

AYES

Ayres, T  
 Carr, KJ  
 Farrell, D  
 Gallagher, KR  
 Griff, S

Bilyk, CL  
 Chisholm, A  
 Faruqi, M  
 Green, N  
 Hanson-Young, SC

## AYES

Lines, S  
McKim, NJ  
Patrick, RL  
Pratt, LC  
Siewert, R  
Walsh, J

McCarthy, M  
O'Neill, D  
Polley, H  
Sheldon, A  
Urquhart, AE (teller)  
Watt, M

## NOES

Birmingham, SJ  
Brockman, S  
Chandler, C  
Cormann, M  
Duniam, J  
Hume, J  
McGrath, J  
McLachlan, A  
Paterson, J  
Ruston, A  
Scarr, P  
Smith, DA (teller)  
Van, D

Bragg, AJ  
Cash, MC  
Colbeck, R  
Davey, P  
Hughes, H  
Lambie, J  
McKenzie, B  
Molan, AJ  
Rennick, G  
Ryan, SM  
Seselja, Z  
Stoker, AJ

Question negatived.

### Pensions and Benefits

**Senator URQUHART** (Tasmania—Opposition Whip in the Senate) (16:15): At the request of Senator Marielle Smith, I move:

That the Senate—

(a) notes that:

- (i) the Age Pension, Disability Support Pension, Carer Payment and many other social security payments will not be indexed by the Government in September,
  - (ii) the last time pensions were not indexed was almost a quarter of a century ago,
  - (iii) this will mean that pensions will be frozen for at least a year,
  - (iv) the cost of fresh fruit and vegetables has increased by over 5% in the past six months and the out-of-pocket cost of seeing a GP has increased \$11 under this Government, and
  - (v) record low interest rates are hurting pensioners with modest savings; and
- (b) calls on the Government to treat pensioners fairly, by ending the Prime Minister's pension freeze.

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

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

**Senator DUNIAM:** Pensions are indexed according to formulas set out in legislation passed by the Rudd government in 2009. The Morrison government is supporting pensioners through the coronavirus period and has already provided two one-off payments of \$750 to pensioners and is further considering the implications of unanticipated changes to price indexes.

**The PRESIDENT:** The question is that motion No. 740 be agreed to.

The Senate divided. [16:17]

(The President—Senator Ryan)

Ayes .....22  
Noes .....25  
Majority.....3

## AYES

Ayres, T  
Carr, KJ  
Farrell, D  
Gallagher, KR  
Griff, S

Bilyk, CL  
Chisholm, A  
Faruqi, M  
Green, N  
Hanson-Young, SC

AYES

Lines, S  
McKim, NJ  
Patrick, RL  
Pratt, LC  
Siewert, R  
Walsh, J

McCarthy, M  
O'Neill, D  
Polley, H  
Sheldon, A  
Urquhart, AE (teller)  
Watt, M

NOES

Birmingham, SJ  
Brockman, S  
Chandler, C  
Cormann, M  
Duniam, J  
Hume, J  
McGrath, J  
McLachlan, A  
Paterson, J  
Ruston, A  
Scarr, P  
Smith, DA (teller)  
Van, D

Bragg, AJ  
Cash, MC  
Colbeck, R  
Davey, P  
Hughes, H  
Lambie, J  
McKenzie, B  
Molan, AJ  
Rennick, G  
Ryan, SM  
Seselja, Z  
Stoker, AJ

Question negatived.

**Victoria: Forestry**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (16:19): At the request of Senator Rice, I move:

That the Senate—

(a) notes that:

(i) the Federal Court of Australia has made formal declarations of unlawful logging by VicForests in 66 forest areas under Victoria's Regional Forest Agreement,

(ii) the Bob Brown Foundation has launched a separate legal action, arguing that logging under the Tasmanian Regional Forest Agreement is unsustainable and illegal, and

(iii) handing environmental approvals to the states will make the rest of our environment subject to the same systemic failure as our forests have been suffering under the Regional Forests Agreements; and

(b) calls on the Government to:

(i) abandon the failed, flawed Regional Forest Agreements,

(ii) immediately protect all old-growth and high conservation value forests,

(iii) abandon attempts to rush through changes to environmental laws that make it easier for big miners and developers to damage our environment and wildlife, and

(iv) create an independent environmental watchdog with teeth.

**Senator GALLAGHER** (Australian Capital Territory—Manager of Opposition Business in the Senate) (16:19): I seek leave to make a short statement.

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

**Senator GALLAGHER:** The opposition won't be supporting this. The native timber industry is highly regulated. With regard to the Federal Court decision, the matter is ongoing and the Senate should allow these proceedings to continue without interference.

**The PRESIDENT:** The question is that motion No. 743 be agreed to.

The Senate divided. [16:21]

(The President—Senator Ryan)

Ayes .....4  
Noes .....31  
Majority.....27

AYES

Faruqi, M

Hanson-Young, SC

## AYES

McKim, NJ

Siewert, R (teller)

## NOES

Antic, A  
 Bilyk, CL  
 Brockman, S  
 Chandler, C  
 Colbeck, R  
 Duniam, J  
 Henderson, SM  
 Hume, J  
 McGrath, J  
 McLachlan, A  
 Molan, AJ  
 Polley, H  
 Ryan, SM  
 Seselja, Z  
 Stoker, AJ  
 Van, D

Askew, W  
 Bragg, AJ  
 Carr, KJ  
 Chisholm, A  
 Davey, P  
 Gallagher, KR  
 Hughes, H  
 Lambie, J  
 McKenzie, B  
 McMahan, S  
 Paterson, J  
 Rennick, G  
 Scarr, P  
 Smith, DA  
 Urquhart, AE (teller)

Question negatived.

## NOTICES

## Presentation

**Senators Ciccone, Polley, Farrell, O'Neill and Marielle Smith** to move on the next day of sitting:

That the Senate—

(a) recognises that members of the Shop, Distributive and Allied Employees Association (SDA) in the retail and fast food sectors have been at the forefront of service delivery during the COVID-19 pandemic;

(b) acknowledges that retail and fast food workers have:

- (i) suffered abusive behaviour from customers,
- (ii) put themselves at risk of infection just by turning up to work,
- (iii) worked inordinate hours to help provide the basic goods that Australians need to survive, and
- (iv) had their penalty rates cut by the Fair Work Commission despite their efforts;

(c) notes that:

- (i) retail workers have proven themselves truly essential during this year of disasters,
- (ii) the SDA union worked hard with the retail industry to have the 'SDA 10 Point COVID Safety Plan' implemented as an industry benchmark, and
- (iii) the SDA union worked tirelessly to promote the need for up to 14 days special paid pandemic leave for all employees – this industry wide claim was adopted in full or in part by numerous retailers; and

(d) congratulates the SDA union on securing an appropriate and well-deserved recognition payment for its thousands of members at a range of retail employers. (*general business notice of motion no. 746*)

**Senators Chandler, Dean Smith, Stoker, Antic, Molan and Paterson** to move on the next day of sitting:

That the Senate—

(a) recognises that 9 August 2020 marked the centenary anniversary of the death of Australian statesman Right Honourable Sir Samuel Walker Griffith, GCMG, PC, KC;

(b) notes that Sir Griffith had a distinguished career in public service (in politics government, and the judiciary); Sir Griffith:

- (i) was a Member of the Queensland Legislative Assembly (1872-93); Attorney-General (1874-78); Leader of the Opposition (1879-83); Colonial Secretary (1883-86); Colonial Treasurer (1887-88); and Lieutenant Governor (Queensland) (1899-1903),
- (ii) served as Queensland's Premier between 1883-88 and 1890-93,
- (iii) served as Chief Justice of the Supreme Court of Queensland between 1893-1903, and
- (iv) was Australia's first Chief Justice of the High Court (1903-19);

(c) acknowledges the significant public contribution Sir Griffith made to our nation as a key architect of the Australian Constitution, a leading proponent of federalism, an intellectual giant in the field of jurisprudence (Originalism), and drafter of the Criminal Code of Queensland, which was also largely adopted by Western Australia; and

(d) further notes that Sir Griffith's public contribution and legacy is honoured today through the Samuel Griffith Society, its membership, and their commitment to upholding and preserving the Australian Constitution and its founding principles. (*general business notice of motion no. 747*)

**Senator Rennick** to move on the next day of sitting:

That the Senate—

(a) acknowledges that:

(i) Medicare is a universal healthcare system, paid for by all Australians, from the Federal Government to healthcare providers in each state and territory in Australia, and

(ii) we are all in this battle together against COVID-19; and

(b) notes with concern reports that the Queensland Labor Government is not allowing some Australian children to use Australian hospitals that are funded by the Australian taxpayer. (*general business notice of motion no. 748*)

**Senator Hanson-Young** to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) 25 leading Australian scientists have just unanimously stated that there is no new role for gas and that 'existing and planned fossil fuel infrastructure is more than sufficient to push the world past 2°C, pushing the Paris Agreement's temperature goals well out of reach',

(ii) the Chief Scientist's response to the scientists states that he is not advocating 'an expanded role of natural gas for industry' and that 'any residual role of gas-fired generators be ultimately met by fuelling them from clean hydrogen', and

(iii) the Australian Energy Market Operator's advice on our future energy grid states that 'based on cost assumptions, new batteries are more cost-effective than gas-powered generation...when significant investment in new dispatchable capacity is needed'; and

(b) therefore urges the Government to act on the science and scrap its so-called 'gas-led recovery'. (*general business notice of motion no. 749*)

**Senator O'Neill** to move on 31 August 2020—That the Corporations Amendment (Litigation Funding) Regulations 2020, made under the Corporations Act 2001, be disallowed [F2020L00942].

**Senators Green and McAllister** to move on the next day of sitting:

That the Senate—

(a) welcomes the release of the Auditor-General's report *Referrals, Assessments and Approvals of Controlled Actions under the Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act);

(b) notes the damning findings from the Auditor-General including that:

(i) there has been a 510% increase in the average delays for approval decisions since the Liberals and Nationals were elected (between 2014-15 and 2018-19),

(ii) 79% of approvals assessed were non-compliant or contained errors,

(iii) in 2018-19, 95% of key decisions (referral, assessment method, approval), were made outside the statutory time frames,

(iv) conflicts of interest are not managed,

(v) reporting arrangements are not consistent with the EPBC Act, and

(vi) environmental outcomes are not being monitored;

(c) further notes that government cuts and mismanagement (Liberal Party blue-tape) is at the heart of job and investment delays, poor quality decisions and legal challenges; and

(d) calls on the Government to stop tying-up projects and strangling the environment with Liberal Party blue-tape, which is delaying jobs and investment, putting a handbrake on our economy, failing to protect iconic Australian species like the koala, and allowing the state of our natural environment to rapidly decline. (*general business notice of motion no. 750*)

**Senator Ayres** to move on 31 August 2020:

That the Senate—

(a) notes that:

(i) 6 and 9 August 2020 marked, respectively, the 75th anniversary of the atomic bombings of Hiroshima and Nagasaki,

(ii) 2020 also marks the 50th anniversary of the coming into force of the Nuclear Non-Proliferation Treaty, and

(iii) since 2017, 81 countries have signed and 38 have ratified the United Nations Treaty on the Prohibition of Nuclear Weapons;

(b) notes with concern:

(i) recent developments that weaken the international system of weapons monitoring, and undermine agreements to prevent nuclear proliferation and testing, and

(ii) that a 2019 report by the United Kingdom Parliamentary Committee on International Relations warns the risk of nuclear conflict is as great as it was during the height of the Cold War; and

(c) calls on the Australian Government to:

(i) express concern that the:

(A) multilateral framework for achieving nuclear disarmament and for minimising the risk of nuclear conflict is under threat, and

(B) United States may allow the Strategic Arms Reduction Treaty agreement to expire, and has abandoned the Intermediate Nuclear Forces treaty, and

(ii) deploy Australia's diplomatic resources to play an increased role in global efforts to build regional and international cooperation, resist further proliferation of nuclear weapons and promote their ultimate elimination. (*general business notice of motion no. 751*)

**Senators O'Neill, McCarthy, Urquhart and Bilyk** to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) the Government's unlawful 'Robodebt' scheme has:

(A) caused hardship for working Australians who paid faulty debts,

(B) had consequences for mental health including being linked to suicide,

(C) negatively impacted people's credit ratings, and

(D) created a 'climate of fear' among ordinary Australians,

(ii) despite four years of warnings, the Government failed to address the fundamental flaws of 'Robodebt',

(iii) the Government has admitted that 'Robodebt' was unlawful,

(iv) the 'Robodebt' scheme has likely cost more to implement than was recouped through stand-over tactics, debt collectors and tax returns,

(v) the current Prime Minister and Attorney-General were involved in 'Robodebt's' design and implementation as the Treasurer and Social Services Minister,

(vi) the Government has attempted to cover up the 'Robodebt' scandal through a public interest immunity claim in the Senate and the Federal Court,

(vii) it is in the public interest to uncover the circumstances under which a government unlawfully took money from its own people, and

(viii) a Royal Commission is the only forum with the coercive powers and broad jurisdiction necessary to properly perform this investigation; and

(b) calls on the Government to immediately establish a Royal Commission into 'Robodebt'. (*general business notice of motion no. 752*)

**Senators McCarthy and Dodson** to move on 31 August 2020:

That the Senate:

(a) notes the resolution of 8 October 1992 relating to the display of the Australian flag in the Senate chamber;

(b) resolves that, consistent with its previous resolution, the Aboriginal flag and the Torres Strait Islander flag be displayed alongside the Australian flag in the Senate chamber; and

(c) directs that the flags be installed within three weeks after the passage of this resolution. (*general business notice of motion no. 753*)

**Senators Whish-Wilson and Siewert** to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) each year the Australian Government releases areas in Australian waters for oil and gas exploration,

(ii) the 2020 Offshore Petroleum Exploration Acreage Release was announced on 26 August 2020 by the Honourable Keith Pitt MP, Minister for Resources, Water and Northern Australia,

(iii) new areas have been released in Victoria, Western Australia and the Northern Territory, and

(iv) a number of areas across Australia have already been opened or proposed for oil and gas exploration including the World Heritage listed Ningaloo Reef, the Great Australian Bight, the New South Wales coast under Petroleum Exploration Permit 11 (PEP11), the Otway Basin and Lakes Entrance in Victoria and Tasmania's King Island;

(b) acknowledges that:

- (i) seismic exploration and drilling pose a risk to our oceans,
- (ii) further research into the impacts of oil and gas exploration on marine life and ecosystems needs to be conducted,
- (iii) the New Zealand Government will no longer issue new offshore oil and gas exploration permits, and
- (iv) in a time of climate emergency, there is a need to transition to clean energy; and

(c) calls on the Federal Government to ban all new offshore oil and gas exploration. (*general business notice of motion no. 754*)

**Senator Duniam** to move on the next day of sitting—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Coronavirus Economic Response Package (Jobkeeper Payments) Amendment Bill 2020, allowing it to be considered during this period of sittings.

**Senator Keneally** to move on the next day of sitting—That the Senate notes that the Morrison Government has neglected Australians in aged care by ignoring the warnings from COVID-19 outbreaks in the northern hemisphere, at Dorothy Henderson Lodge, and at Newmarch House, resulting in unnecessary deaths. (*general business notice of motion no. 755*)

## BUSINESS

### Leave of Absence

**Senator DEAN SMITH** (Western Australia—Government Whip in the Senate) (16:24): by leave—I move: That Senator Canavan be granted leave of absence for 26 August 2020, for personal reasons.

Question agreed to.

## MATTERS OF PUBLIC IMPORTANCE

### COVID-19: Aged Care

**The ACTING DEPUTY PRESIDENT (Senator Brockman)** (16:24): I inform the Senate that at 8.30 am today 15 proposals were received in accordance with standing order 75. The question of which proposal would be submitted to the Senate was determined by lot. As a result, I inform the Senate the following letter was received from Senator Bilyk:

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

The Morrison Government's failure to act in response to the Aged Care Royal Commission's Interim Report entitled 'Neglect' and the warnings from COVID-19 outbreaks in the Northern hemisphere, at Dorothy Henderson Lodge, at Newmarch House, resulting in the tragic and unnecessary deaths of 335 Australians in aged care.

Is the proposal supported?

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

**The ACTING DEPUTY PRESIDENT:** I understand that informal arrangements have been made to allocate specific times to each of the speakers in today's debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

**Senator BILYK** (Tasmania) (16:25): I'm pleased to speak today on my MPI. We've seen the disastrous outcomes of an aged-care system in crisis. Sadly, so far COVID-19 has taken the lives of 335 Australians in aged care—loving fathers and mothers, grand mothers and grandfathers, aunts and uncles and dear friends who should have had more time with their families.

We have to remember that the current government has been in power for seven years. It's a third-term Liberal-National government. The world has known about COVID-19 since the beginning of the year, with reports emerging very early this year of outbreaks in aged-care facilities in Europe with high death tolls. We were warned. The signs were there. Yet the Morrison government failed to act. The aged-care royal commission has confirmed Mr Morrison had no workable plan to protect vulnerable older Australians in nursing homes from COVID-19. Then, when the government did say they had a plan, what did they do? They just renamed the CDNA. All spin, no substance, no responsibility on that side. We're seeing now the tragic impact of this failure. I have to say that Mr Morrison's attempts to deflect blame are an affront to older Australians and their loved ones. What hubris made the government think that these scenarios that have occurred around the world could not or would not happen here?

