



Senate Journals

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1 Meeting of Senate

The Senate met at midday. The President (Senator the Honourable Scott Ryan) took the chair, read prayers and made an acknowledgement of country.

2 Documents

The following documents were tabled pursuant to standing order 61(1)(b):

Government documents

- 1 Aboriginal Land Commissioner—Report for 2018-19.
- 2 Inspector-General of the Australian Defence Force—Report for 2018-19.

The Clerk tabled the following documents pursuant to statute:

[Legislative instruments are identified by a Federal Register of Legislation (FRL) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]

Civil Aviation Act 1988—Civil Aviation Safety Regulations 1998—Repeal of Airworthiness Directive AD/B737/305—CASA ADCX 003/20 [F2020L00149].

Commissioner of Taxation—Public Ruling—Class Ruling CR 2020/10.

Food Standards Australia New Zealand Act 1991—

Food Standards (Application A1171 – Endo-inulinase from GM Aspergillus oryzae as a Processing Aid (Enzyme)) Variation [F2020L00151].

Food Standards (Application A1176 – Enzymatic Production of Steviol Glycosides) Variation [F2020L00153].

Food Standards (Application A1181 – Maximum residue limit for Imazapyr in barley) Variation [F2020L00152].

Parliamentary Business Resources Act 2017—Parliamentary Business Resources Regulations 2017—Advice of decision to pay assistance—12 February 2020.

Sydney Airport Curfew Act 1995—Dispensation Report—03/20.

Therapeutic Goods Act 1989—Therapeutic Goods (Permissible Ingredients) Determination (No. 1) 2020 [F2020L00150].

The Clerk tabled the following documents pursuant to order:

Departmental and agency appointments and vacancies—Additional estimates 2019-20—Letters of advice pursuant to the order of the Senate of 24 June 2008—

Department of Agriculture, Water and the Environment.

Department of Agriculture, Water and the Environment (Agriculture and Drought).

Department of Education (former).

Foreign Affairs and Trade portfolio.

Industry, Science, Energy and Resources portfolio (Energy and Emissions Reduction).

Health portfolio.

Home Affairs portfolio.

National Drought and North Queensland Flood Response and Recovery Agency.

Office for Women.

Social Services portfolio.

Treasury portfolio.

Departmental and agency grants—Additional estimates 2019-20—Letters of advice pursuant to the order of the Senate of 24 June 2008—

Australian Organ and Tissue Donation and Transplantation Authority.

Department of Health.

Digital Transformation Agency.

Education, Skills and Employment portfolio.

Environment and Energy portfolio.

Home Affairs portfolio.

Infrastructure, Transport, Regional Development and Communications portfolio.

National Blood Authority.

National Disability Insurance Scheme Launch Transition Agency.

National Drought and North Queensland Flood Response and Recovery Agency.

Office for Women.

Social Services portfolio.

Treasury portfolio.

Entity contracts for 2019—Letters of advice pursuant to the order of the Senate of 20 June 2001, as amended—

Digital Transformation Agency.

Health portfolio.

Home Affairs portfolio.

Infrastructure, Transport, Regional Development and Communications portfolio.

Services Australia.

Estimates hearings—Unanswered questions on notice—Budget estimates 2019-20 (Supplementary)—Statements pursuant to the order of the Senate of 25 June 2014—

Digital Transformation Agency.

Foreign Affairs and Trade portfolio.

National Indigenous Australians Agency.

Social Services portfolio.

Treasury portfolio.

Workplace Gender Equality Agency.

Indexed lists of departmental and agency files for the period 1 July to 31 December 2019—Statements of compliance pursuant to the order of the Senate of 30 May 1996, as amended—

Agriculture, Water and the Environment portfolio.

Education, Skills and Employment portfolio.

Home Affairs portfolio.

National Disability Insurance Agency.

3 Committees—Leave to meet during sittings

Committees were authorised to meet during the sittings of the Senate, as follows:

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 1 pm.

Financial Technology and Regulatory Technology—Select Committee—public meetings—

Wednesday, 26 February 2020, from 11.30 am.

Thursday, 27 February 2020, from 4.30 pm.

Human Rights—Joint Statutory Committee—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 26 February 2020, from 9.30 am.

Intelligence and Security—Joint Statutory Committee—private meeting otherwise than in accordance with standing order 33(1), followed by a public meeting, on Wednesday, 26 February 2020, from 11 am.

Scrutiny of Bills—Standing Committee—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 26 February 2020, from 10 am.

4 Consideration of legislation

The Minister for Families and Social Services (Senator Ruston) moved—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Social Services and Other Legislation Amendment (Simplifying Income Reporting and Other Measures) Bill 2020, allowing it to be considered during this period of sittings.

Document: Senator Ruston tabled the following document:

Consideration of legislation—Statement of reasons for the passage of the bill during the 2020 autumn sittings.

Question put and passed.

5 Agriculture Legislation Amendment (Streamlining Administration) Bill 2019

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Forestry and Fisheries (Senator Duniam)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of Senator Duniam the bill was read a third time.

6 Order of business—Rearrangement

The Assistant Minister for Forestry and Fisheries (Senator Duniam) moved—That intervening business be postponed till after consideration of the government business order of the day relating to the Social Services and Other Legislation Amendment (Simplifying Income Reporting and Other Measures) Bill 2020.

Question put and passed.

7 Social Services and Other Legislation Amendment (Simplifying Income Reporting and Other Measures) Bill 2020

Order of the day read for the adjourned debate on the motion of the Minister for Families and Social Services (Senator Ruston)—That this bill be now read a second time.

Debate resumed.

At 2 pm: Debate was interrupted while Senator Askew was speaking.

8 Questions

Questions without notice were answered.

9 New South Wales water access licences—Order for production of documents—Compliance—Explanation

Senator Patrick, pursuant to standing order 164, asked the Minister for Employment, Skills, Small and Family Business (Senator Cash) for an explanation of the minister's failure to comply with an order for the production of documents of 14 November 2019 concerning New South Wales water access licences (*see entry no. 27, 14 November 2019*).

Senator Cash provided an explanation.

Senator Patrick moved—That the Senate take note of the explanation.

Question put and passed.

10 Motions to take note of answers

Senator Watt moved—That the Senate take note of the answers given by the Minister for Families and Social Services (Senator Ruston) and the Minister for Defence (Senator Reynolds) to questions without notice asked by Senators Watt and Ciccone today relating to climate change.

Debate ensued.

Question put and passed.

Senator Whish-Wilson moved—That the Senate take note of the answer given by the Minister for Foreign Affairs (Senator Payne) to a question without notice asked by Senator Whish-Wilson today relating to Mr Julian Assange.

Question put and passed.

11 Notices

The Chair of the Standing Committee for the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells): To move 15 sitting days after today—That the Jervis Bay Territory Rural Fires Amendment (Miscellaneous Measures) Rules 2019, made under the *Jervis Bay Territory Acceptance Act 1915*, be disallowed [F2019L01494].

