



46<sup>th</sup> Parliament

# Senate Journals

## No. 45: Wednesday, 26 February 2020

1	Meeting of Senate.....	1463
2	Documents .....	1463
3	Committees—Leave to meet during sittings .....	1465
4	Ministerial standards and sports grants—Gaetjens report—Order for production of documents—Explanation by minister .....	1465
5	Social Services and Other Legislation Amendment (Simplifying Income Reporting and Other Measures) Bill 2020 .....	1465
6	Senators' statements .....	1467
7	Questions.....	1467
8	Motions to take note of answers .....	1467
9	Notices.....	1468
10	Postponements.....	1475
11	Commonwealth Grants Rules and Guidelines—Proposed order for production of documents.....	1475
12	Right-wing extremism.....	1477
13	Great Australian Bight .....	1478
14	Renewable energy .....	1480
15	Aged Care Assessment Teams—Tender of services .....	1481
16	Commonwealth Grants Rules and Guidelines—Proposed order for production of documents.....	1482
17	Aged Care Assessment Teams.....	1483
18	Youth justice.....	1484
19	Legal and Constitutional Affairs References Committee—Reference— Domestic violence .....	1485
20	Parliamentary Zone—Capital works proposal—Approval .....	1487
21	Consideration of legislation .....	1487
22	Bushfires—Misinformation.....	1487
23	Intelligence and Security Legislation Amendment (Implementing Independent Intelligence Review) Bill 2020 .....	1488
24	Public servants—Bushfire response .....	1488
25	Public servants—Coronavirus response.....	1489
26	Child exploitation material .....	1489
27	Funding for domestic violence services .....	1490
28	Notice of motion withdrawn .....	1490

29	Asia Pacific Parliamentary Forum—28th annual meeting—Documents.....	1490
30	First speech .....	1490
31	Notice .....	1491
32	Discussion of matter of public importance—Climate change policy .....	1491
33	Documents—Consideration .....	1491
34	Committee reports and government responses—Tabling and consideration .....	1491
35	PFAS testing—Blood and genetic testing on humans and livestock—Order for production of documents—Document .....	1493
36	Disaster risk reduction—Ministerial statement—Document.....	1493
37	Statute Update (Regulations References) Bill 2020 .....	1493
38	Farm Household Support Amendment (Relief Measures) Bill (No. 1) 2020 .....	1494
39	Social Services and Other Legislation Amendment (Simplifying Income Reporting and Other Measures) Bill 2020 .....	1494
40	Offshore Petroleum and Greenhouse Gas Storage Amendment (Cross-boundary Greenhouse Gas Titles and Other Measures) Bill 2019 Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Miscellaneous Measures) Bill 2019 .....	1495
41	Adjournment.....	1496
42	Attendance .....	1496

## 1 Meeting of Senate

The Senate met at 9.30 am. 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):

### Documents presented by the President

- 1 *Fair Work Act 2009*—Quarterly reports by the Commonwealth Ombudsman for the periods—
  - 1 January to 31 March 2019.
  - 1 April to 30 June 2019.
  - 1 July to 30 September 2019.
  - 1 October to 31 December 2019.

### Government documents

- 2 Dairy Australia Limited—Report for 2018-19.
- 3 *Dairy Produce Act 1986*—Report for 2018-19 in relation to compliance with the statutory funding agreement between the Commonwealth of Australia and Dairy Australia Limited.
- 4 Independent National Security Legislation Monitor (INSLM)—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.]*

#### *Federal Financial Relations Act 2009—*

Federal Financial Relations (National Partnership) Determination No. 162 (February 2020) [F2020L00159].

Federal Financial Relations (National Partnership) Determination No. 163 (February 2020) [F2020L00161].

*Financial Framework (Supplementary Powers) Act 1997—Financial Framework (Supplementary Powers) Amendment (Infrastructure, Transport, Regional Development and Communications Measures No. 2) Regulations 2020* [F2020L00154].

*Jervis Bay Territory Acceptance Act 1915—Jervis Bay Territory Emergency Management Amendment (2020 Measures No. 1) Ordinance 2020* [F2020L00155].

#### *Migration Act 1958—Migration Regulations 1994—*

Migration (LIN 20/045: Class of persons for Visitor (Class FA) visa applications) Instrument 2020 [F2020L00157].

Migration (LIN 20/046: Arrangements for Visitor (Class FA) Visa Applications) Instrument 2020 [F2020L00160].

Migration (LIN 20/099: Class of Persons for Student (Temporary) (Class TU) Visa Applications) Instrument 2020 [F2020L00158].