I would like to take this opportunity to thank my Tasmanian colleague Ms Julie Collins, the member for Franklin and the shadow minister for ageing, for her tireless work in holding the government to account for these

abysmal failures. Ms Collins has continued to highlight the government's failure to act not just during the current crisis but through the crisis in aged care over the last seven years.

Whenever the government cops criticism on aged care, what do they do? They commission a report and then they ignore the report's recommendations. In all the reports into aged care gathering dust, there are a total of 150 recommendations which the government has failed to act on. Aged care was already in crisis before the pandemic struck, and the government's failures leading up to the COVID-19 outbreak have exacerbated the problem. This is what the aged care royal commissioners said:

Had the Australian Government acted upon previous reviews of aged care, the persistent problems in aged care would have been known much earlier and the suffering of many people could have been avoided.

I suspect that everyone else in this place, like me, has had numerous calls to their offices from constituents who cannot get the support they need; calls from people who are waiting to receive home care packages months or years after they've been approved for them; calls from people concerned about the health of their loved ones in residential aged care because they're being chemically restrained; calls from someone whose husband, wife, mother or father has had a fall or who has soiled themselves and has gone for hours unattended.

Despite aged care clients at home or in residential care struggling to get the care they deserve, many providers are operating at a financial loss. I know our aged-care workers and the providers they work for are doing the best with the resources they have, but they are working in an underfunded, under-resourced sector that has been neglected by this government for the past seven years. If aged care was already in crisis before the pandemic, and those opposite failed to plan for the pandemic, how can aged-care providers possibly be expected to manage the additional costs and logistical challenges presented by COVID-19?

The simple answer is that they can't, and hundreds of residents are suffering and dying because of it. Labor is pursuing this issue because we owe it to residents of Australian aged-care facilities and their families to demand the answers they seek. My heart goes out to the families who have lost members in residential aged-care facilities, and I would like to pay my condolences to all those who have lost loved ones due to this pandemic. Not getting consistent news about their loved ones in a timely manner and not being able to hold them and say a proper goodbye has just added another layer of pain and grief to an already deeply painful experience. I once again reiterate the condolences I offered during the debate on the urgency motion yesterday as well as today to the families for their tragic loss. (*Time expired*)

**Senator STOKER** (Queensland) (16:30): It's always wonderful to hear from Senator Bilyk, because she is genuinely one of the big hearts of this place—and I mean that quite sincerely. But when it comes to this subject, I'm afraid she's operating with her heart only and not with her head, because the facts just don't support the arguments she has made to the chamber this afternoon.

**Senator Bilyk:** Take a look at the budget papers!

**Senator STOKER:** I'll take that interjection from Senator Bilyk. She says, 'Take a look at the budget papers.' Well, do you know what? I would love to take this chamber to the spending that has gone on under this government in the aged-care space. The Leader of the Opposition said in the other place today—and members of this chamber have been repeating the misleading comment—that we have been cutting funding to aged care in the time we've been in government. They say it over and over again, as though to repeat a lie often enough makes it true. But it simply doesn't work that way. And if you don't believe me, if you want to say, 'Okay, well, she's partisan; she's part of the coalition; she's got a vested interest here'—don't listen to me; that's okay. Listen to a group that is, let's face it, no friend of the coalition: the ABC.

*Senator Seselja interjecting—*

**Senator STOKER:** Senator Seselja's right. On most topics and at most opportunities the ABC takes every opportunity it gets to criticise the coalition. Yet one article—which was, granted, from November 2018—was a Fact Check: 'Did the government cut \$1.2 billion from aged-care funding?' Well, there's a big old red X here, and the word 'misleading'—it just isn't true. Today they've doubled down on that and said, 'No, no, no: it's not \$1.2 billion; it's \$1.7 billion.' Well, I can tell you, if we didn't cut \$1.2 billion in 2018, we certainly didn't cut \$1.7 billion in 2020.

They are operating in a fantasy land where numbers can be plucked from the air and cast about with no correlation to reality whatsoever. So, let's do something of a fact check, because we know what's being said by those opposite doesn't bear much correlation to fact; the very ABC tells us that. Let's go to some facts. Total aged-care spending under Labor was \$13.3 billion per year when they left office. Compare that with this year: under the coalition, \$22.6 billion. Now, that doesn't sound like a cut to me, but hey, let's make an adjustment. Time's passed; there's been inflation. Let's assume there's been inflation. It's still an enormous increase. And here is the kicker: in 2022-23 that figure continues to increase, rising to \$25.44 billion a year. That's not a cut. That's nothing even

close to a cut. So, I'd implore those opposite to either look at the numbers or reacquaint themselves with their fidelity to the facts, because they are a long way off in what they're presenting to the chamber.

How about this for another fact check? Every year, under the coalition, the number of home care packages has increased. The number of residential care places has increased. And, as I have mentioned, every year aged-care funding has increased. It's a record investment over the forward estimates. It has never been higher than this, and, when you add to that an additional \$3 billion to go to an extra 50,000 additional packages since the 2018-2019 budget, things are nothing like what's being painted by those opposite. I'm loath to spend my precious time just labouring numbers, because sometimes people can glaze over when the numbers are just so big, but I'll finish with this important figure on the funding and resourcing front. As at March 2020, 151,958 people had access to a home care package. That was an increase of 36 per cent on the year before—36 per cent better than we did the year before. Don't compare us against Labor's terrible underperformance; compare us to how we performed last year, because every year—every day, every week, every month—we are trying to do this better.

That is because we recognise something that is quite serious in the future of this country: we have an ageing population. We owe it to our parents, our grandparents and, if we're blessed enough to still have them, our great-grandparents to give them the very best life possible in their later years. As their care needs increase and as health complications increase, we know that many families often need help. Of course it's always better when people can be in their homes or be cared for by their loved ones, but the demand on aged care has never been higher, because of the combination of an ageing population and changes in the way that families are structured. Oftentimes, we don't have our elders living together with a broader extended family in the way that people might have done in the past, meaning there is a need for more of this kind of help. But, for all of the difficulties that come with providing a high level of service to a group of people in our community that have high needs, 98.5 per cent of senior Australians who are waiting for a package at their assessed level have been offered support by the Commonwealth, as at 31 March this year. It's not perfection, sure. Are there still problems from time to time and hiccups that have real-life consequences for individuals and their families? Sure. But all of those numbers tell us an important story, taken together, and that is that this coalition government has a commitment to aged care and a commitment to its continual improvement, and that we are prepared to back that ambition with the resources that are necessary. So I'm loath to allow those opposite to continue this narrative of crisis, when there are so many glimmers that should encourage us when it comes to the aged-care sector.

There is plenty we can also do to take encouragement from the way Australia is performing during this COVID-19 outbreak, as compared to other nations facing similar challenges. While every person lost is a blow and every family's grief matters, sometimes the statistics that are cited by those opposite are in fact a measure of—when taken as a whole—relatively good management of a difficult situation. I'll explain it this way. When those opposite cite figures that suggest a relatively high proportion of the number of people who pass away with COVID-19 come from the residential aged-care sector, that doesn't tell us that residential aged-care homes are doing particularly terribly. In fact, by international comparisons, they are doing really very well, and I'm sure that some of my colleagues will take you through those statistics in their addresses to the chamber shortly. What it tells us, though, is that our ability to keep COVID-19 deaths low in the broader community has really been very successful. So when you consider the relatively low number of deaths in our broader community, it makes the number of people who have passed in aged care seem disproportionately high, when, in fact, it should be a measure not of failure in the aged-care sector—though we acknowledge that every life matters—but rather as a measure of success in the broader community.

There are plenty of measures you can look at to satisfy yourself that we are doing rather well, broadly speaking, when compared to other countries. Australia's death rate per million people in aged care is surprisingly low given the tone of the debate in this place over the last two days. Indeed, our figures for the broader community are remarkably low, too. We've got a lot to be proud of. We've got a lot to grieve during this difficult time. But we are doing everything that's necessary to give aged-care residents the dignity they deserve. (*Time expired*)

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (16:40): I rise to speak to this motion on aged care and on the unimplemented recommendations from a number of reports over the years. Both the government and aged-care providers had in fact ample opportunities and warnings about the devastating impact of COVID-19 and the impact it could particularly have on residential aged-care facilities. As we have discussed in here before, there were examples from Spain, Canada and the United States. Despite these warnings, the government failed to put in place adequate preventive measures to stop the entry and spread of COVID-19 in aged-care facilities. They failed to learn from the examples here in Australia. They failed to show the leadership and action that was needed.

I would like to touch on, for example, one facility that we've heard about in the media, which is in Pinjarra Hills in Brisbane, which demonstrated that COVID-19 spreading through facilities is not inevitable. In July, a

staff member from this facility in Pinjarra Hills tested positive for COVID-19. After identifying that they had been at a number of high-risk sites, the staff member sought to test immediately. But the facility managed to squash a potential fatal outbreak through their strong primary and secondary preventive measures. Bolton Clarke, the provider that runs this facility, started preparing facilities for potential outbreaks back in February and March this year. They created the enhanced resident protection measures manual, which included 31 different measures focused on preventing the entry and spread of COVID-19 in aged-care facilities. They implemented screening for staff and visitors back in March. They organised low-risk transport for staff who were previously relying on high-risk transportation. Critically, they put in place practices around cohorting staff and residents early on. Staff were cohorted into specific wings within each facility to prevent mixing of staff and residents across the sites. They also implemented surge staffing, where in high-transmission sites staff surged by 130 per cent on pre-pandemic levels. Where staff surging was not available, staff were required to wear full PPE when they moved outside their home wing within the facility. The combination of these preventive measures and preparedness allowed Pinjarra Hills to avoid a deadly outbreak of COVID-19. The infection was brought under control quickly and no other staff or residents tested positive for COVID-19.

As their CEO said on Radio National Breakfast:

There has been a focus in recent months on ... preparation for outbreak once COVID comes into an aged-care service. From our perspective, that's not sufficient. By the time the service goes positive, it's too late. So we need to get upstream. We need to identify what are those factors. What's the chain of transmission?

Outbreak measures are too late. Older Australians shouldn't have to suffer because the government is focused on outbreak measures instead of preventive measures. It is just not fair. If one provider understood the risks and did their homework back in February and March, why weren't other providers stepping up? But, more importantly, why weren't the government driving that? Instead of doing self-assessment, why weren't they in there auditing them all and making sure they were prepared for an outbreak and not treating it as inevitable, which is what the minister in his answers to both questions in the COVID committee and repeated questions here in the Senate keeps saying?

They've acted as if it were inevitable. It's not inevitable! This evidence shows it's not inevitable. The measures that this provider put in place are not rocket science: screening and cohorting workers; wearing PPE—not providing additional PPE once you have an outbreak in a facility; and cleaning high-touch spots. Those things result in good infection and prevention controls.

It's time to ask who is bearing the brunt of these failures. Older Australians are suffering and dying alone due to these failures. It's time we changed our approach. Do not rely on, 'It's inevitable that this is going to happen.' It's not inevitable. There are things that we can do. Of course we need to act to prevent more outbreaks in Victoria, but we need to act now to stop outbreaks around this country. Get ahead of the game: put preventative measures in place. (*Time expired*)

**Senator URQUHART** (Tasmania—Opposition Whip in the Senate) (16:45): We are witnessing the appalling failure of this government to protect our most vulnerable in a pandemic. Older Australians in care and those who love them and care for them are reduced to living in fear. The Morrison government has clearly failed to act in response to the aged-care royal commission's interim report, tellingly titled *Neglect*, and the warnings from COVID-19 outbreaks in the northern hemisphere and at Dorothy Henderson Lodge and Newmarch House, resulting in the tragic and unnecessary deaths of 335 Australians in aged care.

This country has agreed that older Australians in care have specific rights, and I note here just some of the rights set out in the Charter of Aged Care Rights:

1. safe and high quality care and services;
2. be treated with dignity and respect;
3. have my identity, culture and diversity valued and supported;
4. live without abuse and neglect;
5. be informed about my care and services in a way I understand; ...

And that's not even the full list. How can we possibly have any faith or confidence in a government so negligent in its responsibilities and with so little respect for these rights? How does a system that unravels to the extent that an older Australian in aged care is found in a soiled bed, unfed, unwashed, with their wounds untended and with ants crawling on their body in any way—in any way!—reflect a respect for these basic, basic rights? How does leaving our vulnerable older Australians unable to communicate with family for days on end show respect for their rights? How does leaving them uninformed, afraid and isolated demonstrate any level of respect at all? How does knowingly letting aged-care facilities experience critical staff shortages because of a pandemic demonstrate respect for the rights of the residents?

It's time for the Prime Minister and his Minister for Aged Care and Senior Australians to be honest. They knew about the potential for a disastrous withdrawal of staff because of coronavirus but they did not do enough to prepare for this. Evidence to the aged-care royal commission shows that Dorothy Henderson Lodge and Newmarch House lost most of their workforces within hours or days of an outbreak, months before the Victorian outbreaks. Yet Mr Morrison said on 29 July, 'The events which have tragically occurred in Victorian aged-care homes could not have been anticipated or foreshadowed.'

But his government was repeatedly warned that it could happen. We are left shocked and questioning: why did Prime Minister Morrison and Minister Colbeck not have a proper plan to deal with the loss of workforce in aged-care homes? Why has this government grandly and publicly claimed that it has established a surge workforce for aged care when closer examination reveals that it has spent just half of the money it set aside for this workforce which was meant to assist aged-care homes impacted by coronavirus? This is completely unacceptable. The whole point of having a responsibility is to be ready when the worst happens: natural disasters, pandemics or catastrophic episodes where governments step up and lead.

What do we have? A government that squibs and shirks and puts out media releases and makes grand statements. But when we look at the substance of what they've done, it is too little and it is far, far too late. The minister for aged care seems to think that community transmission of the virus responsible for COVID-19 somehow relieves him of responsibility for his ministry. Yesterday in this chamber he said:

Unfortunately, in Victoria, where we have uncontrolled community spread, the virus has inevitably got into residential aged care. That is what happens.

'Unfortunately'? 'Inevitably'? I don't think so. I offer to finish that last sentence for Senator Colbeck. It goes like this: 'This is what happens when you don't have a plan, when either you aren't perceptive enough to look up the definition of the word "pandemic" or you don't have a grasp of the faith and responsibility that has been bestowed upon you by the Australian people.' That's how I would end that sentence.

What is unfolding across the aged-care system is extremely tragic and very sad, and my heartfelt condolences go out to all those who have lost loved ones. But the saddest thing is that this has always been preventable. The structural flaws in the aged-care sector were well known prior to this pandemic, and the government's response should have taken them into account. The sector abounds with committed, caring people who are working hard, stressed beyond belief and trying desperately to do their jobs with limited training, limited funds, too many residents to care for at one time, inadequate PPE and inadequate training. They are workers with no sick leave and no job security who are on ludicrously low wages for the level of skill and responsibility required—workers who themselves live in constant fear that it might be them who inadvertently bring the virus into their workplace or home to their families.

These workers and the residents they care for deserve better. They deserve reassurance that someone has got their back and that, if they can't go to work because they feel unwell, there is someone else who can step up and step in to wash and feed and tend to and care for the elderly residents in their workplace. They do not have that reassurance. Residents and their loved ones should be able to have the confidence to know that their rights will be respected, that they will receive quality care and that their voices will be heard and their dignity maintained. They do not have this confidence.

So we are left with the trauma and the wreckage of a system where everyone now lives in fear: the residents and their loved ones and the workers. At the recent aged-care royal commission three-day hearing, Peter Rozen QC concluded the hearing by saying:

... none of the problems that have been associated with the response of the aged care sector to COVID-19 was unforeseeable.

... ..

Tragically, not all that could be done was done.

He reiterated that the Morrison government didn't have a plan for aged care.

Pandemics and natural disasters by their very nature create terrible fear in the community. The government's job is to do all in its power to allay that fear by acting, by doing, by leading, by having a plan, by spending the money, by working co-operatively and by being ready to stand by the states, the aged-care workers, the families of residents and the residents themselves as they face this awful scourge. They don't allay fear by quibbling about states' responsibilities, by shirking responsibility, by not mobilising resources and training in a timely fashion, by turning a blind eye to the harsh reality of insecure work, by failing to address staff ratios and by asserting that disastrous outcomes are inevitable and unfortunate.

We're all frightened and we're all on the front line when it comes to fighting this pandemic, none more so than our aged-care community. This government's abrogation of its responsibility has left that community without the weapons that they need to adequately face this battle. It has left them vulnerable and afraid, and that is a

disgrace—an utter disgrace. The woeful neglect of our elderly Australians demonstrated by this government time and time again should cause the minister for aged care, the Prime Minister and all members of the government to hang their heads in shame. Many, many Australians in aged care are fearful and distressed, while those who love them are frightened and feel powerless. Many others weep for their dead.

**Senator ANTIC** (South Australia) (16:55): The Morrison government's priority is of course the safety of the public. Along with that goes the safety of aged-care residents and the quality of care that's provided to the same. The effects of this pandemic have been serious and they have been tragic. I think we all acknowledge that this crisis has been well managed by this government but the loss of life is tragic. So I'd like to commence by taking the opportunity to express my sympathy to the families and the loved ones of those who've tragically lost their lives in the past six months. It goes without saying, of course, that every death is a tragedy. But it goes deeper than that: many other Australians are doing it tough in isolation, they're struggling financially or they're just struggling with the realities of the world in which they now find themselves.