Senators Watt, Green and Chisholm: To move on the next day of sitting—That the Senate—

- (a) notes that the Leader of the Liberal National Party in the Queensland Parliament, Mrs Deb Frecklington, has promised to require government-owned energy companies to invest in renewable energy generation;
- (b) supports increased investment in renewable power as the cheapest and cleanest means of supplying our future energy needs; and
- (c) calls on the Federal Liberal National Party to support further investment in renewables. (*general business notice of motion no. 493*)

Senator O'Neill: To move on the next day of sitting—That the Senate—

- (a) notes that:
 - (i) Aged Care Assessment Teams (ACAT) are teams of experienced, qualified and highly trained medical, clinical and allied health professionals who are responsible for assessing the level of government-funded care that ageing Australians should receive,
 - (ii) the Morrison Government sees ageing as a problem and the market as the solution,
 - (iii) the Morrison Government has announced that it intends to privatise ACAT from April 2021,
 - (iv) the New South Wales (NSW) Minister for Health and Medical Research, Mr Brad Hazzard, has been highly critical of the Morrison Government's decision to privatise ACAT,
 - (v) Minister Hazzard has said that 'NSW has major concerns' about the Government's plan to privatise ACAT,
 - (vi) Minister Hazzard has said that 'It would worry me if a private company had accountability that went beyond the pure interest of the elderly person',
 - (vii) Minister Hazzard has said that 'It seems pre-emptive and unreasonable to be effectively privatising health aged-care services while the royal commission into aged care is still under way', and
 - (viii) Minister Hazzard concluded that the Government's decision to privatise ACAT demonstrated that there was 'Not a lot of logic there'; and
- (b) calls on the Morrison Government to:
 - (i) listen to the concerns of their colleague Minister Hazzard in the NSW Government, and
 - (ii) stop the privatisation of ACAT services. (*general business notice of motion no. 494*)

Senators Gallagher and Watt: To move on the next day of sitting—That the Senate acknowledges the important work of federal public servants, Australian Broadcasting Corporation (ABC) staff and Australian Defence Force personnel in the recent bushfire crisis, including:

- (a) the work of scientists and other staff at the Bureau of Meteorology who helped to forecast extreme weather patterns, and the Commonwealth Scientific and Industrial Research Organisation, who took part in the scientific roundtable on the bushfires;
- (b) the ABC's efforts to provide comprehensive coverage of the bushfires and accurate emergency information to people in bushfire-affected areas;
- (c) Australian Defence Force personnel, reservists and other staff involved in Operation Bushfire Assist;
- (d) those involved in the response effort, from staff at Emergency Management Australia to those in the Department of the Environment in their efforts to support the protection of native wildlife;
- (e) those involved in the recovery effort, from staff working to address the mental health impact of the bushfires to those at Services Australia helping to deliver emergency relief payments to people in need; and
- (f) staff at the newly-created National Bushfire Recovery Agency. (*general business notice of motion no. 495*)

Senator Gallagher: To move on the next day of sitting—That the Senate acknowledges the important work of federal public servants to address the ongoing Coronavirus outbreak, including:

- (a) consular staff and other public servants who have gone into high-risk areas like Wuhan to evacuate Australians;
- (b) officials from agencies in Health and Home Affairs who have managed stringent quarantine procedures, including in the facilities on Christmas Island and near Darwin;
- (c) the Chief Medical Officer, Professor Brendan Murphy, and the Department of Health, which have led the public health response to the outbreak; and
- (d) scientists at the Commonwealth Scientific and Industrial Research Organisation, whose research is forming an integral part of the rapid global response to the outbreak. (*general business notice of motion no. 496*)

Senators Faruqi and Di Natale: To move on the next day of sitting—That the Senate—

- (a) notes:
 - (i) that 15 March 2020 will mark one year since the Christchurch massacre, when a racist, hate-filled and violent white supremacist man from Australia killed 51 Muslims during Friday prayers at Al Noor Mosque and Linwood Islamic Centre in Christchurch, New Zealand,
 - (ii) that the anniversary of Christchurch is a painful reminder to Muslims in Australia, New Zealand and across the world that anti-Muslim racism and white supremacy has fatal consequences, and

- (iii) the recent concerns of ASIO Director-General, Mr Mike Burgess, regarding far-right extremism in Australia, that:
 - (A) the extreme right-wing threat is real and growing,
 - (B) Neo-Nazi groups regularly meet to salute Nazi flags, inspect weapons, train in combat and share their hateful ideology, and
 - (C) extremists are seeking to connect with like-minded individuals in other parts of the world; and
- (b) expresses solidarity with the families, friends and communities of the victims of the Christchurch terrorist attack at this difficult time;
- (c) expresses a deep commitment to calling out and stamping out extreme right-wing ideologies, white supremacy and anti-Muslim racism; and
- (d) urgently calls on the Federal Government to:
 - (i) dedicate adequate resources to targeting right-wing extremism, and
 - (ii) work to stop the spread of hate speech and far-right movements. (*general business notice of motion no. 497*)

Senator Keneally: To move on the next day of sitting—That—

- (1) The Senate notes that:
 - (a) the Morrison Government has announced that it intends to privatise Aged Care Assessment Teams (ACAT) from April 2021;
 - (b) the Minister for Aged Care and Senior Australians said he is implementing a recommendation from the Tune Review;
 - (c) the Tune Review made no such recommendation;
 - (d) the Minister for Aged Care and Senior Australians also claimed he is implementing a recommendation from the Royal Commission into Aged Care Quality and Safety; and
 - (e) the Royal Commission made no such recommendation.
- (2) The Senate condemns the Minister for Aged Care and Senior Australians for failing to adequately explain his decision to privatise the ACAT, despite neither the Tune Review nor the Royal Commission making any such recommendation.
- (3) At 9.30 am on 27 February 2020, before government business is called on, the Senate requires the Minister for Aged Care and Senior Australians to attend the Senate to:
 - (a) provide an explanation as to why the Morrison Government is continuing with its tender of ACAT services despite the fact that the Royal Commission has stated that it has yet to make recommendations about which sector or mechanism should deliver ACAT-type services; and
 - (b) that a senator may, at the conclusion of the explanation, move without notice, that the Senate take note of the explanation. (*general business notice of motion no. 498*)

Senator Griff: To move on the next day of sitting—That the Senate—

- (a) condemns child exploitation material of any kind and through any medium;
- (b) acknowledges that Japanese anime (animation) and manga (graphic novels) are visual mediums which share a unique style in which some media depicts children in explicit sexual activities, poses and even being sexually abused;
- (c) notes that:
 - (i) Japanese anime and manga depicting scenes and images of child abuse is readily available for sale at retail outlets, online and for consumption on streaming services in Australia,
 - (ii) certain anime containing child abuse material has received classification by the Classification Board, allowing it to be imported and sold in Australia, and
 - (iii) explicit manga is currently not vetted by the Classification Board;
- (d) recognises that the *Commonwealth Criminal Code Act 1995* prohibits the sale, production, possession and distribution of offensive and abusive material ‘that depicts a person or a representation of a person who is or appears to be under 18’; and
- (e) calls on the Federal Government to:
 - (i) ensure the current Review of Australian Classification Regulation considers how the Classification Board deals with child abuse depictions in animation and considers extending its oversight to printed materials, and
 - (ii) facilitate the removal of all such child abuse material in animation and print, as a matter of urgency. (*general business notice of motion no. 499*)

Senator Patrick: To move on the next day of sitting—

- (1) That the Senate notes the inquiries relating to domestic violence in Australia undertaken by the Finance and Public Administration References Committee in 2014-15 and 2015-17, and the 2019 Auditor-General’s report on implementation of the *National Plan to Reduce Violence Against Women and their Children 2010-2022*.
- (2) That the Legal and Constitutional Affairs References Committee, informed by the reports named at (1), inquire into and report, by not later than 13 August 2020, on domestic violence with particular regard to violence against women and their children, including:
 - (a) the status of, and any barriers in implementing, the recommendations of the reports;
 - (b) the adequacy, effectiveness and resourcing of policies, programs, services and responses to domestic violence across the Australian Government, state and territory governments, local governments, nongovernment and community organisations, business and the media;
 - (c) immediate and long-term measures that need to be taken to prevent violence against women and their children;
 - (d) the effects of policy decisions regarding housing, legal services, and women’s economic independence limiting the ability of women and children to escape domestic violence;

- (e) how the Australian Government and state and territory governments can best support, contribute to and drive the social, cultural and behavioural shifts required to eliminate violence against women and their children; and
- (f) any other related matters.