Migration (LIN 20/102: Arrangements for Student (Temporary) (Class TU) visa applications) Instrument 2020 [F2020L00156].

*Telecommunications Act 1997*—Telecommunications (Protecting Australians from Terrorist or Violent Criminal Material) Direction (No. 1) 2019 [F2019L01159]—Replacement explanatory statement.

---

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—

Defence portfolio.

Department of Employment, Skills, Small and Family Business (former)

Social Services portfolio.

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

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

Defence portfolio.

Education, Skills and Employment portfolio.

Industry, Science, Energy and Resources portfolio (Resources, Water and Northern Australia).

Social Services portfolio.

Estimates hearings—Unanswered questions on notice—Budget estimates 2019-20 (Supplementary)—Statement pursuant to the order of the Senate of 25 June 2014—Infrastructure, Transport, Regional Development and Communications portfolio.

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

Agriculture, Water and the Environment portfolio (Resources, Water and Northern Australia).

Attorney-General's portfolio.

Industry, Science, Energy and Resources portfolio (Industry, Science and Technology).

Treasury portfolio.

### 3 Committees—Leave to meet during sittings

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

Administration of Sports Grants—Select Committee—public meeting on Thursday, 27 February 2020, from 9.30 am.

Environment and Communications Legislation Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 9.30 am.

Law Enforcement—Joint Statutory Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 5 pm.

Legal and Constitutional Affairs Legislation Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 3 pm.

### 4 Ministerial standards and sports grants—Gaetjens report—Order for production of documents—Explanation by minister

Pursuant to order (*see entry no. 29, 25 February 2020*), the Minister for Finance (Senator Cormann) provided an explanation concerning the failure to table the Gaetjens report relating to ministerial standards and sports grants.

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

Debate ensued.

Question put and passed.

### 5 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.

Senator Steele-John moved the following amendment:

At the end of the motion, add “but the Senate calls on the Government to:

- (a) come clean on the robodebt disaster;
- (b) provide all legal advice relating to the robodebt program to the Senate; and
- (c) use the savings generated from this bill to compensate robodebt victims”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 33

Senators—

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

## NOES, 35

Senators—

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

\* Tellers

Question negatived.

Main question put and passed.

Bill read a second time.

The Senate resolved itself into committee for the consideration of the bill.

---

*In the committee*

Bill, taken as a whole by leave, debated.

Senator Siewert moved the following amendment:

Clause 2, page 2 (table item 1), omit the table item, substitute:

1. The whole of this Act As follows:
- (a) if this Act receives the Royal Assent before 1 September 2020—1 September 2020;
  - (b) if this Act receives the Royal Assent on or after 1 September 2020—the first day of the first calendar month that occurs after the end of the period of 2 months beginning on the day this Act receives the Royal Assent.

Debate continued.

Question—That the amendment be agreed to—put and negatived.

Senator Siewert moved the following amendment:

Page 2 (after line 14), after clause 3, insert:

**4 Public and independent review of this Act**

- (1) The Minister must cause an independent review to be conducted of the operation of the amendments made by this Act.
- (2) The review must start as soon as practicable after the end of 12 months after this Act commences.
- (3) The persons who conduct the review must give the Minister a written report of the review within 6 months of the commencement of the review.
- (4) The persons who conduct the review must consult:
  - (a) income support recipients impacted by the amendments made by this Act; and
  - (b) any stakeholders considered relevant by the persons who conduct the review.
- (5) The review must provide for public submissions as part of the review.

- (6) The Minister must cause a copy of the report to be tabled in each House of the Parliament within 15 sitting days of that House after the report is given to the Minister.

- (7) In this section, **Minister** means the Minister administering the *Social Security Act 1991*.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

#### AYES, 32

Senators—

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

#### NOES, 32

Senators—

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

\* Tellers

The ayes and noes were equal and so the question was negatived.

---

*After 12.45 pm:* The committee reported progress.

## 6 Senators' statements

Senators made statements.

---

*At 2 pm—*

## 7 Questions

Questions without notice were answered.

## 8 Motions to take note of answers

Senator Kitching moved—That the Senate take note of the answer given by the Minister for Defence (Senator Reynolds) to a question without notice asked by the Leader of the Opposition in the Senate (Senator Wong) today relating to special purpose flights.

Debate ensued.

Question put and passed.

Senator Rice moved—That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Rice today relating to the impact of fires on forests.

Question put and passed.