For these reasons it strikes me as being simply extraordinary that anyone, or any one group of people, would try to politicise a situation like this. Over the last week in particular, the attempts by the ALP to play politics with the memory of people's lives have been as staggering as they have been shameful. Drawing more deeply into the equation, you can understand why it is that those opposite would seek to behave in this way. We know that those opposite are hopelessly divided and devoid of a coherent agenda. While we on this side of the chamber seek to get on with the business of fighting the virus, delivering an economic lifeline to Australians, reopening the economy, building confidence and momentum in the economy and guaranteeing Australia's national security, those on the other side are busy fighting amongst themselves and failing to learn the lessons of elections past.

What do I mean by that? I'm glad you asked, Madam Acting Deputy President, because only this week we've seen two examples of that which I've outlined. The first was the news this week of the extraordinarily named Labor Environment Action Network, or LEAN as it's been called. I believe it's a campaign in Victoria that asks people to throw away their gas-powered household appliances. It doesn't strike me as being a very good policy for the elderly, in the middle of one of the coldest winters we've seen, from the side of politics that is claiming to be the friends of the elderly.

Then we've got Mark Butler, from my home state of South Australia, and Joel Fitzgibbon going toe to toe on Labor's energy policy. What does it show? It shows they're hopelessly divided and looking for a distraction.

Yesterday we heard allegations of leaking to the press—can you believe it, Madam Acting Deputy President?—by members of this chamber. It was reported on Sky News that Labor Senators O'Neill and Keneally had what was described as a 'tense altercation' on Monday at some point. I didn't hear it, but it was somewhere over your left shoulder, Madam Acting Deputy President, and it all related to Ms O'Neill's entitlements. She reportedly was accused of leaking stories about entitlements and visits to Tasmania when they met in the corridor outside this very chamber. Once again, those opposite are hopelessly divided and devoid of an agenda.

It's not surprising at all that those opposite are trying to run lines against the government, and it's not surprising at all that they're trying to distract from their own hopeless and divided opposition. But, to put a bit of a positive spin on this, Australia is, of course, facing an extraordinary health challenge, and it's unfortunate that, in circumstances where there are large clusters of transmission in the community, it is very, very hard to keep the virus out of aged-care facilities. We know that. That's a simple fact. Those opposite love to preach the politics of evidence based policy, but they like to choose the evidence based on their own agenda. So these are some real facts that will assist those opposite to understand the very real facet of what is actually happening here.

The Morrison government is committed to providing an unlimited amount of surge workforce in facilities that have had an outbreak. In fact, Commonwealth funded surge staff have been deployed across to Victorian aged-care services to date. ADF personnel are onsite in many residential facilities, with additional ADF clinical reserve staff available for deployment.

I think it's instructive to run a fact check. I know those opposite love a fact check. In fact, the one fact check they love the most is an ABC fact check. So I'm going to do one similar to that, except this one is going to be based in real facts, not partisan facts like we see on our national broadcaster. These are real facts. No country has been able to avoid an outbreak, as I said earlier, in residential care when there has been widespread community transmission of the virus. In fact, Australia's total death rate as a proportion of cases is 2.1 per cent. Once again, it's instructive to understand what that means in real terms. If we compare that to the United Kingdom's figures, they have a rate of 13.1 per cent. My maths has never been great, but that is significantly higher.

*Senator Polley interjecting—*

**Senator ANTIC:** I say this for the benefit of Senator Polley who seems to need it reiterated. In any event, it's also instructive to point out that 3.2 per cent in the United States is also higher than here. This is a non-ABC fact check; this is a real fact check.

Total aged-care spending under Labor when they left office was \$13.3 billion compared to \$22.6 billion this year under the coalition.

*Senator Molan interjecting—*

**Senator ANTIC:** Once again, Senator Molan, my maths is not outstanding, but it seems to me to be a largely superior sum and a largely inflated sum. But, also, that is going to rise to \$25.4 billion in 2022-23. We will see an extra \$1.2 billion of support. Only those opposite could call a \$1 billion a year increase a cut—extraordinary stuff. By the way, this is the same party across the way here which planned for \$387 billion in new taxes at the election but, notwithstanding that enormous tax grab, had no plan for additional funding for home care, aged care or mainstream residential care—extraordinary stuff. So, when it comes to policy, the ALP—those opposite—are hypocritical. When it comes to aged care, those opposite are hypocritical. Every year under the coalition government, these sectors have increased their funding.

Work continues to progress under the leadership of the Aged Care Workforce Industry Council—the ACWIC—which was formed in May last year under this coalition government. Additionally, this government continues to improve vocational educational training with the Aged Services Industry Reference Committee by designing new VET qualifications for aged-care workers. And then there is the Serious Incident Response Scheme. The Australian government is investing \$23 million to introduce this scheme for residential aged care from 1 July 2021.

There are so many different funding schemes here that I could talk to you about. I won't have time. But we are conducting a fact check, and I love facts. I know those opposite love facts as well, so I'm going to continue to roll through them. These are achievements of this coalition government since the calling of the royal commission: this government has invested \$3 billion since the 2018-19 budget into home care packages, released 14,275 new residential care places—including 13,500 residential places and 773 short-term restorative care places—and invested \$21.9 million for My Aged Care operating costs. The list goes on. I could continue, and I will continue. In fact, this government has established \$17.1 million in the Specialist Dementia Care Program and \$21 million in 13 research projects that will focus on risk reduction, prevention and tracking of dementia. Dementia is Australia's second leading cause of death.

This is not information that fits the narrative being run by those opposite; in fact, this is information that shows very clearly that those opposite are simply attempting to distract the Australian people from their own disunity and lack of a policy agenda. The Morrison government in the meantime, as is evidenced by this fact check, is getting on with the job of protecting Australians and protecting the aged.

**Senator ROBERTS (Queensland) (17:05):** As a servant to the people of Queensland and Australia, I want to thank all of our frontline healthcare and aged-care workers. The Newmarch House review, undertaken by Professor Gilbert, provides a clear example of the challenges faced by many aged-care facilities as they tried to contain the coronavirus outbreak. It also demonstrates the lack of planning and preparation, at all levels of government, for our healthcare system to face a pandemic. Simple things like casuals working across multiple facilities were missed as a key risk. Then there seems to have been a decision to block aged-care COVID patients from our hospitals, to set aside the intensive care unit beds, clearly, for younger, fitter Australians. It's time the state health systems told us why they discriminated against the aged. Our older Australians worked and paid their taxes for many decades, so why are they now treated as second-class citizens? Maybe the state and federal governments don't care about the aged as One Nation does.

The Morrison government have proven they are better at patching holes on the run than they are at forward planning and solutions. COVID-19 and the aged-care royal commission have proven this. We expect that all of our governments can and should work together, but they are all out for what they can get; that is quite clear. The result is that nobody is looking after our physical health, our mental health and our economic health. We have a state Premier in Queensland who has handed over running of the state to the Chief Health Officer. The Chief Health Officer has admitted that she has only one goal, which is to protect the physical health of Queenslanders. So our state is now being run into the ground, with no-one looking after economic health and mental health. That's abdication of a Premier; we're looking for a Premier in this state.

I remind the federal government of the low level of support provided to recipients of home-care packages. It's about time the minister and this government got their act together and respected older Australians. Both the Morrison government and the Queensland government need to step up and demonstrate leadership. They need to

show us the data and the plan covering all aspects of managing our way out of this pandemic and the resulting recession and, in the process, ensuring the security of our aged Australians.

I'd like to continue by reiterating the comments of the President on Monday when he opened the Senate with a statement:

In the case of Tasmania the correspondence from the State Controller outlines consideration of exemption from the quarantine requirements on a case-by-case basis. This claimed discretion is particularly problematic on the grounds of differential treatment of members of the executive in the first instance and lack of transparency around the equality of treatment of senators in the second instance.

I echo those comments. I support the Senate President for saying that. What we've seen from state governments is a desire to control people, particularly in Queensland and Victoria. They hide the data—and the Prime Minister is guilty of this too. I wrote a letter to Premier Palaszczuk requesting the data on which she had built her plan for the state. In her reply she pointed to two sources. We checked both. There's no data justifying the plan she has put in place or the actions she has taken.

In comparison with Australia, in Taiwan they share their data with their people; they share their plans with the people. The leaders trust the people. They don't hide the data, and the people trust the leaders as a result. In the same time that in Australia we've had over 530 deaths from coronavirus, Taiwan has had seven. The figures get even more startling: they have a similar population to ours, 24 million versus our 25; they have a higher density population, so easier transmission of the disease; and they had earlier and closer exposure to the virus as a result of communist China being so near. What we've seen, though, is that by focusing on security and doing a good job Taiwan has isolated the sick and the vulnerable and allowed the rest of its people to go to work under conditions for which people take responsibility. That trust and that ability for people to be free to go about their work and leisure has resulted in Taiwan having an economy that has not hit a bump at all and that is thriving. What we need to do in Australia is start sharing data from the people with the people, not hide data from the people, and provide solid leaders that the people can trust.

**Senator POLLEY** (Tasmania) (17:10): In this debate today the most important thing that we have to remember is that we are talking about some of the most vulnerable older Australians in this country. There have been 335 deaths in aged-care facilities in Victoria and in the last 24 hours there have been an additional 24 deaths, of which 21 have been linked to aged-care homes. These are the very stark figures.

We already know that the Morrison government don't like accountability, they don't like transparency and they're not capable of having a competent minister for aged care who actually understands the sector and is prepared to develop a plan with the sector to ensure that vulnerable older Australians are safe. After seven years of Liberal governments and four failed ministers, we've seen Mr Morrison call a royal commission into his own Liberal government's failings. The interim report has been brought down, and there might be warning bells, with 'Neglect' in the title, that there is a real crisis in the aged-care sector.

We have some fantastic staff and some very good homes, but we know they're under pressure. And what have we seen? We've seen nothing but evidence day after day, week after week, being provided to the royal commission demonstrating very clearly that the government has no plan. They were warned in March of the issues that the aged-care sector were confronting in ensuring that they were able to provide the care, had the skills, training of their staff and had adequate resourcing to ensure that their residents were going to be cared for and looked after. But what have we got? We've still got a situation where even one of the commissioners, Commissioner Pagone, has already acknowledged that this sector is not ready to deal with COVID-19.

Again, we've seen a display of government senators coming in, saying, 'Oh, this is just the Labor Party. All they're doing is trying to make political points.' Well, if that's what you call caring about older Australians—and Senator Antic mentioned people with dementia; well, I've not heard the minister for aged care or the Prime Minister talk about those people who are living with dementia and how they are particularly being cared for in aged-care homes. We know that dementia is the second leading cause of death in this country, but we haven't seen any real action.

We've had the minister come into this place day after day. We've seen Mr Morrison in the other place trying to deflect blame onto the Premier of Victoria and blame everyone else, because: 'I'm all spin, smoke and mirrors—nothing to do with me. All we do is fund it, but we're not going to take any responsibility.' Well, you might continue to talk that sort of nonsense, but I can assure you: the Australian people see through you all. They know, because it's their parents, their grandparents, their aunts, their uncles and their loved ones who have been dying because this government failed to take all the warnings, all the advice, given to them directly by the sector, the unions and this side of the chamber that they have failed. And instead of the minister acknowledging the mistakes and coming into this place with a real plan to restore the confidence of the sectors, the confidence of the workers

and the confidence of the Australian people, we've seen nothing at all. And the people who are suffering most are those who are residing in residential care.

This virus has always been acknowledged as being very contagious and, yes, we do have to learn to live with it. But in doing so, you have to have a plan in place. You have to make sure you have in place the most stringent training, skills and preparedness for those people caring for older Australians. That's your role as a minister. That's your role as the Prime Minister. The Prime Minister made a commitment to the Australian people at election time that he was going to make older Australians his No. 1 priority. Well, if this is how he prioritises, if this is his government's performance, if this is his minister's commitment, then God help us. God help us if you are ranked further down the list of his priorities. It's actually a national disgrace— (*Time expired*)

**Senator MOLAN** (New South Wales) (17:15): I rise to speak on aged care. I guess what we've seen over the last couple of days is a very clever mathematical game—a game which was aimed to catch people out and a game which was really a disgrace to those who suffered. We know who has suffered. I certainly extend my deepest sympathy, as I have done before in the Senate, only an hour or so ago. I acknowledge the incredible work those working in the aged-care sector have done for the people that they care for. They face extremely confronting circumstances and they face them every single day.

In a situation where we deny facts or even a reasonable explanation—Senator Polley makes the statement, 'We have seen nothing at all.' I would suggest that she's not looking. The facts are there to be seen and they are there for everyone who wants to look. When an increase becomes a cut, go for the big lie. We've seen this before. It's a magic approach. We've seen the way Labor considers that an increase to the ABC becomes a cut. It's just a denial of reality. The most important fact in what we're considering here today is that the total aged-care spending under Labor seven years ago was \$13.3 billion, compared to \$22.6 billion now. You've seen nothing at all, Labor? That's an increase by any stretch of the imagination, and it will continue to increase. It will increase to \$25.4 billion in 2022-23. Only the Labor Party could call a billion-dollar-a-year increase a cut.

As one of our previous speakers pointed out, Labor's claims have been disproven by an ABC fact check. It's your ABC. Thank God, I say, Labor is not in power. Their ABC, even if they couldn't take an ideological view on this, would have been propping them up and assisting them in every way, shape or form. Despite Labor's plans for \$387 billion in new tax at the election, including a retiree tax, Labor provided no additional funding in their costings for home care places or any additional funding for aged-care workforce quality or mainstream residential aged care. No, they didn't. Labor has remained silent on any commitment to aged care since the election, providing no additional funding. We did.

Suddenly Labor cares. This really shows Labor's hypocrisy on aged care. The Royal Commission into Aged Care Quality and Safety interim report said, 'it is difficult not to be critical of successive governments' failures to fix the aged care system'. The longstanding problems in aged care are a failure of successive governments, but we have sought to address that failure. When Senator Polley says she's seen nothing at all, she ain't looking. It is a failure we have sought to address by calling a royal commission. We made many advances, but large, systemic changes do not occur overnight.

Many of us have gone through all the packages, all the issues and all the figures, but that will make no impression on the Labor Party at all. I just want to repeat a key fact which I spoke about in the Senate earlier today. That very important point is that during the COVID-19 pandemic no country has been able to avoid outbreaks in residential aged care, or deaths, when there has been widespread community transmission, as there has been in Premier Daniel Andrews's Victoria, and that has been a failure. I reject the assertion that Australia has a high death rate in residential aged care by international comparisons. Senator Polley says she has seen nothing. Senator Polley and the Labor Party have not been looking.

The alleged failure to act was in fact action after action after action. There was a plan, it was implemented and it was fact checked. The closed minds of the opposition and the Greens are on display.

**Senator SHELDON** (New South Wales) (17:20): I spoke in the chamber on Monday on the need to look at aged care from the standpoint of the workers who are the care. Today I want to issue a call on behalf of all Australians for an historic reassessment of the funding and structures of aged care in this country. Firstly, we need to be clear about who is responsible for fixing aged care, whether the aged-care facility is publicly owned, owned by a for-profit company or owned by a not-for-profit, like Anglicare's Newmarch House.

Scott Morrison likes to pass the buck on a lot of things: on the bushfires, on the robodebt scandal, on sports rorts and now on aged care. But, if the care of our older Australians is to be reformed, the federal government—and only the federal government—is able to lead the process. We've heard a lot of talk about fact-checking, so let's do a bit of fact-checking. Scott Morrison and his hapless minister, Richard Colbeck, can start by listening to and learning from one of their own: Liberal senator and former aged-care minister Senator Fierravanti-Wells.

Senator Fierravanti-Wells was very clear that it was the same Liberal government, under the leadership of Tony Abbott, that utterly failed to act to fix the sector when it had the chance. That's a fact. The senator did an interview recently with *The Sydney Morning Herald's* David Crowe. It didn't get the attention it deserves, but this is the point. She said, pointedly, that Scott Morrison was one of the social services ministers responsible for aged care and that when this government squandered a chance for reform it failed to do it under his watch. That's a fact. I urge my colleagues from the Liberal and National parties to read the senator's submission to the aged-care royal commission. If they don't care to heed the voices from this side of the chamber then they should care to listen to their own.

Just in the last day, Victorian Liberal MP Russell Broadbent issued a call to Scott Morrison to increase funding for not-for-profit aged care. He said that handing over the care of older Australians to the private sector has been a disaster waiting to happen. Profit became more important than care. We know that since aged care was privatised in the 1990s people have built vast fortunes by taking billions in public money with little or no accountability in return. That is not news to anyone who has been paying attention. A recent story in *The Age* by investigative journalist Michael Bachelard exposed—not for the first time—the lavish lifestyles that have been built off the backs of vulnerable older Australians and the underpaid workers who take care of them. It is grotesque; aged care has become the worst kind of predatory capitalism. Companies in the sector, like Bupa, Opal, Allity, Japara, TriCare and others have had a range of different corporate structures. But what they often have in common is the payment of extremely low or no tax in Australia. They pay low pay and offer insecure work to their staff, and, most critically, all operate with little or extremely low transparency on where and how the billions they receive from taxpayers are actually spent on care.

I will give one example of privatised, for-profit care. Regis is the largest for-profit aged-care home chain listed on the Australian Stock Exchange. According to a 2018 report by the Tax Justice Network, the company is majority owned by two founders, Ian Roberts and Bryan Dorman. When Regis listed on the Stock Exchange, they instantly gained a \$734 million fortune. So not only are these private aged-care operators taking up to 70 per cent of their revenue but, with little requirement to account for that money, they receive additional money from the public purse—from the taxpayer—through calculated franking dividends. But what do these incredibly wealthy owners of this profitable company do when a global pandemic hits? In the case of Regis, the Health Services Union wrote to them asking them to provide paid pandemic leave for staff who need to test and isolate due to illness. Of course, so far, like the vast majority of not-for-profit care agency operators, they've refused to pay anything.