Senator Siewert: To move on the next day of sitting—That the Senate—

- (a) notes that:
 - (i) First Nations children are over-represented in the youth justice system and the failure of state and territory governments to address the underlying causes of disadvantage is entrenching children in the criminal justice system,
 - (ii) the age of criminal responsibility is currently 10 years of age around Australia, meaning children as young as 10 are being charged, brought before courts, sentenced and imprisoned, and
 - (iii) the United Nations has recommended that the age of criminal responsibility for all nations be increased to 14 and the minimum age at which a child could be placed in detention be raised to 16;
- (b) welcomes Dujuan Hoosan and his family to Parliament House this week, who will be meeting with parliamentarians and screening the documentary *In my Blood it Runs* that features his struggles to integrate his Indigenous culture with the western education system and his experiences in Mparntwe (Alice Springs) with the justice system;
- (c) acknowledges Dujuan's courage, leadership and advocacy on behalf of First Nations children and his community; and
- (d) calls on the Federal Government to urgently address the underlying causes of youth incarceration including systemic racism, intergenerational trauma and poverty, and to work with state and territory governments to raise the age of criminal responsibility to 14 years, as a minimum. (*general business notice of motion no. 500*)

Senator Hanson-Young: To move on the next day of sitting—That the Senate—

- (a) notes that:
 - (i) Norwegian oil company Equinor, has announced that it is discontinuing its exploration drilling plans in the Great Australian Bight,
 - (ii) this is an opportunity to celebrate the pristine and precious Great Australian Bight and to protect it for future generations and the rest of the world to come and experience,
 - (iii) the Bight is ecologically and environmentally significant and home to some of the most unique wildlife in the world with 85% of marine life found in the Bight found nowhere else,
 - (iv) Australia Institute Research has shown that more than 4 in 5 South Australians (84%) and 7 in 10 Australians want to see the Bight given World Heritage protection, and

- (v) in July 2018, the South Australian Parliament called on the State Government to work with the Federal Government to seek listing under the World Heritage Convention of the waters, seabed and coastline of the Great Australian Bight as a matter of urgency; and
- (b) calls on the Federal Government to submit the Great Australian Bight for consideration as a World Heritage Site. (*general business notice of motion no. 501*)

The Leader of the Australian Greens in the Senate (Senator Waters): To move on the next day of sitting—that the Senate—

- (a) notes that:
 - (i) in his statement to Parliament regarding the murders of Ms Hannah Clarke and her children on 24 February 2020, Prime Minister Scott Morrison said ‘We must reflect on how and where the system failed Hannah and her children, as it has failed so many others. It’s so frustrating. It’s so devastating’, and
 - (ii) women’s services have consistently identified the need for more funding for the Family Court, prevention and early intervention programs, specialist legal and support services, crisis accommodation and housing support to improve the family law system; and
- (b) calls on the Federal Government to adequately fund domestic, family and sexual violence and crisis housing services to ensure that all women and children seeking safety can access these services when and where they need them. (*general business notice of motion no. 502*)

The Leader of the Australian Greens in the Senate (Senator Waters): To move on 27 February 2020—That—

- (1) The Senate notes that:
 - (a) since the last sitting of the Senate, two more women have been killed by violence in Australia taking the national toll since the start of 2020 to nine, as reported by Counting Dead Women Australia from Destroy The Joint;
 - (b) there is no national government reporting program to record the ongoing toll of women killed by violence in real time and ensure that these horrifying statistics receive ongoing public attention;
 - (c) on average, one woman is murdered every week by her current or former partner;
 - (d) according to the Australian Bureau of Statistics Personal Safety Survey 2016:
 - (i) more than 370,000 Australian women are subjected to violence from men each year,
 - (ii) 1 in 3 Australian women has experienced physical violence,
 - (iii) 1 in 5 Australian women has experienced sexual violence,
 - (iv) 1 in 6 Australian women has experienced physical or sexual violence by a current or former partner,
 - (v) 1 in 4 Australian women has experienced emotional abuse by a current or former partner,

- (vi) Australian women are nearly three times more likely than men to experience violence from an intimate partner, and
 - (vii) Australian women are 2.5 times more likely to be hospitalised for assault injuries arising from family and domestic violence than men, with hospitalisation rates rising by 23% since 2014-2015;
 - (e) in 2017, young women aged 15-34 accounted for more than half of reported sexual assaults;
 - (f) there is growing evidence that women with disabilities are more likely to experience violence;
 - (g) Aboriginal and Torres Strait Islander women report experiencing violence at 3.1 times the rate of non-Indigenous women;
 - (h) in 2016-2017, Indigenous women were 32 times as likely to be hospitalised due to family violence as non-Indigenous women;
 - (i) the Fourth Action Plan of the *National Plan to Reduce Violence against Women and their Children 2010-2022* states that the overall prevalence of violence against women will only start to decrease in the very long term as gender roles change; and
 - (j) the Fourth Action Plan recognises that demand for domestic and family violence services has increased, and will continue to increase.
- (2) The Senate calls on the government to:
- (a) recognise domestic violence against women as a national security crisis;
 - (b) adequately fund frontline domestic, family and sexual violence and crisis housing services to ensure that all women seeking safety can access these services when and where they need them;
 - (c) legislate for 10 days paid domestic and family violence leave so that women do not have to choose between paying the bills and seeking safety;
 - (d) ensure that all government funded counselling services for domestic and family violence are delivered by expert family violence service providers in accordance with the National Outcome Standards for Perpetrator Interventions;
 - (e) implement all 25 recommendations of the 2015 Senate inquiry into domestic violence in Australia; and
 - (f) maintain and publish an official real-time national toll of women killed by violence Australia. (*general business notice of motion no. 503*)

The Leader of the Australian Greens in the Senate (Senator Waters): To move on the next day of sitting—

- (1) That there be laid on the table by the Minister for Finance, by no later than 2 pm on 23 March 2020, all reports and correspondence received by the Minister for Finance from other ministers under paragraph 4.12 of the Commonwealth Grants Rules and Guidelines 2017 or paragraph 4.13 of the previous Commonwealth Grants Rules and Guidelines between 1 August 2016 and 31 April 2019.

- (2) In the event the Minister fails to table the reports and correspondence, the Senate requires the Minister representing the Prime Minister to attend the Senate on 25 March 2020, by no later than 10.15 am, to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents.
- (3) Any senator may move to take note of the explanation required by paragraph (2).
- (4) Any motion under paragraph (3) may be debated for no longer than 60 minutes, shall have precedence over all government business until determined, and senators may speak to the motion for not more than 10 minutes each. (*general business notice of motion no. 504*)

The Leader of the Australian Greens in the Senate (Senator Waters): To move on the next day of sitting—

- (1) That there be laid on the table by the Minister for Finance, by no later than 30 April of each calendar year:
 - (a) all reports and correspondence received by the Minister for Finance under paragraph 4.12 of the Commonwealth Grants Rules and Guidelines 2017 during the preceding calendar year; and
 - (b) a summary of the decisions reported under paragraph 4.12 of the Commonwealth Grant Rules and Guidelines 2017, including the Central Budget Management System program title, sub-program, grant activity, grantee, total grant value, grant funding location, postcode, and a brief statement of reason for the decision.
- (2) If the Senate is not sitting when the documents are ready for presentation, the documents are to be presented to the President under standing order 166.
- (3) This order is of continuing effect. (*general business notice of motion no. 505*)

Senator Gallagher: To move on the next day of sitting—That—

- (a) the Senate requires that, at its examination of the 2019-20 additional estimates, on 4 March 2020, the Community Affairs Legislation Committee examine the Department of Health Outcome 3: Sport and Recreation, Program 3.1: Sport and Recreation, and Sport Australia, prior to commencing the examination of any other outcomes, programs, or portfolio agencies; and
- (b) this requirement may be altered by unanimous agreement of members of the committee. (*general business notice of motion no. 506*)

The Assistant Minister for Forestry and Fisheries (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 following bills, allowing them to be considered during this period of sittings:

Statute Update (Regulations References) Bill 2020

Treasury Laws Amendment (Reuniting More Superannuation) Bill 2020.