**The ACTING DEPUTY PRESIDENT (Senator Chandler):** Order! The time for the discussion has expired.

## COMMITTEES

### Education and Employment Legislation Committee

#### Report

**Senator McGRATH** (Queensland—Deputy Government Whip in the Senate) (17:26): Pursuant to order, I present the report of the Education and Employment Legislation Committee on examination of annual reports tabled by 30 April 2020.

### Human Rights Committee

#### Report

**Senator HENDERSON** (Victoria) (17:26): I present the annual report of 2019 of the Parliamentary Joint Committee on Human Rights, and I move:

That the Senate take note of the report.

I'm pleased to present the Parliamentary Joint Committee on Human Rights 2019 annual report. This committee was formed in 2012 after the passage of the Human Rights (Parliamentary Scrutiny) Act. For the past eight years, it has operated to locate the scrutiny of legislation from a human rights point of view at the heart of the parliamentary process. In that vein, the committee's purpose is to enhance understanding of, and respect for, human rights in Australia and to ensure appropriate recognition of human rights issues in legislative and policy development. The establishment of the committee builds on the parliament's established traditions of legislative scrutiny. Accordingly, the committee undertakes its scrutiny function as a technical inquiry relating to Australia's international human rights obligations. The committee does not consider the broader policy merits of legislation when performing its technical scrutiny function.

This report covering the period from 1 January to 31 December 2019 details the significant volume of work the committee has undertaken during the reporting period. During 2019, the committee tabled six scrutiny reports examining a total of 213 bills and 1,385 legislative instruments. The committee commented on 86 of these bills

and instruments, including requesting additional information in relation to 26 bills and nine legislative instruments. As this report notes, the committee's human rights analysis continues to be available in a timely manner to inform parliamentary deliberations. Pleasingly, during 2019, a human rights analysis of 96 per cent of new bills was available to inform members of parliament prior to the passage of legislation.

The report also provides information about the work of the committee, including the major themes and scrutiny issues arising from the legislation which the committee examined. For example, the report notes that the right to privacy continues to be the most commonly engaged right with respect to the legislation considered. It also outlined several significant areas which attracted substantive comment from the committee, including national security and foreign interference; immigration and citizenship; equality and nondiscrimination; and privacy and information sharing. In addition, the report provides an overview of the committee's continued impact during the report period. For example, in presenting a revised version of the Crimes Legislation Amendment (Police Powers at Airports) Bill 2019, the minister noted that this committee's comments informed the revisions which had been made to better protect the right to peaceful protest.

The report also notes the committee's 2019 inquiry into the Quality of Care Amendment (Minimising the Use of Restraints) Principles 2019 which considered whether the regulation of the use of restraints in aged-care facilities was consistent with a number of human rights. The committee held a one-day public hearing, taking evidence from 29 witnesses including departmental officials, state and territory public guardians, and medical experts. In addition, the committee received 17 written submissions. While the committee concluded that other laws continue to apply to regulate the use of restraint without informed consent, it considered the amending principles appeared to have created widespread confusion around the legal obligations of approved providers in relation to the use of restraint in residential aged-care facilities, and it recommended that the principles be amended to address these concerns. Following the completion of this inquiry, the government amended these principles in the manner which addressed the community's concerns, I'm very pleased to say. This inquiry is an excellent example of the committee's capacity to engage directly with the non-government sector and the public, and with ministers and departments, in order to inform legislative developments. I extend my thanks to the many witnesses and submitters for their contributions to this inquiry and commend the minister on the timely and responsive amendments to these principles.

Finally, as senators will be aware, the committee undertakes legislative scrutiny through a dialogue with legislation proponents, most obviously ministers, and often seeks further information to inform its consideration of proposed measures. I thank the ministers, departments and others for their continued engagement with the committee, noting that responses may often be sought under considerable time pressure and may involve significant research and coordination. I want to particularly thank ministers for assisting the committee during the last six months when, of course, they have been under so much pressure. The provision of timely and fulsome information to the committee is crucial to it completing its work. I also would like to thank the previous chair, Mr Ian Goodenough MP, who was the chair of the committee for part of this reporting period, and my fellow committee members, for all of their hard work. I also wish to acknowledge the work of the committee's legal adviser, Associate Professor Jacqueline Mowbray, and the very hardworking members of the committee's secretariat. I encourage my fellow senators and others to examine the committee's annual report to inform their consideration of the committee's work during the relevant period. With these comments, I commend the committee's 2019 annual report to the chamber.

**Senator GREEN** (Queensland) (17:32): I rise to make a few comments about the 2019 annual report of the Parliamentary Joint Committee on Human Rights, of which I am a member. I want to draw the Senate's attention to the role of this committee, in the same way that the chair has done, to alert the Senate to some grave concerns about human rights during COVID-19 and to the fact that, during a crisis like this, it is incredibly important that scrutiny, particularly through a legislative scrutiny committee such as this one, is done meticulously and without any judgement on the merits of the policy that is behind the legislation but simply on whether the legislation stacks up from a human rights point of view. We have seen an incredible amount of legislation and delegated legislation being passed quickly through parliament, particularly at the beginning of this pandemic to support people and to get measures in place. There's been an incredible amount of delegated legislation. But it is very clear that we need to make sure that this committee is operating in a way that scrutinises that legislation very clearly.

As the chair said, this committee was formed by an act of parliament. The functions of the committee are very clear: the committee is required to examine bills and legislative instruments that come before either house of the parliament for their compatibility with human rights and to report to both houses of parliament on that issue. An article entitled 'The role, operation and effectiveness of the Commonwealth Parliamentary Joint Committee on Human Rights after five years' by Zoe Hutchinson articulates what the purpose is behind this committee. She says

that the formation of this committee happened while the federal government was doing a review into human rights in Australia. We know we don't have a federal human rights bill in Australia, so, in order to make sure that we are meeting our human rights obligations, we need to have something underlying that. While the federal government at the time did not adopt more sweeping recommendations, they did recommend that there be this committee and that these mechanisms were created through the passage of legislation. The purpose of the committee was described by the Attorney-General at the time as improving:

...parliamentary scrutiny of new laws for consistency with Australia's human rights obligations and to encourage early and ongoing consideration of human rights issues in policy and legislative development.

The purpose of the committee is to uphold Australia's human rights obligations, and if the committee isn't doing its job then those obligations are being let down. Speaking to a report in 2017, the chair talked about the difference between a legislative or references committee in the Senate, for example, and a technical committee:

Like all parliamentarians, scrutiny committee members may, and often do, have different views in relation to the policy merits of legislation. The report does not assess the broader merits or policy objectives of particular measures but rather seeks to provide parliament with a credible technical examination of the human rights implications of legislation. Committee members performing a scrutiny function are not, and have never been, bound by the contents or conclusions of scrutiny committee reports.

That is very true, but it is also important to point out that a significant element of the technical scrutiny approach, which is also different to other portfolio committees, is the provision of legal advice as a mechanism to support the committee to perform its legislative scrutiny function. That is why the committee does have an independent part-time legal adviser. The committee can accept that legal advice, but it can certainly consider it with great reference. It should be taking that legal advice at its core and really concentrating on what that legal advice is, because it's such an important role of the committee.

In saying that, unfortunately it has become necessary in recent times for members of the committee to provide dissenting reports to a number of the reports of this committee. That is incredibly disappointing, because although we know that there are disagreements—perhaps there might be disagreements about the way that the law is interpreted, or about the proportionality of some human rights legislation in this particularly acute time during COVID-19—the fact that there are so many dissenting reports should alert people to the concerns that members in this committee have about the way that reports being delivered to the parliament are not actually highlighting some of the human rights issues that are being raised in these bills.

With the short amount of time I have left, I want to quickly talk about some of these dissenting reports and the legislation where it was necessary to put a dissenting report in on what should be something that isn't political party politics and that isn't about the merits of the policy, but just should be the interpretation of that legislation. There was a dissenting report from Labor and Greens members on the Australian citizenship amendment bill, a pretty important piece of legislation that can strip people of their citizenship. It was necessary to put a dissenting report through on that. The Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill also required a dissenting report, because dissenting report members considered that it wasn't clear enough that it was demonstrated that an:

...extension of the cashless debit card trial is a justifiable limit on the rights to social security and privacy or, to the extent that the trial has a disproportionate impact on Indigenous Australians, that it is a reasonable and proportionate measure and therefore not discriminatory.

That wasn't made clear enough in the report, and that is a grave concern.

Another dissenting report that members needed to include was on the Fair Work (Registered Organisations) Amendment (Ensuring Integrity No. 2) Bill. We know that this was a politicised bill, and we know that the policy behind this bill was highly politicised. But, when it comes to human rights and the rights of people to be represented by their unions and to freely associate, that should be above party politics, and yet it was necessary to put a dissenting report in about this bill. Dissenting members said in the report: 'Noting the importance under international human rights law of registration as an essential facet of the right to organise, the dissenting members consider there is a significant risk that this measure may result in the cancellation of union registration in circumstances that would be incompatible with the right to freedom of association.'

Finally, the last piece of legislation I want to draw to the senate's attention is the Australian Security Intelligence Organisation Amendment Bill. A dissenting report was required when it came to this legislation. When it comes to national security, of course, determining what is proportionate is always a difficult matter. I want to make clear that dissenting reports around human rights legislation or the compatibility of human rights isn't a method of saying that a party or a committee member doesn't support the bill itself, but it is necessary to point out the very grave issues with this bill when it comes to human rights. It wasn't in the actual committee report. We had to provide a dissenting report on this issue.

What was the issue? This bill included the ability for the Attorney-General to issue a warrant without a judicial officer overseeing that warrant. Dissenting members considered that the proposed capacity for the Attorney-General, a political officer, to issue a warrant and to authorise the apprehension of a person absent the additional oversight of a judicial officer raises particular concern as to whether the proposed apprehension power permissibly limits the rights of liberty and freedom of movement. I raised this not because I am a legal eagle who has their head stuck in textbooks but because when human rights legislation isn't upheld and we have legislation that's made that limits people's human rights I can tell you that it is vulnerable people in our society who can't go and get fancy lawyers and run off to court to try to uphold their human rights who are affected.

It is a concern that this is the way that the reports have had to be tabled, and I draw that to the attention of the Senate.

**Senator McKIM** (Tasmania—Deputy Leader of the Australian Greens in the Senate) (17:42): On the same report, I associate myself entirely with the remarks just made by Senator Green. I want to place on the record that, given Australia remains the only liberal democracy in the world that has no form of either constitutionally enshrined or legislated charter for a bill of rights, the work of this committee is absolutely critical in informing not only members of this parliament but in fact people who live in this country about the human rights implications of legislation that is being considered by us here in this place.

It's very interesting that this annual report makes it clear that this is a technical scrutiny committee and that in fact the committee ought not to consider the broader policy merits of legislation that it is examining. But not only is the committee, under the chair, considering the broader policy merits; it is also considering the broader political implications of legislation that the committee is examining. That is a matter of extreme regret to me as someone who has sat on this committee for about five years. This committee has been politicised by the chair, with the support of every single other government member of this committee. I thank Senator Green and her colleagues from the Labor Party, including the deputy chair of this committee, Mr Perrett, for their view that in fact this committee should operate as a technical scrutiny committee.

I've made some public comments recently and I've made comments in this place on more than one occasion about the fact that this committee has been politicised by the chair. And, in response, the chair has accused me of suggesting that the committee should rubber stamp the legal advice. Nothing could be further from the truth. I agree the committee ought not rubber stamp legal advice, but I want to place it firmly on the record that, if the committee or any member of it wants to depart from the legal advice, then, when departing from that advice, there should be given cogent, rational and coherent reasons why the committee is not acquiescing to and supporting that legal advice. That is not what we are seeing.

The most recent majority report of this committee has significant departures from the independent legal advice that the committee relies on with no rational, cogent or coherent reasons given as to why that advice should be departed from. So I want everyone in this place to know: you cannot necessarily rely on the majority reports of this committee if you want to know what the best advice is to the committee. With regard to whether any particular piece of legislation is in accordance with Australia's international human rights obligations, I refer members to the dissenting reports that have already been issued and I have no doubt will need to continue to be issued by Labor and Greens members.

It is extremely disappointing that the chair for political purposes has chosen to rampantly politicise this committee, and I say again: do not trust or rely upon the majority report of this committee for an unbiased and technical assessment of whether legislation complies with Australia's international human rights obligations. I truly hope that the chair changes tack here and either relies on the legal advice or at least tries to mount a rational and coherent argument as to why that advice should be departed from in the future. I won't be holding my breath, because I don't think it's going to happen. However, it would be a good day for human rights in this country and a good day for people's capacity to understand human rights in this country if that was to occur.

Question agreed to.

## **Human Rights Committee**

### **Report**

**Senator HENDERSON** (Victoria) (17:48): I present the 10th Report of 2020 of the Parliamentary Joint Committee on Human Rights, the Human rights scrutiny report, and I move:

That the Senate take note of the report.

I'm pleased to table the Parliamentary Joint Committee on Human Rights 10th scrutiny report of 2020. As usual, this report contains a technical examination of legislation with Australia's obligations under international human rights law. In this report the committee considered 173 new legislative instruments and commented on two of

them. For example, the committee seeks further information about the human rights compatibility of an instrument which exempts childcare workers from the JobKeeper wage subsidy and one which suspends an employee's right to workers compensation on Norfolk Island. For those who are unfamiliar with the work of the committee, I take this opportunity to reiterate that the committee has not formed a concluded view on the human rights implications of these instruments as is the case with the committee's preliminary report on any bill or instrument.

In addition, the committee makes concluding comments on two bills after receiving ministerial responses, including the National Disability Insurance Scheme Amendment (Strengthening Banning Orders) Bill 2020. The committee considers that the bill, which would broaden the circumstances in which the NDIS commissioner could make a banning order in relation to NDIS providers and their current and former employees, is designed to help prevent the violence, abuse, neglect and exploitation of persons with disabilities and so promotes and protects the rights of persons with disabilities.

The committee also notes that publishing on a register, which is available as a public website, the details of any employees who have been banned also engages and limits the rights to privacy. This right may be permissibly limited if it is shown to be reasonable, necessary and proportionate. The committee notes the legal advice that, in assessing the proportionality of the measure, it is necessary to consider whether there are less restrictive rights or ways to achieve the same aim such as making the register available on request to the NDIS Quality and Safeguards Commission rather than it being publicly available on a website by default, which of course provides easier access for people with disability.

However, in this particular report—and I do assume that there is no dissenting report, but I'm yet to find that out as I only do when the report is tabled—the committee has respectfully disagreed that it is appropriate to impose additional barriers on people with disability seeking to access information about banned providers or employers given the critical importance of protecting people with disability from abuse, violence, neglect or exploitation. If people with disability required, for instance, to contact the commission in order to obtain information about banned providers or employees, the committee considers this would impose an unacceptable additional administrative burden on people with disability and their families and carers such that it might give rise to a real risk that people with disability may inadvertently engage a banned provider or employee. Accordingly, we have concluded that the measure constitutes a proportionate limit on the right to privacy. In reaching this view, we appreciate that this involves us balancing the competing rights of persons with disability with the right of privacy, but protecting people with disability from abuse, violence, neglect or exploitation, including conduct so serious that it may result in the permanent injury or death of a person with disability, is of paramount importance.

In the committee reaching this conclusion—and, as I say, I do this on the basis that I don't believe there will be any dissenting report and so I make comments subject to that—I make the important point in this instance that all committee members have not, in all respects, accepted the advice of the independent legal adviser to the committee, which is advice that we obviously greatly value. In my view, and in the view of the committee, it cannot be justified that the rights to privacy of somebody who's been banned for providing services as an NDIS provider or employee prevail—and these are, of course, people who may have engaged in the most heinous of conduct—over the rights to people with disability, and this is a matter of proportionality and a matter of consideration. I do also say this as a former assistant minister for disability services cognisant of the need to provide maximum protection to NDIS participants and impose the least amount of administrative burden on participants.

As I reiterated in my contribution yesterday, the committee considers the minister's response, the independent legal advice and other relevant material in its consideration of the compatibility of the bill or instrument with Australia's human rights obligations. In our parliamentary democracy, committee members are required to independently consider human rights implications, and that is our role. In determining whether a legislative measure constitutes a permissible limitation on the specific human right, committee members are invariably required to weigh up various considerations, including competing human rights, as is the case here.

On this note I want to reference the contributions to the debate on the annual report today by both Senator McKim and Senator Green and also reference some very regrettable comments made by Senator McKim published in *The Guardian* yesterday in an article titled 'Greens accuse Coalition of "aiding and abetting" formation of a surveillance state'. I want firstly to reject those very improper and inaccurate comments that have been made by Senator McKim in *The Guardian*, which reflected on my motives in a most improper way and accused me, in relation to our consideration of the ASIO bill, in report No. 9 of 2020, of aiding and abetting the government's building of a police and surveillance state. These are really quite disgraceful comments. They are not supported by the facts, and I would ask Senator McKim, who is in the chamber right now, to withdraw those particular comments.