Documents: Senator Duniam tabled the following documents:

Consideration of legislation—Statements of reasons [2] for the introduction and passage of bills in the 2020 Autumn sittings.

12 **Public Works—Joint Statutory Committee—Reference of works**

The Assistant Minister for Forestry and Fisheries (Senator Duniam), at the request of the Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) and pursuant to notices of motion not objected to as formal motions, moved government business notices of motion nos 1 and 2—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed works be referred to the Parliamentary Standing Committee on Public Works for consideration and report as expeditiously as is possible:

RAAF Base Tindal.

National Education Centre for the Great Barrier Reef.

Documents: Senator Duniam tabled statements [2] relating to the proposed works.

Question put and passed.

13 **Death of Mr Reza Barati**

Senator McKim, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 473—That the Senate—

(a) notes that:

- (i) 17 February 2020 was the sixth anniversary of Mr Reza Barati's death,
- (ii) Mr Barati was murdered on 17 February 2014 while in the Manus Island Regional Processing Centre, Papua New Guinea,
- (iii) Mr Barati's murder occurred during protests and rioting in the centre that also resulted in about 70 refugees being injured,
- (iv) according to the *Review into the events of 16 – 18 February 2014 at the Manus Regional Processing Centre*, initiated by the then Secretary of the Department of Immigration and Border Protection Mr Martin Bowles, AO, PSM, and conducted by Mr Robert Cornall, AO, Mr Barati, who was not involved in the unrest, 'suffered a severe brain injury caused by a brutal beating by several assailants and died a few hours later',
- (v) Mr Barati was an architecture student who fled Iran and sought asylum in Australia; due to his size and nature, he was known to friends as 'the gentle giant', and
- (vi) since Mr Barati's death, there have been 12 more deaths in Australia's offshore processing system;

(b) expresses sincere condolences to Mr Barati's family and friends; and

(c) at the passing of this motion, observes a moment of silence to reflect on the deaths that have occurred in Australia's offshore processing system, including that of Mr Reza Barati.

Question put and passed.

Pursuant to paragraph (c) of the motion, all senators present joined in a moment of silence.

14 Family and domestic violence

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 475—That the Senate—

- (a) notes the Australian Institute of Health and Welfare's 2019 report, *Family, domestic and sexual violence in Australia continuing the national story*, which states that:
 - (i) family, domestic and sexual violence is a major health and welfare issue affecting people of all ages and from all backgrounds, but mainly women and children,
 - (ii) 1 in 6 women and 1 in 16 men have experienced physical or sexual violence by a current or previous partner since the age of 15, and
 - (iii) Australian women are nearly three times more likely than men to experience violence from an intimate partner;
- (b) acknowledges the Federal Government's commitment of \$340 million in the 2019-20 Budget to support the *Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children 2010-2022*;
- (c) further acknowledges the Minister for Social Services' recent announcement of only \$2.4 million towards men's behaviour change programs, which will involve group sessions, counselling and home visits, taking place only in New South Wales, Queensland and Western Australia and to run only to June 2022;
- (d) recognises that domestic violence is borderless, affecting every community in Australia; and
- (e) calls on the Federal Government to:
 - (i) fund behaviour change programs in every state and territory,
 - (ii) fund behaviour change programs that are tailored to Indigenous communities, and culturally and linguistically diverse communities, as well as the broader Australian community, and
 - (iii) increase funding for behaviour change programs.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

15 Aged Care Assessment Teams—Privatisation

Senator Urquhart, at the request of Senator Watt and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 479—That the Senate—

- (a) notes that:
 - (i) the Morrison Government has announced that it wants to privatise the Aged Care Assessment Teams (ACAT) workforce from April 2021, when a tender will be put out for organisations to deliver this vital assessment,
 - (ii) ACAT teams are currently based in hospitals across the country and are responsible for assessing which older Australians should receive government-funded care,

- (iii) the Morrison Government's plan could take away the jobs of over 1,000 qualified, experienced and highly-trained professionals across the country, and
- (iv) the Morrison Government's plan to privatise ACAT services is not supported by highly regarded experts, the sector or the states;
- (b) strongly opposes:
 - (i) the privatisation of the ACAT workforce, and
 - (ii) any changes to the current qualification arrangements of the ACAT workforce; and
- (c) condemns the Morrison Government for its continued piecemeal approach to aged care policy.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

16 **Aged Care Assessment Teams—Ageing population**

Senator Urquhart, at the request of Senator Kitching and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 481—That the Senate—

- (a) notes that:
 - (i) the Morrison Government sees ageing as a problem and the market as the solution,
 - (ii) the Morrison Government sees older Australians as a problem, with the Treasurer describing the ageing population as an 'economic time bomb',
 - (iii) this Morrison Government thinks that a market-led solution is the answer to every problem, including visa processing, Centrelink's robodebt compliance and outsourced debt collection program, the National Disability Insurance Scheme, and security vetting services in the Australian Government Security Vetting Agency, and
 - (iv) based on the track record above, the Morrison Government's market-led solutions result in additional costs to the taxpayer and poor outcomes for ordinary 'quiet' Australians; and
- (b) calls on the Morrison Government to stop the privatisation of ACAT services.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

17 **Aged Care Assessment Teams—Tune Review**

Senator Urquhart, at the request of Senators Polley and Bilyk and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 482—That the Senate—

- (a) notes that:
 - (i) the Morrison Government has announced that it intends to privatise Aged Care Assessment Teams (ACAT),

- (ii) when asked about the privatisation of ACAT in Parliament, the Minister for Aged Care and Senior Australians, Senator Colbeck, said that he is ‘actually implementing a recommendation from the Tune Review’, and
 - (iii) the Tune Review did not recommend the privatisation of ACAT services;
- (b) condemns the Morrison Government for its current plans to privatise ACAT services; and
- (c) calls on:
 - (i) the Minister to correct the record and clarify that the Tune Review did not recommend that ACAT services be put to tender, and
 - (ii) the Morrison Government to stop its plans to privatise ACAT services.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

18 **Aged Care Assessment Teams—Tender**

Senator Urquhart, at the request of Senator McCarthy and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 483—That the Senate—