Senator McKim also told *The Guardian*, in relation to not accepting the legal advice in all respects in report No. 9 of 2020, that it 'beggars belief that the chair has once again ignored the independent legal advice'. Well, that's inappropriate for a start, because in report No. 9 the coalition of the committee did not in all respects accept the independent legal advice. And, despite what Senator McKim said, yesterday in this place I gave some very cogent reasons—

**Senator McKim:** No you didn't.

**Senator HENDERSON:** I'll take that interjection. Senator McKim says I didn't. Well, in fact I did. I gave some very cogent reasons that not in every respect was the legal advice accepted by the coalition members. It is quite hypocritical of Senator McKim to criticise coalition members of this committee for not accepting the legal advice in all respects, and he's made these comments on two occasions in this place and also to *The Guardian*, when in fact with this report all committee members—and I say this subject to there not being a dissenting report—appeared to have not accepted the legal advice in all respects and of course have determined that it is proportionate and that it is proper that the rights of people with disability in this case prevail such that the measure is proportionate.

So I do want to state very clearly my disappointment, particularly at the comments Senator McKim has made. I have a lot of personal respect for Senator McKim, but I am very, very disappointed that he would reflect on my motives in such a way, including in making what I think are some completely disgraceful comments. Determining what is proportionate is not a black and white exercise, and I also say this in relation to Senator Green's contribution. It is a matter of judgement, and in this report we are continuing to do that. (*Extension of time granted*) This conclusion demonstrates that it is correct and proper that the committee reaches its own conclusions without fear or favour, and under my chairmanship we will continue to do so. I encourage all parliamentarians to carefully consider the committee's analysis, and with these comments I commend the report to the chamber. Thank you very much.

Question agreed to.

## Scrutiny of Bills Committee

### Scrutiny Digest

**Senator GREEN** (Queensland) (17:59): On behalf of the chair, Senator Polley, I present Scrutiny Digest No. 10 of 2020 of the Standing Committee for the Scrutiny of Bills, dated 26 August 2020.

## DOCUMENTS

### COVID-19: Aged Care

#### Order for the Production of Documents

**Senator HUME** (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (18:00): I table a document relating to an order for the productions of documents concerning COVID-19 aged-care cases.

**Senator WATT** (Queensland) (18:00): I move:

That the Senate take note of the response tabled by Minister Colbeck to the Senate's order to produce documents related to his failings as the minister for aged care.

Before I begin, I want to put on the record that my contribution will be short and the only one from Labor senators. Many of my colleagues wish to speak on this, but in the interests of allowing the chamber to function and return to government business as soon as possible we will limit our remarks to this.

As of yesterday, 335 residents of aged-care facilities in Australia had died from COVID-19. More than 1,100 older Australians were fighting active cases of the coronavirus. With this motion, the Senate voted for transparency and accountability, two things that we have not seen from either Minister Colbeck or the Prime Minister at any stage during this unfolding tragedy. We thank the crossbench for their support of this motion yesterday. Unfortunately, Minister Colbeck's response, which we've just received today, should come as no surprise to anybody. Look at it: a tiny letter from Minister Colbeck—a three-paragraph letter—responding to the Senate's request that he produce important documents which would reveal the scale of his and the government's failings in aged care. On display in this letter is the same disdain, arrogance and apathy that has directly led to hundreds of preventable deaths in aged-care homes under the Morrison government.

The COVID-19 pandemic has brought with it many challenges for all Australians. This is especially true in our aged-care facilities. But the challenges there weren't unfathomable, they weren't unforeseeable and they weren't inevitable. We have known for a long time that there are fundamental flaws in Australia's aged-care sector as a result of this government's lack of care for elderly Australians. The warning bells were ringing loud and clear

when the royal commission released its interim report, titled *Neglect*. But Scott Morrison, the Prime Minister, was not listening. COVID-19 then hit the northern hemisphere. It was clear that aged-care homes were at risk. The warning bells were ringing, but again the Prime Minister, Mr Morrison, was not listening. Then came Earle Haven, Dorothy Henderson Lodge and Newmarch House—more warning bells, but again the Prime Minister was not listening.

Australia's aged-care workforce was placed under immense pressure due to a lack of training, funding and support from this Prime Minister, Scott Morrison. All of this was known and avoidable. Now, good government plans and good government acts. Bad government does neither. Bad government does nothing beyond self-preservation. Bad government lies, hides and runs away, and what we are seeing now is bad government, and it starts at the very top with the Prime Minister, Scott Morrison.

The Prime Minister chooses his cabinet. The Prime Minister chooses his ministry. The Prime Minister chose Senator Richard Colbeck to be in charge of aged care in this country, and the Prime Minister continues to support him in that role today. Despite every warning on this long march toward calamity, the Prime Minister left an incompetent junior minister in charge of the health and wellbeing of tens of thousands of vulnerable Australians. They now reap what they sow. If he had just listened, he wouldn't now be sidelining his own hand-picked minister after hundreds of preventable, tragic deaths had occurred.

More people are dying every day. They're not just numbers in a report or on a news scroll; they're our parents, our neighbours, our friends and our family—an entire generation of Australians whose health and wellbeing was put in the too-hard basket by a prime minister and a minister who are not up to the job. I was told of a gentleman named Patrick who passed away last week. He was fit and healthy at 90—a man who loved his family dearly and who could answer more questions on *Who Wants to Be a Millionaire?* than you or me. He thought he'd be safe from COVID-19 at his aged-care home in Sunbury. His daughter describes Minister Colbeck's 'complete lack of care and concern' as a complete slap in the face. We mourn Patrick, and we mourn every life lost to this horrible virus. These deaths are reported through facts and figures today, but we can't fathom how they will be felt in time: family stories never told; memories never made; and children and grandchildren whose lives are emptier today because bad government is easier than good government.

It says something about Minister Colbeck that he can so casually defy the will of the Senate through his response here today. He can't answer questions, he can't produce documents and he can't even come to the chamber and deliver his own three-paragraph response.

**Senator McAllister:** Pathetic!

**Senator WATT:** It is pathetic, Senator McAllister. We have an aged-care system in crisis, run by a pathetic, incompetent minister: the see-nothing, say-nothing minister with no plan and no action. He is the quietest of the quiet Australians when the topic is the bare basics of his job.

This was preventable; this was avoidable. This did not have to be. What will it take for this Prime Minister to publicly acknowledge that thing he's done privately, and that is to bench Minister Colbeck due to his sheer incompetence? The Prime Minister needs to take responsibility for his failings and the failings of his minister. We are all wondering now: what does this minister do? He's had core responsibilities stripped from him because his own Prime Minister knows that he's not up to the job. But he continues to draw a ministerial salary paid by the taxpayers of Australia. Senator Richard Colbeck is in fact Australia's most expensive job keeper. Australians are paying far too high a price for Minister Richard Colbeck. He has to go.

We've seen hundreds of avoidable deaths and more than a thousand elderly Australians fighting the virus today. Overworked and undersupported staff are waging war against a shocking disease, with no training and a single glove. That's the kind of PPE that our aged-care workers have been provided with—not even two gloves, because not enough PPE has been supplied by this government. The Australian people deserve better than this. Our grandparents deserve better; our parents deserve better. Instead, they got this Morrison government and this incompetent minister. He has to go.

Question agreed to.

## **REGULATIONS AND DETERMINATIONS**

### **Industry Research and Development (Bankable Feasibility Study on High-Efficiency Low-Emissions Coal Plant in Collinsville Program) Instrument 2020**

#### **Disallowance**

**Senator McALLISTER** (New South Wales) (18:09): I, and also on behalf of Senator Waters, move:

That the Industry Research and Development (Bankable Feasibility Study on High-Efficiency Low-Emissions Coal Plant in Collinsville Program) Instrument 2020, made under the Industry Research and Development Act 1986, be disallowed [F2020L00772].

There is one party in this chamber that wants Queenslanders to pay more for their electricity and their name is the Liberal National Party. This government's preference for endless culture wars and stunts over real policy and real outcomes has seen them brush aside every conceivable concern with the proposed new coal-fired power station in Collinsville. They've brushed aside concerns about whether the business case stacked up. They've brushed aside concerns about the environment. They've brushed aside concerns about whether it will raise energy prices and they've brushed aside concerns about the probity of the project. It makes you wonder, doesn't it, what would happen if they showed the same commitment to protecting older Australians in aged care as they have shown to progressing a project that even the Queensland LNP opposition doesn't believe deserves public funds.

This project does not stack up economically, and if it goes ahead it will increase power prices for Queenslanders and leave taxpayers on the hook for billions. This isn't back-of-the-envelope analysis; it is the considered opinion of industry and experts. The weight of analysis says that new coal-fired power stations in Queensland would increase power prices, because they are more expensive to build and more expensive to run than alternatives.

Independent analysis undertaken by consultants Energy Edge found a new ultra-supercritical coal-fired power station was only commercially viable if there were high wholesale prices—and let that sink in, because that's what these people are arguing for. It reflects what analysts have been saying generally about new coal-fired power. Bloomberg New Energy Finance says:

But even if the government were to completely de-risk coal by paying for the whole plant and guaranteeing an exemption from any future liabilities, the lowest LCOE that could be achieved is ... still well above wind, solar or gas.

AIG says:

... new coal-fired generators are unlikely to bring current prices down because they require even higher prices to be bankable; they are a poor fit to stabilise the grid ...

Why don't we have a look at what the Prime Minister said? What did Mr Morrison say when he was the Treasurer? He said:

... we shouldn't kid ourselves a new HELE plant would bring down electricity prices anytime soon.

And why? Because, as Mr Morrison went on to say:

...new cheap coal is a bit of a myth.

Those are his words, not mine. So not only is the government putting almost \$4 million of taxpayer's funds to investigate the feasibility of what the Prime Minister has described as a myth; the public could be on the hook for billions more for this project.

Shine Energy have requested that the government provide an indemnity against climate risk and the Australian Industry Group has estimated that this could cost the government \$17 billion. That would be on top of whatever other contribution of public money would be required to actually build this multibillion-dollar project.

Senator Canavan and others supporting this project should be up-front with Australians about just how much it will cost them. That is only if the plant ends up being built. And the government knows that the project doesn't stack up, is unlikely to be built and the promised jobs will not materialise. Senator Canavan and others are out there in the media saying that a new coal-fired power plant will generate jobs for Queensland. Well, it's not what his colleagues think. Mr Zimmerman, Mr Sharma and Mr Falinski have all gone on the record to say that the project does not stack up economically or environmentally and it won't go ahead. As Mr Falinski says:

... it will not lead to a new coal-fired power station being built.

There are more economically efficient and environmentally cleaner options for power generation in Australia.

It's backed up by the analysis from the Australian Energy Council—that is, the peak body for electricity generators and retailers—who found that there was not a pressing commercial case for the construction of a coal-fired generator in North Queensland.

In fact, the government came to a very similar conclusion. This government has a specific program to underwrite new generation investment, and when this project submitted its business case it wasn't strong enough even to be shortlisted, let alone offered a grant. How did the government get around this? Minister Taylor's department announced that Shine would get a grant for a feasibility study into Collinsville and then two days later invited the company to apply for the grant.

It's the reversal of the usual order of things, isn't it? Normally, you invite applications and then you announce the results. It's unusual enough that the Auditor-General has agreed to investigate it, meaning that Minister

Taylor's actions are subject to yet another probity investigation, an experience he must be deeply familiar with by now. Even the Queensland LNP opposition has declined to commit public funds for the project.

Those opposite are playing a cruel hoax on the people of Queensland. The promised jobs do not exist. They exist in the press releases, stunts and media statements of those opposite. Listen to what Mr Zimmerman, Mr Sharma and Mr Falinski have said, because they have been clear. They have said that this project does not stack up and will never proceed.

But there are jobs in energy for North Queensland and, indeed, across Australia. They are real jobs being generated by real investments in renewable energy right now. In Queensland 40 large-scale renewable projects have commenced operations, are currently being constructed or have been financially committed. There are solar parks in Wide Bay, Darling Downs, Mackay, Chinchilla, Clare, Barcaldine, Clermont, Toowoomba and Warwick. There are even renewable projects in Collinsville, the site of this ill-fated new proposal. The projects across the state total \$7.5 billion in investment, with a forecast of more than 6,000 construction jobs arising as a result. And there are more large-scale projects in the pipeline—more than 20 megawatts worth—which have the potential to generate another 28,000 jobs for Queenslanders.

Just last week the state government committed hundreds of millions for renewable energy zones, and this could help fund projects such as a two-gigawatt wind, solar, storage and transmission project dubbed the Central Queensland Power project, which will assist Gladstone with supporting its heavy industry and stimulating the development of new industries such as green hydrogen.

Renewables have the potential to create export income as well. An undersea cable from a planned major solar farm project in the Northern Territory could supply Singapore with sustainable energy by 2027. It has been described as the largest solar farm and battery under development anywhere in the world. It's not a pipedream; it's been granted major project status by the Northern Territory government.

The thing is that Australia's rich natural resources give us the opportunity to be a renewable energy superpower, exporting into our region. You'd think that would be of interest to a government that claims to be interested in jobs, but they are obsessed with a feasibility study for a power station that doesn't stack up. What more can you expect from a man who found time to bring a lump of coal into parliament as a stunt and who leads a party that has had 19 separate energy policies in seven years? The government's lack of an energy policy is projected to cost this country 11,000 renewable energy jobs in the next two years.

Enough is enough. The government has shown over the last seven years that they are indifferent to our international commitments, they are ambivalent about the risks that climate change poses to our natural world and our way of life and they are hostile to renewable energy. They are environmental vandals and they can add economic vandals to their CV as well. The government's obsession with stunts will raise electricity prices for Queensland and cost the nation thousands of jobs in renewables.

**Senator WATERS** (Queensland—Leader of the Australian Greens in the Senate) (18:18): Here we are again. It's *deja vu*. The Greens are begging the chamber not to give yet more free public money to fossil fuel donors. We're really proud to be co-sponsoring this disallowance motion, which is just cooked from whichever angle you look at it. The chamber could actually stand in the way. We could do our job and properly allocate public money—\$3.3 million of taxpayer money—and we could stop it being allocated to coal. We could block this climate-destroying coal-fired power station from going ahead.

What has happened here is that a thoroughly inexperienced company has proposed a coal-fired power station and the feasibility study for the same in the middle of a climate crisis after the nation just had the most destructive bushfires our history has ever recorded. We here in the Senate have the ability to stop this rorting and stop this destruction, and that's precisely why the Greens are moving this disallowance.

Not only is it cooked to give public money to a coal-fired power station in a climate crisis after those bushfires but it is cooked to dish out public money as a pre-election slush fund to try to shore up your own power. Unfortunately, we've seen quite a bit of that, and I'll come back to that point. Surprise, surprise! The company that would get this windfall gain, Shine Energy, has connections with mega political donor and coal giant Glencore. Incidentally, Glencore would directly benefit from the power station's construction and it's been lobbying the government to support the same and to support the coal industry. But it gets worse. Shine Energy have no relevant experience. They couldn't get funding from any existing program, so the government just created an entirely new grants fund and then awarded a grant to Shine Energy two or three days before the money had even been applied for. I'll go through the dates. On 8 February—a fantastic day for anyone born on that day, such as myself—Minister Taylor announced that Shine would receive up to \$4 million of public money for a feasibility study into a so-called low-emission coal-fired power plant, which is the biggest misnomer of the century. Two days later, Shine Energy was asked to apply. That's two days after they'd been announced as the winner of this public money.

Despite the fact that stakeholders, including the Queensland government, have strongly questioned the need for and the validity of a power station, the government just charged on regardless. They set up the Supporting Reliable Energy Infrastructure Program and then developed guidelines specific to the Collinsville power station. They then asked only Shine Energy to apply for that money. This is despite the fact that Shine has no relevant experience—no past projects—and funding for the project has been rejected by UNGI. Since the funding has been announced, Shine has already said that it's not enough money; they're going to need more public money to do a feasibility study. I'm trying to think of an analogy. It would be like me asking for public money to open a video store—something that I've never done before and that nobody wants because we have more efficient alternatives. The only difference in that analogy, of course, is that I'm not a massive donor to the LNP, nor am I promising them cushy jobs once they leave parliament.

In the too-long history of this cooked government, we've seen grants awarded with no criteria and grants that ignored the criteria and happened to be in marginal seats just before an election. Now we have a grant awarded with criteria that have been specifically drafted to justify a winner that's already been chosen. This is exactly why we need a Senate inquiry into all of these pre-election slush funds. That's on the books for next week, and I'll be having conversations with my colleagues about this latest example of the need for more scrutiny of how the government are misusing taxpayer dollars to shore up their own failing political fortunes, in a climate crisis, by giving funds to coal-fired power. It doesn't escape anyone's notice that this latest scandal is by serial offender Angus Taylor. It's nothing more than a misuse of taxpayer funds to prop up fossil fuels.

We can save everyone a little bit of money on a feasibility study. It is not feasible to build a new coal-fired power station in an already crowded market in a climate crisis. None of the experts say this is economically feasible. Nobody wants to put in any money to fund it, and the previous speaker just noted how the Prime Minister himself had acknowledged that this wasn't a viable option. Public money should not be wasted on fanciful, self-interested projects. This sort of money should be spent on supporting workers to retrain—workers who are watching the coal industry dwindle and are worried about their future. We want to make sure that they're looked after and retrained and that they're supported into new industries that have a long-term future and won't damage their health with black lung syndrome. But this sort of money could be used to shore up and re-establish a domestic manufacturing base. Central Queensland and North Queensland could be building solar panels and wind turbines. We could be then mandating the use of those locally built components in clean energy projects. We could be putting money into public housing to end homelessness. We could be investing in clean energy and giving young people the chance to find work as we recover from a global pandemic.

There is nothing 'low-emissions' about a coal-fired power station, and yet it is the so-called emissions reduction minister who is championing a highly polluting coal-fired power station. One renewable energy commentator has described this as '\$3.6 million to a company that lacks the competency to pull off a project that will never stack up.' This is just yet another pre-election slush fund with taxpayer dollars to try to shore up seats. We all know the Nats needed an announceable in the lead-up to the last election, but this project is such a dog that not even the Queensland LNP want money to go to it. They have already distanced themselves from it. So I'm afraid former Minister Canavan and his Nationals counterparts are really out on their own on this one, which is exactly why this money should be disallowed. ARENA is running out of money in a few months, and they've had a billion dollars stripped from their budget, thanks to—sadly—Liberal and Labor teaming up in the last parliament. That's something that this \$3.6 million grant could be usefully and meaningfully allocated to.

This coal-fired power station will never be built. The Liberal backbenchers know it. Even the Prime Minister knows it. And Labor's spokesperson on, I think, mining—surprise, surprise—Mr Joel Fitzgibbon knows it. No investor is going to sink money into a steam-turbine technology in one of the most congested parts of the grid in the world, when the world is acting on global warming. This company has not even built a fence, let alone a coal-fired power station. The only people that are clueless enough to commit money to this project are the current bunch of cabinet ministers who take donations from the coal industry, who probably will go off and work for the coal industry once they leave parliament and who are using somebody else's money to pay for it—your money; taxpayer money. This is a culture war, and taxpayer money is being frittered away as a result.

This feasibility study is going to tell us what everybody knows: it is a waste of money, and it's a waste of money that could be better spent on actually creating real jobs—not phantom, fake promises, but real jobs for regional Queenslanders, like they deserve and like they need. We could be spending it on manufacturing, we could be spending it on building clean energy components and we could be spending it on schools and hospitals to give people the services that they deserve and that they pay for. This is taxpayer money. Even outfits like the AiG, the Ai GROUP, have said that it will never happen.

I think the previous speaker mentioned that if there was proper indemnification of this project against future carbon liability—if we ever have a carbon price brought back in in this nation, like we had 10 years ago when we

had world-leading climate laws—\$17 billion in payments would be required. The reason that we have this slush fund that's been proposed and announced as an election commitment, and then hastily patched up, and a whole special grant that's been created and allocated to a company that has zero experience doing this sort of thing, is the millions of dollars in donations that the Liberal, National and, I might add, Labor parties receive from the coal industry and from the fossil fuel industry. With this proposal, the government is actually standing in the way of the wave of clean, lasting, reliable jobs that could be created if public money, and private money, was invested in genuinely clean renewable energy—not the nonsense that is 'low-emissions coal'. As I said before, it's the biggest misnomer in history.

If this coal-fired power plant were, miraculously, to go ahead—massively subsidised by the taxpayer, in an age of a climate crisis, and not creating anywhere near the jobs that that region needs—then it would actually drive regional jobs out of regional Queensland. The climate impacts that could flow from yet more coal in the system would further endanger the tourism industry, the agriculture industry and any other industry that relies on a livable, safe climate. The government have a choice here. They could see reason; they could listen to almost every single expert on this topic and understand that this is a dog of an investment, a waste of public money. Some of their own backbenchers are in the papers today acknowledging that. They could redirect this money to where it will genuinely do good, where it will help people, where it will create jobs and the sorts of services that people deserve.

This is yet another test for the government that I fear they will fail. Sadly, they are dominated by a rump of climate-change-denying dinosaurs who accept donations from the coal, gas and oil industries and who, concerned about their own future employment prospects, line up lobbying jobs with industry representative bodies or directly with companies, as we have already seen happen in the last 10 or 20 years. They are getting in the way of a livable climate for all of us and a prosperous economy that would create jobs in areas of regional Queensland that are desperate for a plan for what comes next as the rest of the world continues to turn away from dirty coal.

That is the choice the government have before them. Thankfully, the Greens have been joined by Labor this time around—although I suspect they've got just a bit of internal dissent on this matter; we'll see how long they can hold the ship together on this issue. We've got a chance here to ensure that public money is spent wisely, that it doesn't worsen the climate crisis, that it doesn't go to a two-bit company that has never done anything like this before but has some convenient connections to a big political donor. The Senate has the chance to disallow this instrument. We have 15 sitting days from it being laid on the table to have the chance to vote on this issue, but our position has always been very clear: we do not support public money going to prop up an industry that is damaging all of us and damaging the natural world. So I'm really proud to be co-sponsoring the disallowance of this instrument.

What I hope will happen next week, when we bring on a suggestion for a Senate inquiry into all of the different rorts and grants and funding the government established in the lead-up to the last election to try to shore up their own failing fortunes, is that we get some support from across the chamber. It is clear that this government has no respect for public money; it's simply using your money to do favours for its corporate mates, who then, in a bizarre sort of washing-machine move, donate money back to the coalition.

So let's do the right thing here, folks. We've got the chance to have a good outcome—to use public money to make people's lives better by investing in projects that stack up and can address the climate crisis. Let's go for it!

**Senator McKENZIE** (Victoria—Leader of the Nationals in the Senate) (18:33): It gives me great pleasure, as leader of the National Party, to stand in the chamber tonight and speak against the disallowance moved by one of the great coalitions: the Labor Party and the Australian Greens. Is there any better example of what Queenslanders think about a feasibility study into the Collinsville high-efficiency, low-emission coal-fired power station than the federal election results? Just look at the federal election results—just check them out. The LNP rocked it in. Central Queensland and northern Queensland absolutely stood behind initiatives such as this one, which our government put on the table and took to the election. We are very proud to deliver on looking into a feasibility study on whether this power station should actually be built and, therefore, drive down power prices for Queenslanders so that they can enjoy a post-COVID-19 recovery plan from this government that does include advanced manufacturing. So we are not just talking about the potential new jobs that the power station will bring, nor just the mining jobs that getting the coal for this power station will bring, but indeed also those value-adding industries out in regional Queensland—all this from an advanced manufacturing plan that this government has post-COVID that needs low-cost energy to power and drive it.

For those of you who can't see the chamber tonight, we have a full bench of the Greens, we have a pretty full bench from the National and the Liberal parties and the LNP Senate team, but it is cooee crickets on the Labor side of the chamber tonight. Other than the Labor senator that moved this disallowance, let's be fair, there is not a Queenslanders in sight tonight. Do you know why? They tried to pull this motion. They tried to pull away from it.

Senator Waters, we have locked you in; we know the Greens Queenslanders are here. The trouble is that regional Queensland doesn't vote for you.

I just want to read from this morning's *The Courier Mail*. There might be a reason we don't have a Queensland senator here to actually speak for this feasibility study. It's not very often that I agree with the old CFMEU. Sometimes the forestry division in my home state of Victoria can get excited about the sustainable and renewable forestry industry that the Greens and now the Labor Party want to end. Can I just talk about what happened in Queensland and why there is not a Labor Party senator here to stand up for this disallowance? It is appalling. It's not just Joel Fitzgibbon and the Otis group that have cottoned on to what's wrong with the Labor Party; all of the Labor senators know that they have lost their way, that they do not stand for the working class in this country anymore. Who stands for jobs in the regions, jobs in traditional industries and jobs in the mining industry and construction industry? It is the LNP. It is the Liberal Party and it is the National Party, and we are very proud to do that.

What did the mining and construction division of the CFMEU do today? They walked away.

**Senator Scarr:** Tell us why!

**Senator McKENZIE:** I am happy to quote, Senator Scarr. As the union boss, Michael Ravbar, said:

The leadership vacuum in the left has seen a once powerful voice for working Queenslanders atrophy to the point where today it is little more than a creche for party hacks.

I could have been quoting Senator Matt Canavan. But, no, that is the mining and construction division of the CFMEU in Queensland. He goes on:

Quite simply, the so-called left faction—

which is the powerful ally of the Australian Greens and running the Labor Party—poor old Joel Fitzgibbon, a true believer, representing coalmining country, trying to do his best to hold back the tide; I'm happy to send him a membership form to the National Party—

is now merely an impotent and self-serving echo chamber for a cabal of Peel Street elite who have totally lost touch with their working class roots.

I couldn't have said it better myself; I just would have substituted Spring Street. He goes on and on and on.

Those of us in this chamber who actually care about working Australians, who actually care to see growth and development in industries that underpin regional economies and our export task, know how important the mining industry is and how important it is in this country to have cheap, reliable power. We hear those opposite talk about all the jobs available in renewable energy, but what we have seen it do is push up energy prices in this country. Our government is absolutely committed to meeting our international commitments on emissions, keeping jobs in regional Australia and growth and economic underpinning industries, and also ensuring we get the price of electricity down, because you cannot run manufacturing plant lines if you keep getting breaks in your electricity. It just doesn't work. In my home state, and I am sure it is the same—

*Honourable senators interjecting—*

**Senator McKENZIE:** The Queensland senators tonight are loud and proud on the floor of the Senate, standing up for their state and getting this feasibility study done. I think if you have a break of about 15 seconds it can cost you hundreds of thousands of dollars. So reliability is important, but they don't actually want to understand or talk about the fact that solar and renewables don't provide you with the reliability yet. That is a fact.

*Senator Waters interjecting—*

**Senator McKENZIE:** Senator Waters, it is a scientific fact and I look forward to prosecuting this. We have 15 days for these guys to disallow this motion; I hope we get to do this every single day because we have speakers lined up on this side of the chamber to stand up for our policy. But it is cooee crickets with the Labor Party.

We're not surprised that the Greens all want to take their 15 minutes of fame to talk about why this is a bad thing for Queensland—go for it! Knock yourselves out! You hold so many seats; you really speak particularly for regional Queensland! Have you checked out your vote? They walk away from you.

An independent strategic study has found that system strength is a real—

*Senator Scarr interjecting—*

**Senator McKENZIE:** Thank you, Senator Scarr, I hope you get an opportunity tonight to make that contribution. The independent strategic study has found that system strength is a real concern in Central and northern Queensland and that new synchronous generation, like coal, gas or pumped hydro, is a priority to meet the energy needs of the region.

The only evangelicals in this particular public debate are the Greens and the Labor Party, who only see one way to produce electricity. Here on our side we are not acolytes to one particular form of energy generation. We accept that renewables have a role: solar, hydro, wind. We also understand and appreciate the increasing contribution that gas will make and we look to state governments to get serious about opening up that resource so that we can build a 21st century advanced manufacturing system in this country, like the great Black Jack McEwan did through the fifties and sixties, post war.

**Senator Scarr:** A great man!

**Senator McKENZIE:** A great man, thank you Senator Scarr. We also understand that coal has a role. I was very excited today to see that the New South Wales state government has lifted the moratorium on uranium, so watch this space. We have really exciting technological solutions for our country which are going to put world-class science to the task of low-emission, high-energy production that will power our communities and our industries going forward.

*Senator McMahon interjecting—*

**Senator McKENZIE:** Absolutely—thank you so much, Senator McMahon from the NT. You've got a lot of uranium at your place. I'm proud we're delivering on that election commitment. I know that everybody is excited to talk about how we're doing that, and I thank the minister. I know that Michelle Landry in Central Queensland, in Rockhampton, was out today on this particular topic and I know that Senator Matt Canavan is incredibly passionate about this project.

We hope that the feasibility study stacks up. But, if it doesn't, then we'll make the sensible decision about how to use our taxpayer dollars. At least we'll have the facts at hand instead of blindly following the religion of catastrophic climate change and also not fully appreciating doing due diligence with taxpayers' money. We understand that the public has a right to go to work in sustainable, exciting and long-term careers out in the regions. That includes in the mining industry, and it is very tragic that tonight, as we debate the future of mining in this country, we could not find one Queensland senator from a great mining state actually stand up here and put their voice to this motion.

**Senator McKim:** What about Senator Waters?

**Senator ROBERTS (Queensland) (18:43):** As a servant to the people of Queensland and Australia, I wonder whether people know that Liberal, Labor, Nationals and Greens climate policies and renewables subsidies are costing households \$13 billion every year? That's \$1,300 per household. I wonder whether Senator McAllister is aware of the growing anger within the parliamentary Labor Party towards new Labor's insane anti-coal position which is killing workers' jobs and killing Australian industry?

At least the new Labor Party, in abandoning blue-collar workers, abandoning small businesses, abandoning large employers in trade exposed industries, abandoning mine workers, abandoning rural communities, abandoning manufacturers and abandoning city and rural families is clear in its message.

I wonder what Mr Fitzgibbon from new Labor thinks about this disallowance motion? What about Senator Sterle? Senator Gallacher? Senator Farrell? These senators are trying to be true to their working roots yet find it increasingly difficult facing the unicorns who ride their rainbow coloured bikes to parliament in a vain attempt to mimic the virtue signalling yet hollow Greens. These senators try to put the 'u' back in Labor, vainly, and we support them. I've just acknowledged a quote from Mr Michael Ravbar, the head of the CFMEU in Queensland. He says the Labor Party is a 'creche for party hacks'. Labor is a creche for party hacks. It has lost touch with workers.

Next is the Greens. It's now day 352 since I last challenged Senator Waters to debate me, and she still won't debate me. It's day 352 since I asked her to provide the empirical scientific evidence for doing something about human produced carbon dioxide, and all she can do is shriek 'climate crisis'—no data, no facts. Here's what drives One Nation: facts, not slogans.

Senator McKenzie mentioned the New South Wales parliament lifting the ban on uranium mining. That was driven by Mark Latham from One Nation. Here are some facts: 39 per cent of electricity bills are due to climate policies that have driven \$8 billion in private sector malinvestment, destabilising and destroying base-load power. These costs are the work of respected economist Dr Alan Moran, who used the government's own data and thus cannot be sensibly refuted. Energy-intensive industries and value-adding food and minerals processing are moving to countries with cheap energy like China, India and Asia, who use our high-quality clean coal to generate cheap power while the same power from our clean coal under Australian climate policies has a price three times as high thanks to Labor, the Liberals, the Nationals and the Greens.

Australia once had the world's cheapest electricity, yet now our prices are amongst the world's highest. Manufacturing in our country has dropped from 17 per cent of our national economy in the 1980s to now be just six per cent, and many hundreds of thousands of blue-collar worker jobs have been sent overseas. The Greens say we could be rebuilding manufacturing like China, who use coal, hydro and nuclear and have one-third of the cost for electricity because they don't have the climate policies and subsidies of the Greens, Labor, Liberals and Nationals.

As a kid, I lived in the bush. In my first year of high school, I cycled to school every day. We road past the Kurri Kurri aluminium smelter in the Hunter Valley, which was built there because of cheap, reliable, stable, secure and environmentally responsible coal-fired power in the Hunter. It's now shut due to climate policies, driving power prices to double what they were just 10 years ago. Gone are the jobs—kaput!

Climate policies are ravaging agriculture after stealing farmers' rights to use their own land thanks to the policies put in place by Prime Minister John Howard's and John Anderson's government. This is destroying food security and increasing food prices. High electricity prices are gutting manufacturing, gutting agriculture and gutting small and large businesses. Our nation's productive capacity, economic sovereignty and economic resilience are being decimated and turning our country from being independent to dependent on other nations.

Climate alarmists are pushing policies aimed at fundamentally decarbonising the economy from 2050. That means de-industrialising Australia. Such a radical change with severe consequences to lifestyles and livelihoods should be based on extraordinary evidence—empirical data from solid measurements with specified quantified impacts which must first justify fundamental change. High-cost policies need solid scientific evidence as justification. The policies' impacts must be specified before implementation and measured during implementation. None of this was done in this country. I'll discuss this next week. For now, I'll discuss some of the specifics of the Moran report's insights into electricity prices.

The government claims that the proportion of household electricity bills that is due to renewables is \$90 a year. Dr Moran's report, which cannot be sensibly refuted because it includes the government's own information, says direct costs are \$536 per household. The total costs per household are \$1,300. The additional cost of climate policies on our power bills is not the 6½ per cent the government claims; it's 39 per cent. Renewables distort low-cost coal-based power and more than double the wholesale electricity price from \$45.50 to \$92.50. China and India use our clean coal to sell electricity at 8c a kilowatt. Australian electricity is three times that, at 25c a kilowatt hour. All Australians have a right to benefit from our rich natural resources. Australians need to know that the true cost of electricity would be \$13 billion less per year if cheap, affordable, reliable coal production were not lumbered with policies that distort the market toward expensive and unreliable wind and solar. These renewables or intermittents destroy jobs, kill productive capacity and waste investment. As I said, Dr Moran uses the government's own data and can't be sensibly refuted. What he's also found out is that this data, although it's still available, is not easily found by the layman. It used to be consolidated—no longer. It's hidden so that people can't see the real cost of these intermittent energy sources that create artificially high electricity and energy prices, savage our living standards and undermine our economic resilience and competitiveness—and they are going to be needed during the COVID recovery.

Ironically, in the last 170 years we have got away from being at the whim of nature: famines, the impacts of climate and the impacts of weather. We've become independent of these. Now we're going back to weather-dependent wind and solar, and we've got \$8 billion per year in private investment diverted to these inefficient destroyers of industry. After two decades, these generators still continue to receive subsidies. After 20 years with subsidies, renewables remain unviable and are a parasitic malinvestment in our energy systems. Why do I say parasitic? They kill their host—the people of Australia. Wind and solar have inherently high consumption of resources and very low energy density, which means they're even less efficient. A coal-fired power station needs 35 tonnes of steel per kilowatt hour generated. Wind requires 543 tonnes of steel per kilowatt hour generated. That's why wind is such an inherently high-cost item. Weather-dependent wind and solar will never move beyond being dependent, parasitic infants, and taxpayers will forever pay for their inherent deficiencies. Climate policies and renewables are a malinvestment in the economy. If the same money were invested in the real economy, it would increase productivity, jobs and health. For every subsidised so-called green-energy job, 2.2 jobs are lost elsewhere in the real economy or could have been created in the real economy with that same money. That money is wasted on subsidised green-energy jobs. They're parasitic and they're killing their host.