- (a) notes that:
 - (i) the Morrison Government has announced that it intends to privatise Aged Care Assessment Teams (ACAT) from April 2021,
 - (ii) when asked in Parliament about the ACAT tender, the Minister for Aged Care and Senior Australians, Senator Colbeck, said he is ‘actually doing what the royal commission said in its interim report last year’,
 - (iii) following reports that the Morrison Government would privatise ACAT, the Chair of the Royal Commission into Aged Care Quality and Safety, the Honourable Gaetano Pagone, QC, issued a statement to say that, ‘the interim report did not endorse the Government’s stated position’, and
 - (iv) the Chair of the Royal Commission also stated that, ‘we have not yet made recommendations about which sector or mechanism will best achieve an integration of Regional Assessment Services and the Aged Care Assessment Teams’;
- (b) condemns the Morrison Government for its current plans to privatise ACAT services; and
- (c) calls on:
 - (i) the Minister for Aged Care and Senior Australians to correct the record and clarify that the Royal Commission did not recommend that ACAT services be put to tender, and
 - (ii) the Morrison Government to stop its plans to privatise ACAT services.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

19 Domestic violence—Media reporting

The Leader of the Australian Greens in the Senate (Senator Waters), also on behalf of Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 484—That the Senate—

(a) notes that:

- (i) on 19 February 2020, a man murdered his ex-wife, Ms Hannah Clarke, and their three children by dousing their car with petrol and setting it alight,
- (ii) Ms Clarke was the eighth woman to be killed by violence since the start of 2020,
- (iii) many initial media reports of the crime sought to minimise her ex-husband's role or to portray him as a 'loving father pushed too far',
- (iv) following a *Four Corners* report on 17 February 2020 regarding the conviction of an athletics coach at St Kevin's for grooming a student, prominent commentators also sought to minimise the offence and its consequences,
- (v) inaccurate and biased reporting of violence against women and children allows a culture of violence and entitlement to perpetuate,
- (vi) guidelines adopted by the Press Council, Commercial Radio Australia and FreeTV Australia for the reporting of sexual, domestic and family violence make clear that reports should emphasise the role of the perpetrator and avoid any suggestion of culpability on the part of the victim or survivor – for example, the various guidelines state that:
 - (A) 'Words matter: Publications should be mindful of the language they use and try to avoid terms that tend to trivialise, demean or inadvertently excuse family violence',
 - (B) 'Violence is never acceptable: The perpetrator is always solely responsible for a violent situation – Avoid using language or framing the story in a way that suggests the survivor of violence was in any way to blame for what happened to him or her', and
 - (C) 'Domestic violence is sometimes reported with headlines like 'Woman assaulted', or with stories that focus only on what happened to the survivor – This can suggest that violence is something that 'just happens' to women – Emphasise that someone perpetrated this violence, and that it was a crime'; and
- (vii) current guidelines are advisory only and are not part of the enforceable standards against which complaints can be assessed; and

(b) calls on all reporters, commentators and media outlets to comply with guidelines for reporting on sexual, domestic and family violence.

Question put and passed.

20 Violence against women

Senator Keneally, also on behalf of Senator Wong, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 485—

(1) That the Senate notes that:

- (a) on 19 February 2020, Mr Rowan Baxter murdered his wife Ms Hannah Clarke, aged 31, and their children Aaliyah, 6, Laianah, 4, and Trey, 3;
- (b) Mr Baxter doused his family in petrol and burnt them alive in their car on a suburban Queensland street before taking his own life;
- (c) according to Ms Clarke's family and friends, Hannah had experienced years of emotional, sexual and physical abuse in her marriage to Mr Baxter, had only recently been able to escape with her children, and had a domestic violence restraining order in place against Mr Baxter at the time he committed these murders;
- (d) this horrific event has shocked Australia and the Senate joins in that shock, expresses its grief, deep sorrow and support for the family and friends of Hannah, Aaliyah, Laianah, and Trey;
- (e) violence against women is a national shame in Australia:
 - (i) according to the Australian Institute of Criminology, on average, one woman a week in Australia is murdered by her current or former partner,
 - (ii) according to the Australian Bureau of Statistics:
 - (A) 1 in 4 women in Australia has experienced emotional abuse by a current or former partner since the age of 15,
 - (B) 1 in 5 women in Australia has experienced sexual violence since the age of 15,
 - (C) almost 40% of women continued to experience violence from their partner while temporarily separated, and
 - (D) 1 in 6 women has experienced stalking since the age of 15; and
 - (iii) according to studies commissioned by the Department of Social Services:
 - (A) children of mothers experiencing domestic violence have higher rates of social and emotional problems than other children, and
 - (B) violence against women is estimated to cost the Australian economy \$22 billion a year;
- (f) according to studies conducted by Our Watch, 1 in 3 young people do not think controlling someone is a form of violence; and
- (g) according to a news report on the Australian Broadcasting Corporation, Australian police deal with domestic violence every two minutes.

- (2) That the Senate calls on the Commonwealth Government to:
- (a) acknowledge that Australians demand more, and more effective, action to stop the violence;
 - (b) acknowledge that violence against women is an urgent matter of national importance; and
 - (c) convene a national summit as soon as possible with the states and territories, service providers, experts and survivors to address this crisis.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

21 **Ms Bettina Arndt—Media comments**

Senator Keneally, also on behalf of Senator Wong, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 486—That the Senate—

- (a) notes that:
 - (i) on the same day that Queensland Police Commissioner, Ms Katarina Carroll, said that it was inappropriate to suggest the murder of a woman and her children by her husband could be an instance of a husband being driven too far, Ms Bettina Arndt, who received an Order of Australia honour in January, nonetheless said ‘keeping an open mind and awaiting proper evidence, including the possibility that Rowan Baxter might have been driven too far’,
 - (ii) the statement of Ms Arndt has the potential to bring the Order of Australia, instituted by Her Majesty The Queen, into disrepute, and
 - (iii) Order of Australia awards are a privilege and an honour and come with responsibilities; and
- (b) agrees that:
 - (i) Ms Arndt’s comments are reckless and abhorrent, and
 - (ii) the values that underpin Ms Arndt’s views on this horrific family violence incident are not consistent with her retaining her Order of Australia.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), the Leader of Pauline Hanson’s One Nation (Senator Hanson) and Senator Keneally, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 55

Senators—

Askew	Faruqi	McLachlan	Sheldon
Ayres	Gallagher	Molan	Siewert
Bilyk	Green	O'Neill	Smith, Dean*
Bragg	Griff	O'Sullivan	Smith, Marielle
Brockman	Hanson-Young	Paterson	Steele-John
Brown	Henderson	Patrick	Stoker
Canavan	Hughes	Polley	Urquhart
Carr	Hume	Pratt	Van
Chisholm	Keneally	Rennick	Walsh
Cicccone	Lines	Rice	Waters
Cormann	McCarthy	Ruston	Watt
Davey	McDonald	Ryan	Whish-Wilson
Di Natale	McKenzie	Scarr	Wong
Duniam	McKim	Seselja	

NOES, 2

Senators—

Hanson	Roberts*
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* Tellers

Question agreed to.