There has been a study by Dr Brian Fisher, the former head of the Bureau of Agricultural and Resource Economics, using the government's model, which he has updated. His study of renewables showed that Labor's 50 per cent renewable energy target would cause Australia to lose income of \$1.2 trillion between now and 2030. That's more than half of this year's gross domestic product. Basically, we'd be working for the next half a year and it would be wiped out in the next nine years—just from the Renewable Energy Target. Think about these facts. It

would require an electricity price of \$157 per megawatt hour, more than double what it was in 2016, plus—think about this, Labor Party—wages would be cut to 23 per cent below what they would have been and there would be 568,000 fewer jobs. The biggest falls would be in coal, oil and gas and in energy intensive industries and export offset industries. But the Liberal-National policy is to increase intermittents to 40 per cent above the current level, to 28 per cent, which is more than half of Labor's. That would also be devastating.

One Nation has zero intermittents, zero renewables and zero subsidies. That's because we are the party of the worker. We are the party of the investor and the party of small-business people. Labor is no longer the party of the worker. The Greens never were and the Liberal-National coalition never were. And the Queensland Premier? I ask you: who looks after Queenslanders when you have an absurd 50 per cent renewable policy? The Queensland Premier, Anastacia Palaszczuk, has committed to Queensland having a 50 per cent renewables and intermittents target. She sneers at the plight of coalminers, farmers and all Queenslanders who use electricity—all families who use electricity. Deb Frecklington, her opponent, commits Queensland to higher levels of intermittents. Senator Canavan spins like a wind turbine, at first a climate sceptic, then, in cabinet, a believer who spoke of the anti-coal need to cut carbon dioxide from human activity. Facing the exodus of voters from the Nationals, and finding himself outside cabinet, he started murmuring for coal.

The Liberal-National coalition is split into three groups: firstly, the 'Zimmerman wets', who want to embrace Greens policy and serve United Nations strategies to achieve UN goals; secondly, the 'true Liberals and Nationals', who want to return to serving Australia, a shrinking yet nonetheless admirable group containing people like Craig Kelly and Senators Rennick, Abetz and Fierravanti-Wells; and then we have the 'somersaulters', the third group, with members like Mr Barnaby Joyce and Senator Canavan, who say one thing before entering cabinet, say the opposite in cabinet and then, after leaving cabinet, meekly try to squeeze out pro-coal words. What to believe of this assorted combination?

We have additional costs coming onboard today. They were introduced in the lower house today, I believe. The clean energy finance corporations bill was introduced, with an extra billion dollars to upgrade transmission and grid security due to destabilising intermittent wind and solar sources. That's half the cost of a new coal-fired power station, and coal-fired power stations do not need stabilising, because their power, like hydro and nuclear power, is synchronous—it's stable.

What about the cost of the Howard Liberal-National government's stated desire to comply with the UN's Kyoto climate protocol in 1996 that led to the stealing of farmers' rights to use their land—the land that the farmers paid for? In 1996 in Canberra, the Liberal Prime Minister, the National Party Deputy Prime Minister and the Liberal environment minister, Senator Robert Hill, did a partnership deal with the Queensland National Party's Premier Borbidge and Ministers Littleproud and Hobbs. A Liberal-National consortium did a deal, called a 'partnership agreement'. Then Mr Howard and his government did a deal with Premier Beattie from the Labor Party, and then Premier Bligh. On that foundation, Anastacia Palaszczuk and Jackie Trad built their latest strangling of farmers' rights to use the land that those farmers bought and owned lawfully but cannot use. Why do Queensland's Premier and Labor Party remain silent on the theft of \$1½ billion each year from Queensland's electricity users due to high power prices under the corporatised Queensland electricity supply?

What a shameful mess. What we need is to build a coal-fired power station. We are pleased the Liberal-National coalition are now supporting coal—at least in words and in a feasibility study. One Nation says build the damn thing now. Get on with it. Actions speak louder than words. We invite the Liberal-National coalition to review the facts on climate and to reverse all climate policy. Stop shrieking 'climate crisis' like the Greens. Stop all destruction of our nation's vital electricity. Get real, this disallowance motion— (*Time expired*)

**Senator DAVEY** (New South Wales—Nationals Whip in the Senate) (18:59): What we're seeing is a dark day for working men and women across Australia and particularly in the regions. What we see today is Labor, the party born of Central Queensland, the party born of workers, turn its back on both its history and on the contemporary workers of today. It is like their connection to their roots died along with the famed tree of knowledge. Like that tree, which was maliciously poisoned, the Labor Party is now poisoned by Greens ideology.

We now have a party born in Barcaldine, Queensland, that fantastic Central Queensland community, allowing the New South Wales Socialist Left faction to lead the Greens in a motion to deny Queenslanders jobs, to deny an entrepreneurial Indigenous enterprise an opportunity to prove the business case for those jobs and to deny the potential development of reliable and affordable power. I wonder how Senator Murray Watt—oh, that's right; he's Left, isn't he?—or Senator Nita Green—what faction is she?—feel about being told what industries they can have in their state by their New South Wales branch? It is no wonder, as referred to by my colleague Senator McKenzie, that CFMEU in Queensland have quit the Labor Left faction.

But I say that's not going far enough, because what today shows us is that the rest of Labor are being led by the nose by the Left. They are being led to side with the Greens and to disregard workers and their very roots. It is no wonder the CFMEU's Queensland mining division has vowed to stop donating to Labor and will instead fund candidates committed to a strong and viable resource industry. That's because those industries support Queensland, they support our nation and they support our economy. We have heard time and time again that our economic recovery will be led by the regions, including through forestry, agriculture and mining—the very industries Labor have turned their backs on. In these industries there are jobs. It is through these industries that we produce our key exports and bring in billions for our economy.

But Labor continue to prove they've got no regard for jobs or these industries, particularly in Queensland. The New Acland mine has been waiting for an approval to expand since 2007. There are 150 immediate, direct jobs contingent on that approval, but Labor don't care about those jobs, as they proved when they voted against a motion in this place by my colleague Paul Scarr earlier this year calling on Queensland to approve that expansion. Labor voted against that; they voted against jobs. The failure of Labor to support jobs in Queensland should be ringing alarm bells for workers across Australia. The fact that this motion is being brought on by the New South Wales socialist faction shows that the New South Wales branch also has no regard for workers.

It is no wonder the member for Hunter is quaking in his boots, when the whole of his electorate is dependent on mining and Labor are turning their backs on mining. I say to the people of Hunter: remember which party stands in this place and supports your jobs. Remember which party will ensure your job has a future. I say to the people of Queensland that, despite the fact that my colleagues Senator Matt Canavan and Senator Susan McDonald couldn't be here due to COVID travel restrictions, they stand up for your jobs, they stand up for your industries and they support your workers. Senator Paul Scarr reminded me of that fact just today, too.

Labor don't care about jobs. They don't care about the hundreds of jobs that could be created through the development of a high-energy low-emissions power plant in Central Queensland, just like they don't care about the flow-on jobs created when Queensland's commercial and industrial sectors gain access to affordable and reliable power. But we care. That is why we are funding this study to determine the feasibility of such a project. Labor should not hide behind climate change, because this party that is willing to throw workers out into the cold in the name of climate change still does not have an emissions reduction target.

**Senator PATRICK** (South Australia) (19:05): I would ask, as coalition senators stand up, that in their contributions they answer some questions that I'm a little bit confused about. It appears that on 8 February the minister announced up to \$4 million of funding for a feasibility study to Shine, and then on 10 February, two days later, asked them to make a submission for a grant. It seems out of order, and I'm hoping someone might be able to explain that. I do note that a grant has been awarded to the company, and that is available on the Commonwealth grants website, so I'm guessing that if this disallowance goes ahead that will have to be reversed—or perhaps it's contingent on the regulation not being disallowed.

I will actually be supporting this disallowance, and I won't be doing so because of the politics of the Greens or the politics of the Labor Party or in spite of the politics of the Liberal Party. I come from an engineering background, so I tend to look at these things from an engineering perspective. What I'll say is that there are three really important things that we need to have when we look at power for Australians. The first is that the power needs to be clean. I know that people on the other side may question that in some way, but I'll remind them of the history of the coalition in the proposition for an emissions intensity scheme. Then they went to a clean energy target, supported of course by Dr Finkel, and moved from there to a national energy guarantee. So, on the other side of the chamber there has always been some notion somewhere that we do need to have clean energy. So, people shouldn't stand up and suggest that there isn't a problem, because for a long period of time at least some people on the other side have recognised that there is a problem in that space.

Clean energy is important. Affordable energy is also important. We have to make sure that the energy that is supplied around the country is affordable. The last thing any of us wants is for an elderly person to not be able to turn on their heater during winter or turn on their air conditioner during summer. That's something we should all seek to avoid. And the last requirement, moving on from cleanliness and affordability, is to make sure that it's reliable. As a South Australian I'm only too mindful of the need to have reliable energy available. Just recently I've asked questions of Minister Taylor, through the minister representing him, about how many times AEMO is intervening in the South Australian energy market. The facts of the matter are that about three times a day, on average, AEMO intervenes in the market to ensure solid supply. That tells you there is a problem with renewables in respect of reliability. We're not there yet.

I just wanted to be very forensic and factual about my contribution tonight. But here's why I will be supporting the disallowance. We have a situation where we don't have that reliability, but there are mechanisms for dealing with that right now. In South Australia, we direct gas turbines to make sure the demand is met. But there's no

question that, as time moves forward, we will get that reliability with renewable energy in combination with batteries and other types of energy. We will get there; there's no question of that. We're not there yet, but we will get there. It's for that reason that it is a backwards step to try and invest in coal. It has its place and it does provide stability, but it's the wrong direction. We shouldn't be moving forward with energy that we know is not clean and that is unlikely to be affordable in comparison and in circumstances where renewable energy will become reliable. So I will be supporting the disallowance motion.

**Senator FARUQI** (New South Wales) (19:10): I rise to support the disallowance motion and associate myself with the comments made by my Greens colleague Senator Waters from Queensland. I will say that loud and clear: she is a Greens senator from Queensland who cares about Queenslanders, who cares about the workers in Queensland, who cares that the environment they work in is safe and healthy, and who cares about a healthy planet for everyone.

This government is just shameless. I have to say that I am actually tired of rising up again and again in this chamber to speak about this government's dodgy use of public money and their refusal to act on the climate crisis. If you can't see the climate catastrophe that is staring down on us, then you have deliberately closed your eyes. We are in the middle of a climate emergency, and things are only going to get worse as this government refuses to take any meaningful action to mitigate the crisis. Bushfires, extreme heat events, drought, flooding and ecological failure of our rivers are becoming more and more common. Millions of lives are at risk. Millions of animals are dying. Across the world, people are suffering the impacts of the climate crisis. Our neighbours in the Pacific are telling us to stop digging up and shipping out coal because they are going underwater. In Pakistan, the country I grew up in, the snows on the absolutely majestic Himalayas are melting as we speak and creating havoc downstream for millions and millions of people who are being flooded every other year.

When I started teaching at the University of New South Wales about 20 years ago, I used to ask my students to imagine a time when there would be raging bushfires increasing in intensity every year, when some parts of the world would be in extreme drought and some parts of the world would experience extreme floods, and when we would have record levels of species extinctions. Do you know what? That world is upon us now, so try and do something about it. Instead of doing something about it, this government keeps making things worse by propping up some of their favourite donors—the fossil fuel industry, the coal industry, the coal seam gas industry and the gas industry—and using public money to buy election outcomes. Over and over, we hear from the fossil fuel lobby and this coal-addicted government that coal is equal to jobs and that coal is equal to cheaper electricity prices. And over and over again, that has been shown to be a lie. It does not work anymore.

The proposed Collinsville power plant is a great example of that. Even members of the government and some of the most ardent coal fans in the Labor Party have spoken against this coal-fired plant, saying that it is an economic dead end and that it doesn't stack up either environmentally or economically. Maybe it would be wise for you to listen to them. The government doesn't need a \$4 million feasibility study to tell us what we already know: this is a dud. It's a bloody waste of money. Taxpayers deserves so much better from their government but, obviously, you're not going to give it to them.

When will you pull your fingers out of your ears and start listening and hearing about what people are telling you? When will you open your eyes and face the reality that is in front of us? Coal is a dead end; coal is a stranded asset. Coal is causing the climate crisis and coal kills. Have you heard of black lung disease? Do you know how much pollution coal and coal-fired power plants cause? Go and have a look—see. If you do actually care about workers, if you do care about their health and if you do care about the health of this planet and people and animals living around the world then you must wean yourselves off coal. That is the only way.

We know that our use and export of coal is killing the planet. We are the largest exporter of coal in the world. We can do much better than that. We could be exporting energy produced from hydrogen, from renewable energy. Let's come into the 21st century. We must transition to 100 per cent renewable energy and we must do it in the next decade. Why we must do it in the next decade is because if we are to have a chance of avoiding the worst of the climate catastrophe then it has to be done urgently. We must stop new coal-fired power stations and new coalmines, and phase out existing coalmines. There are alternatives; it's happening across the world. You must all have heard about renewable energy. You must all have heard about energy from hydrogen, and if you haven't then maybe you should listen more to scientists. We must leave the coal in the hole and the oil in the soil; that's the way it has to be. And it must start now.

The Greens have a plan to transition our energy system from the one we currently have, which is the oldest and the dirtiest in the world. That's where we are. We could be leaders! We could be leaders in renewable energy. We could move from the oldest and dirtiest system in the world to one of the cleanest and greenest. It would reduce pollution and it would create thousands of jobs in that process.

*A government senator interjecting—*

**Senator FARUQI:** We do need investment. The government needs to take responsibility for the health of the planet, for the health of Australians and for the health of the workers. We must have large-scale investment in renewable energy infrastructure and in local manufacturing.

Like Senator Patrick, I'm an engineer. I think we need a huge investment to have a renaissance of our manufacturing sector. We've seen through the COVID crisis how lacking in manufacturing we are. This is a real opportunity for us to actually start manufacturing—21st century manufacturing that is sustainable manufacturing. This is why we need to invest in renewable energy. Through that, we can create good, steady, dignified and unionised jobs for hundreds and thousands of people. That's what an emerging sustainable economy and society looks like.

The time has really come; the time is upon us. The time is here to build our way out of the economic and climate crises we find ourselves in. We don't have to choose between action on climate change and secure, dignified jobs for workers—jobs that keep workers healthy and safe. Those jobs are not in coal, those jobs are in sustainable manufacturing and renewable energy. We can wean ourselves off coal; we can stop burning coal for electricity and move to 100 per cent renewable energy. We can do that—

*A government senator interjecting—*

**Senator FARUQI:** You can keep on denying that until the cows come home! That doesn't make it true. We want to move to a sustainable future for us in Australia and for everyone across the world. We want to move to this 100 per cent renewable energy future with a just transition for workers who are in the coal industry at the moment. There was an inquiry that went around regional Australia which I was part of, and people were telling us that that's what they want to do. People in the Hunter Valley were telling us that they want a just transition. They want a plan from this government until there are no options left for those communities, because we know that moving to 100 per cent renewable energy, weaning ourselves off coal, is affordable, possible and necessary.

### ADJOURNMENT

**The ACTING DEPUTY PRESIDENT (Senator McGrath) (19:20):** Order! I propose the question:

That the Senate do now adjourn.

### Hawke-Keating Government

**Senator RENNICK (Queensland) (19:20):** In these unprecedented times Australians are reminded that our sovereignty and self-reliance are not abstract concepts unimportant to their daily lives. Australia's economic sovereignty should never be undermined by misplaced economic philosophy. The Hawke-Keating government of the eighties and nineties in the name of an ideological fantasy known as neoliberalism put through a raft of economic reforms that destroyed Australia's economic sovereignty. These reforms facilitated the takeover of our infrastructure by foreign banks, destroyed manufacturing, stole the savings of workers via superannuation and turned higher education into a degree factory that is more concerned about profits than ensuring that our children reach their potential.

The rot started when Hawke took the Tasmanian government to court, arguing that non-elected foreign bodies should have greater powers than the states. You've got to love it: the United Nations has greater power over our states today than the Prime Minister! But, then again, that's what Labor is all about: one world power. They have no respect for the rights and liberties of the Australian people.

In 1985 Keating, as Treasurer, allowed foreign banks into Australia. In that year financial corporations had \$10 billion in foreign debt on their books and non-financial corporations had \$35 billion. By 2008, 30 years later, financial corporations had \$800 billion in foreign debt, an increase of over 80 times since 1985. This explosion in foreign debt was used to turbocharge house prices, enslaving the Australian worker to foreign banks.

Except for compulsory superannuation, no other economic policy has had such a devastating impact on our way of life. Today house prices are 13 times average earnings. In 1985 they were four times average earnings. This of course was Labor's plan to destroy worker independence, enslave the worker to foreign banks run by foreigners and force their parents to send their children to child care. This entrapment was completed by the introduction of compulsory superannuation, which further impoverished the worker, bonding them closer and closer to the hand of the communists in the government bureaucracy.

The long march of the Left continues into our individual lives today. Keating's exemption on capital gains tax on housing led to a massive overinvestment in the residential housing market at the expense of productive industries that helped destroy the manufacturing industry. Then there was the Button plan, created to make Australia competitive. In the end it only turned Victoria from a mighty manufacturing state to one where little primary industry takes place, or secondary industry—and, might I add, ending what is left seems to be the goal of

Daniel Andrews. A deliberate policy of state forced rationalisation, while ending tariffs, did not produce a stronger more efficient industry. It produced nothing other than a burgeoning communist utopia, or should I say, dystopia, in the state of Victoria.

Another one of Labor's failed policies was the Dawkins plan, named after then education minister John Dawkins. Where once universities were institutions where rigorous intellectual debate, research and training took place, their combination with technical colleges pushed them down a path of becoming nothing more than degree factories.

Of course the greatest damage ever wrought on the Australian public economy was the Hawke-Keating Labor government's superannuation. With assets now reaching approximately 150 per cent of GDP, almost one-third of that superannuation is invested offshore. Superannuation has shifted money out of the real economy and out of the Australian economy. Over \$600 billion in superannuation has been invested offshore. Imagine the economic dividend our country could reap if all this capital were flowing through it. Despite their assertions that superannuation was to safeguard retirement, the fact is that there are almost as many people on the pension today as there were in 1992. It has failed to deliver the very thing it promised: security in retirement.

The final destruction of the economy by the Hawke-Keating Labor government came with the decision to sell off CBA. CBA, the Commonwealth Bank, was sold for a measly \$8 billion. Today it makes more money than that in a year.

### **COVID-19: South Australia**

**Senator MARIELLE SMITH** (South Australia) (19:25): As COVID-19 continues to send shockwaves throughout our nation, I want to stand tonight to bring to light some of the particular challenges being faced in my home state of South Australia, because, whilst on the health front we're doing pretty well in South Australia, in large part due to the work of our Chief Public Health Officer and our health department, we know that many of the economic and social consequences of this pandemic are still hitting us. These consequences are without precedent, and they're consequences which my state just simply isn't able to afford, because my state was already doing it pretty tough economically before the pandemic hit. In June we reached our highest rate of unemployment in 20 years, at 8.8 per cent. We saw a welcome drop in July, but we know that that figure really is likely to be much higher than the figures reveal. The Treasurer himself said that nationally the real unemployment rate is probably well over what the reported figures are.

As of July 2020, for the first time in our history, more than one million Australians are unemployed. Almost 346,000 are young people, at an unacceptable rate of 16.3 per cent. Many of those are in my state of South Australia. Of course, behind each one of these statistics lies a person or a family who've lost their jobs, their livelihoods and their security. Families are desperately clinging on to the hope that we'll see this turn around and that we'll see better economic and social days ahead of us soon.

Of course, there are those who are still lucky enough to be in work in my state but for whom work is extremely challenging during this pandemic. I'm thinking here of our retail staff, who have seen a 400 per cent increase in customer abuse since the start of the pandemic. That is utterly unacceptable treatment of retail workers at a time when they are working harder than ever. There is no excuse for this behaviour. There is no excuse for taking frustration out on our retail workers. They are doing their job; they are doing it well. We are all relying on them now, and what they've gone through during this pandemic has been unacceptable.

Many of our healthcare workers too have reported being verbally and physically abused by members of the public. This is on top of the stress and pressure they've been facing on the front line of our response to the pandemic. We've seen our nursing staff and doctors reach out, calling for additional PPE and raising the alarm where they feel like they don't have this. They are concerned about their security at work and concerned about their ability to do their job of protecting the people they care for and protecting all of us.

Our early childhood educators have suffered more than many during this pandemic. Along with my colleague the member for Adelaide and my friend the member for Kingston, Amanda Rishworth, the shadow minister, I recently held a forum in Adelaide with these educators. Some of the issues raised included the lack of basic and necessary PPE, and their fears about a potential second wave of the virus and whether they'd be left on the front line of it and how they could possibly deal with that without support or resources. They reported a lack of consultation from the government as it made hasty and at times radical changes to the way our early childhood sector operates and, of course, their dismay at being the only ones kicked off JobKeeper, inexplicably, as if somehow this pandemic didn't reach into the early childhood sector, when we know it was one of the places into which it reached the deepest and caused the most havoc.

All these workers, in addition to our cleaners, our truck drivers, our teachers, our police officers and everyone out there working on the front line of the pandemic are, yes, lucky to have a job. But, my goodness, what tough

jobs they are at the moment and how much do they deserve our support and respect. They deserve our thanks. But they don't just deserve our thanks in words; they deserve our thanks in wages and conditions that reflect the hard and incredible work they do, not just during the times of the pandemic but all of the time. If there has ever been a moment in our history to stop and look at our essential workers and say, 'Yes, we see you. We acknowledge you. We know what you are doing and we value you. We value you in what we pay you. We value you in how we treat you at work,' it is now.

Instead, from this government, we don't see that; we see an attack on their superannuation, one of the most basic and fundamental principles of equity, equality and fairness in Australia. That's what's coming for these workers. It's a fight Labor have ahead of us. We will continue to fight for you on your super and on the way you're treated at work. We will continue to show you our thanks by fighting for you here. There are no easy solutions to this pandemic—of course there aren't—but we must support our vulnerable; we must support those supporting us. It's the only way out of this crisis. We must ensure no-one is left behind.

### **COVID-19: International Students**

**Senator FARUQI** (New South Wales) (19:30): I have spoken numerous times in this chamber about the government's failure to support international students during COVID-19. Sadly, since I spoke on this matter in June the situation has deteriorated even further for the hundreds of thousands of international students who have been left high and dry. Students who are greedily welcomed here are then treated as cash cows. I'll read out verbatim some of the media headlines from the last few months, which tell you all you need to know about this government's treatment of international students: 'International students warn livelihoods at risk without welfare safety net', 'Australia gets poor score on international students', 'Stranded without support, international students across Australia rely on free food to survive', 'International students turn to foodbanks as casual work dries up in second Melbourne lockdown'.

International students are telling me that they have lost hope, that their troubles have been dismissed, that they are suffering anxiety and depression. They want something more than fake empathy from this government. A survey of temporary visa holders released by Unions NSW this month found that between March and May 60 per cent of international students lost their jobs and 46 per cent were forced to skip meals on a regular basis. That's because they don't have access to JobKeeper or JobSeeker like others living in Australia. There is no safety net, there is no stopgap; there is only destitution, desperation and poverty. These statistics are completely damning and outrageous. Australia is quite isolated among similar destination countries for international students in its failure to support students during the COVID crisis. In the UK, New Zealand and Canada there are measures in place to help keep students from going hungry or becoming homeless.

There is a lot of anxiety at the moment within Australian tertiary education about the return of international students during the COVID crisis, and of course we should be making safe pathways for international students to fly in and study in Australia if they wish to do so. We should be encouraging diverse global communities at our universities. But after this abject failure to support international students during the pandemic you have to ask: what is being done to Australia's reputation? Will students continue to want to study here after the terrible treatment they have been subjected to? I wouldn't blame them for striking Australia from the list of countries they are considering.

The latest data indicates that international student visa applications have plummeted by more than a third during the COVID crisis, and it would be all too easy to put the blame squarely on the current border situation and the uncertainty of access to Australia for next year and the years afterwards. International students have been treated like cash cows and denied basic government support during COVID. This is evidently having an impact on Australia's reputation. A survey of 6,000 international students and temporary visa holders, to be released soon by UTS and UNSW academics, has found that 59 per cent of international students and backpackers say that, following their experience here during the pandemic, they would now be somewhat less likely or far less likely to recommend Australia as a place for others to study or for a working holiday. That's a clear majority. It should terrify the government and it should terrify universities. It was not helped by the Prime Minister telling international students to go home at the start of the pandemic. Nor is it helped by the contribution of government backbencher Senator Molan earlier this week, who said that our international student intake has led to our universities losing their 'Australianness'. Pushing this 'us and them' division is vile, shameful and disgraceful. Associate professors Laurie Berg and Bassina Farbenblum have rightly said in *The Conversation*:

Australia has obligations under international human rights law to ensure every person within its borders has a safe and secure place to live, adequate food and basic health care.

Advising temporary visa holders to go home does not diminish these obligations. Nor does it absolve Australia of its moral obligations to these people it encouraged to greatly invest in studying and working here.

When they see international students this government sees only dollar signs, not the people who contribute in so many ways to our society and our economy. My heart goes out to students who are doing it incredibly tough right now as a result of this government's heartlessness.

### Energy

**Senator STOKER** (Queensland) (19:35): Yesterday, energy minister Angus Taylor announced that he has asked the Clean Energy Regulator, with the support of the Department of Industry, Science, Energy and Resources, to lead an independent investigation into rooftop solar. This follows a range of really concerning reports about consumer issues arising from that sector—defective installations, misuse of accreditations, safety and quality concerns, and ongoing issues that simply must be addressed. A recent report by the Clean Energy Regulator found that 2.2 per cent of rooftop solar systems were unsafe, while 20 per cent were substandard.

This is another really important piece of work from our energy minister. It reminds me of the excellent technology road map that he published a few months ago, a groundbreaking piece of work that's all about taking the ideology out of how we go about generating energy in this country and focusing on what works on balance and on delivering the kind of reliability that our market depends upon. The road map looked objectively at the base-load generation method used right across the world that has almost no emissions, and that's nuclear energy. This level of objective, science based policy consideration speaks to the political courage that we can see from the energy minister and the Morrison government more generally.

Those opposite tend to scoff and interject at the mere mention of coal or nuclear energy. They ignore the science of energy generation and are driven instead by their religious-like devotion to renewables themselves. But there are a few facts they can't get away from. The first is that the best-performing sector in Queensland during the COVID pandemic has been the coal industry. The second is that, without government subsidies, Queensland's coalmines have seen an increase in jobs of 15 per cent over the May quarter—one of the only sectors in the country that has had great expansion while other parts of the country have struggled. Indeed, I was listening to 4BC this morning and I heard a call-in from a bloke named Russell from Dysart. He called in to Neil Breen's show and said that, while his community had been utterly abandoned by Queensland Labor with heavy-handed Brisbane-centric restrictions when it came to COVID, local businesses had a lifeline, and that lifeline that was keeping their head above water was coal. So it's very easy for people in this chamber or people who live in the comfort of our cities to be condescending to people who depend on the coal industry, but every single one of them should think of Russell before they get sanctimonious in here because a lot of Australia is like Dysart, and these are communities that we can't walk away from. But more and more, those opposite are tempted by the chasing of Green preferences in the cities and have walked away from the industrial base that once so loyally supported them.

There are a couple of glimmers of light for Labor. Not everybody has completely abandoned Australia's miners, farmers and manufacturers yet. Joel Fitzgibbon, for instance, knows how important base load energy is. That's why he has, effectively, threatened to split Labor in two. Most sensible people understand how sensible and agnostic energy policy is. The best and most reliable form of energy must not be sacrificed for the sake of fairytale dreams of cupcakes and rainbows. Coal still matters. It's still an important part of Australia's energy mix. This doesn't have to be a tribal matter. Australia doesn't have to be split in two on the basis that you're either for coal or you're for the environment, or you're either for jobs or you're for renewables. It is possible to walk and chew gum. It is possible to have balance in our system. And it is vital that we never forget those regional communities that depend on us here to stand up for them as we make policy.

### COVID-19: Tasmania

**Senator POLLEY** (Tasmania) (19:40): I know I have spoken on a number of occasions in this place in relation to COVID-19 and the impact that it's had on the country and on my home state of Tasmania. But I think we also have to highlight the good things that have come out of this pandemic and the experiences that people are having. I actually think people in Tasmania are being kinder to each other, and I hope that doesn't change when we emerge from this pandemic.

We know that our economy is suffering. We know that there are in excess of 30,000 Tasmanians that have either lost their jobs or are underemployed. We know small business is doing it tough. We know our tourism sector is doing it really tough, and we know what the shutdown of the airline sector has done to our local economy. When we had the outbreak down the north-west coast of Tasmania, that really impacted on the entire state. People were scared. People are still scared about the impact and about whether there is a real risk, once Tasmania's borders are reopened, of a second wave of the pandemic and whether there will be a worse strain that hits our shores. These are all real concerns that people have in their community.

But there have been some really good things that have happened. I think there is now a greater appreciation of people who work in retail. The experience that our retail workers had, particularly in the early weeks of this pandemic, during the panic buying at the supermarkets, was proven to be unnecessary. The abuse that those retail workers had to endure was unfortunate. I do think, though, that people, at least in my home state, have re-evaluated people that have been on the front line, whether it's the postie delivering the mail or the retail workers in the supermarkets or in other outlets. If you're a truckie, we've had to rely on you to ensure that our supplies come through in a timely manner. I think there's been a recognition that, really, we are all reliant on one another.

While there have been some good things, there have also been some bad decisions made. In Tasmania, we didn't ensure, for instance, that there was enough PPE in our hospital systems. We know we have certainly missed that opportunity in the aged-care sector, and I've spoken many times about that. We've had to fight very hard to get pandemic leave, and we know that still isn't available for all workers. With JobKeeper, Labor had been on about that for quite some time before the government got on board, but they did get on board, so I give the government credit for that. We have to ensure, though, that JobKeeper is there for as long as we need it in our communities.

With JobSeeker, it is really tough. There were aspects of the Tasmanian economy that were really doing quite well before the pandemic; I give credit where credit's due. But it is going to be tough, going forward, because the effects of this pandemic aren't going to be over in a matter of weeks and months. It will be years. It could be a decade. It's going to take a long time to rebuild and regain confidence. But the most important thing we can do as elected representatives of the Australian community is to make sure that people feel safe—whether it's our older Australians, our older Tasmanians in aged care or in residential care, or the most vulnerable, the people that are living on the street, homeless. We have to give all of these people the reassurance that the Commonwealth government is there and doing the right thing by them.

I know that politics is politics; people will come into this chamber and accuse each other of trying to make political points. At the end of the day, I actually believe that everybody in this chamber is here trying to do the best that they can. But we do have to acknowledge when there is a need for the government of the day to step up. There are many occasions and many areas of policy—and aged care is one of those—where we have offered for the last seven years to work with them to address the crisis in aged care. It is now out of control.

We have a royal commission that the Prime Minister has used to stall having to resource this sector in the way it needs to happen. We are always willing to sit down and talk to the government to resolve this aged-care crisis.

### Women's Sport

**Senator CHANDLER** (Tasmania) (19:45): It's a strange world we live in when we need scientific reports to advise a major international sporting body that it's not safe or fair for males to play full-contact rugby against women. World Rugby has recently published on its website research findings from a range of experts in biology, physiology, sports science and sports medicine who participated in a process looking at the inclusion of trans athletes in rugby. One of the findings is that there is likely to be at least a 20 to 30 per cent greater risk of injury when a female player is tackled by someone who has gone through male puberty. This research has been reported in some sections of the media recently. Strangely, many mainstream media outlets haven't mentioned it.

When Australians hear about this research showing that males have advantages over females in sport, the most common response is a complete lack of surprise. Who needs scientific research to tell us that the average male has major advantages in speed, strength and power over the average female? The people who do need to read this research are the CEOs of our peak sporting bodies, because when it comes to protecting the integrity and safety of women's sport they have completely taken leave of their senses.

Sport Australia's guidelines for the inclusion of transgender and gender diverse people in sport makes the statement that for Australian sporting organisations:

... participation in sport should be based on a person's affirmed gender identity and not the sex they were assigned at birth

Along with Sport Australia and the Australian Human Rights Commission, who else has signed up to these guidelines and the idea that your sex should be irrelevant to whether you can compete in women's sport? Just the Coalition of Major Professional and Participation Sports, which includes Rugby Australia, the Australian Football League and the NRL. These full-contact sports have taken the position that women in their competitions had better brace themselves for a 30 per cent increase in their risk of injury so that administrators can pat themselves on the back for being inclusive.

The good news is that right now Rugby Australia has the opportunity to reset the balance and stand up for female athletes. World Rugby has given them the science which quantifies the risks and the disadvantages to women. Rugby Australia should make a stand that women's sport is for females and that men's sport is for males. The other major Australian sports should pull their heads out of the sand, look at the publicly available research

and come to the same commonsense conclusion. It is not good enough for organised sport to hide behind activist interpretations of the Sex Discrimination Act and claim that the law compels them to prioritise gender identity over sex. It doesn't. If Sport Australia and Australia's major sporting codes won't look at the facts and use their common sense to ensure integrity of their women's competitions at every level, not just the elite competition, then we have to ask the question seriously as to why Australian taxpayers hand over public money to these sporting codes to promote female participation in sport.

On top of ignoring the unfairness and the safety concerns of encouraging biological males to play women's sport, the environment that Sport Australia and the major codes have created at the moment is that if you're a female, or maybe the parent of a 16-year-old who wants to enjoy playing women's football or women's rugby on a level playing field then you'd better not have a problem with that, because your league is probably signed up to an inclusion policy like the one advocated in Sport Australia's guidelines which stipulates that sporting organisations should have a publicly available inclusion policy in place which clearly articulates that participation in sport should be based on a person's affirmed gender identity. So if you say you're not comfortable playing women's contact sports against biological males, you are at risk of breaching your league's inclusion policy and being suspended or even banned.

So many women have contacted me with concerns about this issue, but they are worried that, if they speak publicly or even internally, they might face consequences at their club or at their place of work. Just this week, we've seen yet another example in the United States of a woman being fired by her employer—a literary agent—for tweeting about sex and gender issues. We've seen this happen in the US and in the United Kingdom. How do Australians know that they are able to speak freely about women's rights and the reality of biological sex without being censured or fired by their employer? The idea that someone could lose their job or be banned from the sport they love for acknowledging that sex exists should be alarming to every fair-minded Australian.

**Senate adjourned at 19:50**