22 PFAS contamination

Senator Faruqi, also on behalf of Senator Keneally, amended general business notice of motion no. 489 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes:

- (i) that the Joint Standing Committee on Foreign Affairs, Defence and Trade tabled its report, *Inquiry into the management of PFAS contamination in and around Defence bases*, in November 2018, to which the government response is overdue by a year,
- (ii) that in a resolution of 29 July 2019, the Senate called on the Government to provide a response to the aforementioned report,
- (iii) that on 9 September 2019, the Senate ordered the production of the government response to the report, with which the Government failed to comply,
- (iv) the statement made in the Senate by Senator Birmingham, representing the Minister for the Environment, on 13 November 2019, that a response to the report was to be finalised before the end of 2019, with no response to date,
- (v) that communities are waiting anxiously on the Government's response to the key recommendations of the inquiry, such as:
 - (A) the appointment of a Coordinator-General to coordinate the national response to PFAS contamination,

- (B) undertaking measures to improve participation in the voluntary blood testing program for PFAS, and
 - (C) assisting property owners and businesses in affected areas for the demonstrated, quantifiable financial losses associated with PFAS contamination, including the possibility of buybacks,
- (vi) the failure of the Minister representing the Minister for the Environment, and the Minister for Defence to:
 - (A) respond to recommendations by the Joint Standing Committee on Foreign Affairs, Defence and Trade's *Inquiry into the management of PFAS contamination in and around Defence bases* tabled in November 2018,
 - (B) provide adequate compensation to affected communities, and
 - (C) coordinate a whole-of-government response to the issues arising from PFAS contamination; and
- (b) declares its lack of confidence in the Minister representing the Minister for the Environment, and the Minister for Defence for their:
 - (i) handling of issues related to PFAS contamination,
 - (ii) failure to respond to the concerns and needs of affected communities, and
 - (iii) disregard of the Senate in failing to comply with multiple resolutions of the Senate to produce a response to the aforementioned inquiry.

Statement by leave: Senator Roberts, by leave, made a statement relating to the motion.

Question put and passed.

23 Poverty in Australia

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 490—That the Senate—

- (a) notes that:
 - (i) the *2020 Poverty in Australia Overview* released last week found that poverty rates have remained at much the same level for the past decade, despite economic growth,
 - (ii) the report found that more than 3.24 million people including 774,000 children under 15 are living below the poverty line and that more than 1 in 8 adults and 1 in 6 children live below the poverty line in Australia, and
 - (iii) the Government's continued failure to act has meant that those trying to survive on Newstart are falling even further behind, prompting the Australian Council of Social Services to call for an urgent \$95 increase in Newstart; and
- (b) calls on the Federal Government to make it a priority to help address poverty in Australia by immediately raising Newstart and Youth Allowance and to implement a Government strategy to address poverty.

Question put and passed.

24 Murray-Darling Basin—Floodplain harvesting and water pumping

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 471—That the Senate—

- (a) notes that:
- (i) the New South Wales (NSW) Government has lifted its moratorium on floodplain harvesting and water pumping,
 - (ii) water from recent rains has not yet made it down the river and there are still towns without drinking water, dry catchments and storages and fish species facing collapse,
 - (iii) the Murray-Darling Basin Authority says that it is too early to say whether all storages will receive water, or if flows will be enough to connect the rivers,
 - (iv) the Queensland Government has also allowed floodplain harvesting, which was criticised by the NSW Government,
 - (v) upstream Basin states making decisions that only benefit them puts the entire river system in jeopardy, and
 - (vi) the Murray-Darling Basin is on the verge of collapse, and family farms, river communities and the environment need national leadership; and
- (b) calls on the NSW Government to reinstate the moratorium on floodplain harvesting and water pumping.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam) and Senators Gallagher and Roberts, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 11

Senators—

Di Natale
Faruqi
Griff

Hanson-Young
McKim
Patrick

Rice
Siewert*
Steele-John

Waters
Whish-Wilson

NOES, 45

Senators—

Askew
Ayres
Bilyk
Bragg
Brockman
Brown
Canavan
Carr
Ciccione
Cormann
Davey
Dodson

Duniam
Gallagher
Green
Hanson
Henderson
Hughes
Hume
Keneally
Lines
McCarthy
McDonald

McKenzie
McMahon
Molan
O'Neill
O'Sullivan
Paterson
Polley
Pratt
Rennick
Reynolds
Roberts

Ryan
Scarr
Seselja
Sheldon
Smith, Dean
Smith, Marielle
Stoker
Urquhart*
Van
Walsh
Watt

* Tellers

Question negatived.

25 Financial transparency measures

Senator Whish-Wilson, also on behalf of the Leader of the Australian Greens in the Senate (Senator Waters), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 476—That the Senate—

- (a) notes that:
 - (i) the Tax Justice Network Financial Secrecy Index, released on 18 February 2020, assigns Australia a secrecy score of 50 out of 100, and
 - (ii) the narrative report on Australia states that Australia undoubtedly hosts significant quantities of illicit funds from outside the country, and identified that the following weaknesses in Australian law continue to enable illicit funds to find a safe haven in Australia:
 - (A) that real estate agents, accountants and lawyers are not subject to anti-money laundering and counter-terrorist financing obligations, and
 - (B) the absence of adequate transparency measures for the beneficial ownership of companies; and
- (b) calls on the Federal Government to introduce legislation that would:
 - (i) ensure that real estate agents, accountants and lawyers are subject to anti-money laundering and counter-terrorist financing obligations, and
 - (ii) establish a publicly accessible register of beneficial ownership of companies.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam) and Senator Gallagher, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 13

Senators—

Di Natale	Hanson-Young	Rice	Steele-John
Faruqi	McKim	Roberts	Waters
Griff	Patrick	Siewert*	Whish-Wilson
Hanson			

NOES, 44

Senators—

Askew	Dodson	McLachlan	Ruston
Ayres	Duniam	McMahon	Ryan
Bilyk	Gallagher	Molan	Scarr
Bragg	Green	O'Neill	Seselja
Brockman	Henderson	O'Sullivan	Sheldon
Brown	Hughes	Paterson	Smith, Dean
Canavan	Hume	Payne	Smith, Marielle
Carr	Keneally	Polley	Stoker
Ciccone	Lines	Pratt	Urquhart*
Cormann	McDonald	Rennick	Van
Davey	McKenzie	Reynolds	Watt

* Tellers

Question negated.

26 Beetaloo Basin

The Leader of the Australian Greens in the Senate (Senator Waters), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 477—That the Senate—

- (a) notes that the impacts of opening up the Beetaloo Basin in the Northern Territory would increase Australia's emissions by a staggering 6.6% and destroy any chance of Australia helping to contain global warming below 1.5 degrees;
- (b) acknowledges that the Liberal, National and Labor parties are supporting this destructive project because the proponents, Origin Energy and Santos, have donated at least \$1.7 million to these political parties, with at least \$900,218 going to the Coalition and at least \$810,353 to the Labor Party since 2012; and
- (c) supports the farmers and traditional owners that do not want their water supplies threatened, their cultural heritage compromised, and the climate sacrificed if the 1,200 fracking wells planned for the Northern Territory proceed.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 10

Senators—

Di Natale
Faruqi
Griff

Hanson-Young
McKim
Rice

Siewert*
Steele-John

Waters
Whish-Wilson

NOES, 48

Senators—

Askew
Ayres
Bilyk
Bragg
Brockman
Brown
Canavan
Carr
Ciccone
Cormann
Davey
Dodson

Duniam
Gallagher
Green
Hanson
Henderson
Hughes
Hume
Keneally
Lines
McDonald
McKenzie
McLachlan

McMahon
Molan
O'Neill
O'Sullivan
Paterson
Patrick
Payne
Polley
Pratt
Rennick
Reynolds
Roberts

Ruston
Ryan
Scarr
Seselja
Sheldon
Smith, Dean
Smith, Marielle
Stoker
Urquhart*
Van
Walsh
Watt

* Tellers

Question negated.

27 **Collins Class submarines**

Senator Patrick amended general business notice of motion no. 487 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:

- (i) Australia's Collins Class submarines provide vital capability for the Australian Defence Force,
- (ii) in June 2011 the Navy could not put even one of our six Collins Class submarines to sea,
- (iii) it took more than half a decade and a significant amount of taxpayer's money to rectify submarine sustainment and achieve world benchmarks,
- (iv) the sustainment model now has short-term maintenance activities in Western Australia (WA) and deep maintenance in South Australia (SA), specifically through Collins Class Submarine Full Cycle Dockings,
- (v) Australian Submarine Corporation in SA still sends experts to WA when WA is unable to resolve complex maintenance issues, and
- (vi) there is a proposal before Government to move Full Cycle Dockings from SA to WA, which would result in:
 - (A) only a small percentage of the SA workforce relocating to WA, causing a huge loss of corporate knowledge from Australia's submarine sustainment organisation,
 - (B) significant challenges and risk being injected into the sustainment model,
 - (C) submarine availability suffering, thereby damaging national security,
 - (D) at best, only similar outcomes would be achieved, thus the cost of the move cannot represent value for money,
 - (E) a sustainment model inconsistent with Defence's longer term plans of having submarines based on the East and West coasts, and
 - (F) Defence being exposed to higher levels of risk by having all its Collins Class submarines maintenance capabilities in one location; and

(b) calls on the Federal Government to:

- (i) recognise the success of the current sustainment model, and
- (ii) continue the current sustainment model, retaining all Collins Class Submarine Full Cycle Docking activities in SA.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam) and Senator Gallagher, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 2

Senators—

Griff

Patrick*

NOES, 49

Senators—

Askew

Duniam

McMahon

Sheldon

Ayres

Faruqi

Molan

Siewert

Bilyk

Gallagher

O'Neill

Smith, Dean

Bragg

Green

O'Sullivan

Smith, Marielle

Brockman

Hanson-Young

Paterson

Steele-John

Brown

Henderson

Polley

Stoker

Canavan

Hughes

Pratt

Urquhart*

Carr

Hume

Rennick

Van

Cicccone

Lines

Rice

Walsh

Cormann

McDonald

Ryan

Waters

Davey

McKenzie

Scarr

Watt

Di Natale

McKim

Seselja

Whish-Wilson

Dodson

** Tellers*

Question negatived.

28 Resources industry—Working conditions

Senator Urquhart, at the request of Senators Sheldon, Watt, Chisholm and Green and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 474—That the Senate—

(a) notes that:

- (i) pay and conditions in supply chains are often characterised by a race to the bottom in which companies at the top drive down rates through their economic power,
- (ii) in the resource industry, mining companies such as BHP, BHP Mitsubishi Alliance and BHP Mitsui Coal through their tenders for auxiliary work are the ultimate employer in the sector influencing the setting of pay and conditions across the sector,
- (iii) workers at Greyhound Resources have, in good faith, engaged in negotiations with their employers for a new enterprise agreement,
- (iv) workers at Greyhound Resources exercised their democratic right to take protected industrial action as part of the bargaining process,
- (v) Greyhound Resources responded, threatening to lock out any and all workers who took part in a legal industrial action, and
- (vi) Greyhound Resources carried out this threat and is currently locking out those workers who took part in protected industrial action;

(b) calls on Australian mining companies to recognise their role as the ultimate employer in the sector and their influence on the rates and conditions across their industry; and

- (c) supports the workers of Greyhound Resources who are currently locked out by their employer and calls for the end to the lockout so that negotiations can continue in good faith.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam) and Senator Roberts, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 34

Senators—

Ayres	Gallagher	O'Neill	Smith, Marielle
Bilyk	Green	Patrick	Steele-John
Brown	Griff	Polley	Sterle
Carr	Hanson	Pratt	Urquhart*
Chisholm	Hanson-Young	Rice	Walsh
Di Natale	Kitching	Roberts	Waters
Dodson	Lines	Sheldon	Watt
Farrell	McCarthy	Siewert	Whish-Wilson
Faruqi	McKim		

NOES, 31

Senators—

Abetz	Davey	McGrath	Ruston
Antic	Duniam	McKenzie	Ryan
Askew	Fawcett	McLachlan	Scarr
Bragg	Fierravanti-Wells	McMahon	Seselja
Brockman	Henderson	Molan	Smith, Dean*
Canavan	Hughes	O'Sullivan	Stoker
Colbeck	Hume	Paterson	Van
Cormann	McDonald	Rennick	

* Tellers

Question agreed to.

29 Ministerial standards and sports grants—Gaetjens report—Order for production of documents

Senator Rice, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 478—

- (1) That there be laid on the table by the Minister representing the Prime Minister, by no later than 7.20 pm on 25 February 2020, the final report provided by the Secretary of the Department of the Prime Minister and Cabinet, Mr Phillip Gaetjens, to the Prime Minister in relation to the application of the Statement of Ministerial Standards to the former Minister for Sport's award of funding under the Community Sport Infrastructure Program.
- (2) In the event the Minister fails to table the report, the Senate requires the Minister representing the Prime Minister to attend the Senate on 26 February 2020, prior to government business being called on, to provide an explanation, of no more than 10 minutes, of the Government's failure to table the report.
- (3) Any Senator may move to take note of the explanation required by paragraph (2).

- (4) Any motion under paragraph (3) shall have precedence over all government business until determined, and senators may speak to the motion for not more than 10 minutes each.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 34

Senators—

Ayres	Gallagher	O'Neill	Smith, Marielle
Bilyk	Green	Patrick	Steele-John
Brown	Griff	Polley	Sterle
Carr	Hanson	Pratt	Urquhart*
Chisholm	Hanson-Young	Rice	Walsh
Di Natale	Kitching	Roberts	Waters
Dodson	Lines	Sheldon	Watt
Farrell	McCarthy	Siewert	Whish-Wilson
Faruqi	McKim		

NOES, 31

Senators—

Abetz	Davey	McGrath	Ruston
Antic	Duniam	McKenzie	Ryan
Askew	Fawcett	McLachlan	Scarr
Bragg	Fierravanti-Wells	McMahon	Seselja
Brockman	Henderson	Molan	Smith, Dean*
Canavan	Hughes	O'Sullivan	Stoker
Colbeck	Hume	Paterson	Van
Cormann	McDonald	Rennick	

* Tellers

Question agreed to.

30 **Environmental Restoration Fund and Communities Environment Program—Proposed order for production of documents**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 491—That there be laid on the table by the Minister representing the Minister for the Environment, by not later than 9.30 am on 27 February 2020, the following documents in relation to the Environment Restoration Fund, as announced in the 2019-20 Budget, and the Communities Environment Program, announced in March 2019 prior to the 2019-20 Budget:

- (a) all communications between the Commonwealth policy entity responsible and the Minister for the Environment (the Minister) or the Minister's office in relation to the programs;
- (b) all communications between the Minister and other parliamentarians in relation to the programs;
- (c) all ministerial briefs prepared for the Minister in relation to the programs;
- (d) all administrative guidelines, including grant funding guidelines, in relation to the programs;

- (e) any advice on the content of guidelines or program arrangements, or drafts of the same, prepared for the Minister in relation to the programs; and
- (f) all documents prepared for the Minister relating to the eligibility and eligibility assessments for the programs.

Question put.

The Senate divided—

AYES, 11

Senators—

Di Natale	Hanson-Young	Rice	Waters
Faruqi	McKim	Siewert*	Whish-Wilson
Griff	Patrick	Steele-John	

NOES, 51

Senators—

Abetz	Dodson	McDonald	Ryan
Antic	Duniam	McGrath	Scarr
Askew	Farrell	McKenzie	Seselja
Ayres	Fawcett	McLachlan	Sheldon
Bilyk	Fierravanti-Wells	McMahon	Smith, Dean
Bragg	Gallagher	Molan	Smith, Marielle
Brockman	Green	O'Neill	Sterle
Canavan	Henderson	O'Sullivan	Stoker
Carr	Hughes	Paterson	Urquhart*
Ciccone	Hume	Polley	Van
Colbeck	Kitching	Rennick	Walsh
Cormann	Lines	Roberts	Watt
Davey	McCarthy	Ruston	

** Tellers*

Question negated.

31 **Aged Care Assessment Teams—Services**

Senator Urquhart, at the request of Senator Keneally and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 480—That the Senate—

- (a) notes that:
 - (i) all Australians deserve the best possible healthcare, especially older Australians,
 - (ii) our community is ageing, with population projections for Australia suggesting that there will be 4 million people aged between 65-84 years by 2022, with the over 65 and over 85 cohorts rapidly accelerating over the next decade,
 - (iii) a third of this cohort live outside of major cities in rural and regional Australia,
 - (iv) as our population ages, our community will increasingly rely on appropriate aged care services for good health, support and dignity,

- (v) Aged Care Assessment Teams (ACAT) are teams of experienced, qualified and highly trained medical, clinical and allied health professionals who are responsible for assessing the level of government-funded care that ageing Australians should receive,
- (vi) in 2018-19, ACATs provided over 178,000 assessments,
- (vii) ACAT teams are local, know their communities, have enormous expertise over 30 years, and their role is to independently assess what older Australians need and identify the best options,
- (viii) ACAT teams are independent of private service providers and owe no allegiance or preference for any particular provider, and
- (ix) the Morrison Government has announced that it intends to privatise the ACAT workforce and put out a tender for these vital services;
- (b) rejects the Morrison Government for its plans to privatise ACAT, which would threaten the quality and independence of services provided to ageing Australians, and jeopardise the jobs and independence of Australian healthcare professionals; and
- (c) seeks concurrence for this motion in the House of Representatives.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 32

Senators—

Ayres	Faruqi	McKim	Siewert
Bilyk	Gallagher	O'Neill	Steele-John
Brown	Green	Patrick	Sterle
Carr	Griff	Polley	Urquhart*
Chisholm	Hanson-Young	Pratt	Walsh
Di Natale	Kitching	Rice	Waters
Dodson	Lines	Roberts	Watt
Farrell	McCarthy	Sheldon	Whish-Wilson

NOES, 30

Senators—

Abetz	Duniam	McKenzie	Ruston
Antic	Fawcett	McLachlan	Ryan
Askew	Fierravanti-Wells	McMahon	Scarr
Bragg	Henderson	Molan	Seselja
Brockman	Hughes	O'Sullivan	Smith, Dean*
Canavan	Hume	Paterson	Stoker
Colbeck	McDonald	Rennick	Van
Davey	McGrath		

* Tellers

Question agreed to.

32 **Coast Track Huts Walk—Grant agreement—Order for production of documents**

Senator McKim, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 472—That there be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development, by no later than midday on 27 February 2020, the grant agreement between the Department of Infrastructure, Transport, Cities and Regional Development and South Coast Track Huts Walk Pty Ltd.

Question put.

The Senate divided—

AYES, 32

Senators—

Ayres	Farrell	McCarthy	Siewert
Bilyk	Faruqi	McKim	Smith, Marielle
Brown	Gallagher	O'Neill	Steele-John
Carr	Green	Patrick	Urquhart*
Chisholm	Griff	Pratt	Walsh
Ciccone	Hanson-Young	Rice	Waters
Di Natale	Kitching	Roberts	Watt
Dodson	Lines	Sheldon	Whish-Wilson

NOES, 31

Senators—

Abetz	Davey	McGrath	Ruston
Antic	Duniam	McKenzie	Ryan
Askew	Fawcett	McLachlan	Scarr
Bragg	Fierravanti-Wells	McMahon	Seselja
Brockman	Henderson	Molan	Smith, Dean*
Canavan	Hughes	O'Sullivan	Stoker
Chandler	Hume	Paterson	Van
Colbeck	McDonald	Rennick	

* Tellers

Question agreed to.

33 **Notice of motion withdrawn**

The Leader of the Australian Greens in the Senate (Senator Waters) withdrew general business notice of motion no. 492 standing in her name for today, relating to Ms Bettina Arndt and the Order of Australia.

34 **Discussion of matter of public importance—National Disability Insurance Scheme funding**

The Acting Deputy President (Senator Brown) informed the Senate that the following matter of public importance submitted by Senator Keneally under standing order 75 had been selected for discussion today:

Withholding NDIS funds from the states is not an appropriate way to balance the budget.

The proposal was supported by four senators and the matter was discussed.

35 Documents—Consideration

Documents tabled earlier today (*see entry no. 2*) were considered as follows:

Motion to take note of documents nos 1 and 2 moved by Senator Urquhart.

Consideration to resume on Thursday at general business.

36 Education and Employment References Committee—Mental health of first responders, emergency workers and volunteers—Government response —Tabling and consideration

The Minister for Aged Care and Senior Australians (Senator Colbeck) tabled the following document:

Education and Employment References Committee—Report—The people behind 000: mental health of our first responders—Government response, dated February 2020.

Senator Watt moved—That the Senate take note of the document.

Debate ensued.

Debate adjourned till the next day of sitting, Senator Sheldon in continuation.

37 Education and Employment References Committee—Mental health of first responders, emergency workers and volunteers—Government response—Order for production of documents—Documents

The Minister for Aged Care and Senior Australians (Senator Colbeck) tabled the following documents:

Education and Employment References Committee—The people behind 000: mental health of our first responders—Government response—Order of 24 February 2020—Letter to the President of the Senate from the Minister for Foreign Affairs (Senator Payne), dated 25 February 2020, responding to the order, and attachment.

38 Official Development Assistance Multilateral Replenishment Obligations (Special Appropriation) Bill 2019

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 179, dated 24 February 2020—A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for expenditure in relation to Australia's official development assistance multilateral replenishment obligations, and for related purposes.

The Minister for Aged Care and Senior Australians (Senator Colbeck) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

Senator Colbeck moved—That this bill be now read a second time.

On the motion of Senator Colbeck the debate was adjourned till the next day of sitting.

39 Paid Parental Leave Amendment (Flexibility Measures) Bill 2020

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 181, dated 25 February 2020—A Bill for an Act to amend the law relating to paid parental leave, and for related purposes.

The Minister for Aged Care and Senior Australians (Senator Colbeck) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

Senator Colbeck moved—That this bill be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned till the first day in the next period of sittings, 23 March 2020.

40 Committee membership

A message from the House of Representatives was reported informing the Senate of changes in the membership of committees, as follows:

Message no. 180, dated 24 February 2020—Mr L S O'Brien—discharged
Parliamentary Joint Committee on Law Enforcement—Joint Select Committee on
Australia's Family Law System—Joint Select Committee on Road Safety.

41 Social Services and Other Legislation Amendment (Simplifying Income Reporting and Other Measures) Bill 2020

Order of the day read for the adjourned debate on the motion of the Minister for Families and Social Services (Senator Ruston)—That this bill be now read a second time.

Debate resumed.

At 7.20 pm: Debate was interrupted while Senator Walsh was speaking.

42 Ministerial standards and sports grants—Gaetjens report—Order for production of documents—Document

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) tabled the following document:

Ministerial standards and sports grants—Gaetjens report—Order agreed to earlier today (*see entry no. 29*)—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 25 February 2020, responding to the order and raising public interest immunity claims.

43 Adjournment

The Acting Deputy President (Senator Askew) proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 9.37 pm till Wednesday, 26 February 2020 at 9.30 am.

44 Attendance

Present, all senators except Senators Birmingham* and Gallacher* (*on leave).

RICHARD PYE
Clerk of the Senate