## 9 Notices

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

- (1) There be laid on the table, by the Minister responsible for the Australian Research Council, or when that minister is in the House of Representatives, the minister in the Senate representing that minister, by not later than 15 days after the end of each calendar month, a letter of advice that a list, meeting the requirements of paragraph (2), of all Australian Research Council grant recommendations received by the responsible minister each month, has been published on the Internet.
- (2) The list of grant recommendations must be published in a machine readable format and specify the following information for each recommendation:
  - (a) identification or application number;
  - (b) title of application;
  - (c) scheme or stream;
  - (d) date received by the responsible minister;
  - (e) whether the grant was approved or not approved by the responsible minister;
  - (f) date of the responsible minister's decision;
  - (g) date the applicant was informed of the grant outcome;
  - (h) the amount of funding granted (if any); and
  - (i) whether the grant was publicly announced and, if so, the date of the announcement.
- (3) If the Senate is not sitting when the letter is ready for presentation, the letter is to be presented to the President under standing order 166.
- (4) This order is of continuing effect. (*general business notice of motion no. 507*)

The Chair of the Select Committee on Administration of Sports Grants (Senator Chisholm): To move on the next day of sitting—That the time for the presentation of the report of the Select Committee on Administration of Sports Grants be extended to 24 June 2020. (*general business notice of motion no. 508*)

Senator Roberts: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Banking Act 1959*, and for related purposes.

***Banking Amendment (Deposits) Bill 2020.*** (*general business notice of motion no. 509*)

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

- (a) is not of the view that the Morrison Government's announcement of the National Commissioner for Defence and Veterans Suicide Prevention is 'better than a Royal Commission';
- (b) calls on the Morrison Government to establish a Royal Commission into Veterans Suicide, with a clear start and end date; and



- (c) invites the Royal Commissioner to recommend that a standing, permanent capability be established to oversee reform, should the Commissioner see fit to do so. (*general business notice of motion no. 510*)

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

- (a) notes that:
  - (i) 3 baboons made a bid for freedom in Sydney this week,
  - (ii) the baboons were from a colony bred for use in research,
  - (iii) animal testing causes harm and suffering to animals, and
  - (iv) the episode has highlighted the community's concern for the welfare of animals used in experimentation and research;
- (b) wishes the baboons well; and
- (c) calls on the Federal Government to:
  - (i) ensure national transparency and accountability in the use of animals in research, and
  - (ii) invest in the methods and technology needed to end the use of animals for research purposes. (*general business notice of motion no. 511*)

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

- (a) after six years in office, the economy is floundering on the Government's watch;
- (b) Australians are struggling with stagnant wages, with wage growth stalling further;
- (c) net debt has more than doubled under this Government;
- (d) the Government does not have a plan to boost wages or growth in the economy; and
- (e) it is because of the Government's failures that Australia meets the challenges and uncertainties of the bushfires and coronavirus from a position of weakness, not strength. (*general business notice of motion no. 512*)

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

- (a) notes that:
  - (i) support and assistance dogs can help guide those living with trauma and Post Traumatic Stress Disorder (PTSD) back to a sense of safety, helping to improve interpersonal connections, encourage engagement in the community, improve the overall quality of life and can be particularly helpful for survivors of child sexual abuse, and
  - (ii) the *Disability Discrimination Act 1992* sets out the legal definition of an assistance animal, but there are inconsistencies in laws and policies across the states and territories, and between the states, territories and the Commonwealth which mean that people who use assistance animals face discrimination, uncertainty and a range of associated challenges to accessing the community which often exacerbates their symptoms of PTSD; and
- (b) calls on the Federal Government to:
  - (i) work with state and territory governments to develop a national model or interstate recognition of assistance animal identification,

- (ii) ensure that certification that is clear and simple such as a single permit that can be used for a variety of legitimate purposes, so that a person could access public transport, employment and educational settings, and
- (iii) ensure that the cost of any certification is accessible to those on low incomes. (*general business notice of motion no. 513*)

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

- (a) acknowledges the 18 years of diplomatic relations and longstanding friendship between Australia and Bhutan;
- (b) notes that:
  - (i) the King of Bhutan, His Majesty Jigme Khesar Namgyel Wangchuck, the Fifth King ('Dragon King'), acceded to the throne on 9 December 2006, and
  - (ii) His Majesty Jigme Khesar Namgyel Wangchuck celebrated his 40th birthday on 21 February; and
- (c) acknowledges the accession of the Dragon King catalysed Bhutan's transition to a fully democratic government, with the adoption of the 'Constitution of Bhutan' under his reign. (*general business notice of motion no. 514*)

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

- (a) acknowledges the strong and trusted strategic, economic and cultural relationship between Australia and Japan, underpinned by our Special Strategic Partnership; and
- (b) notes that:
  - (i) the Emperor of Japan, His Majesty Emperor Naruhito, acceded to the Chrysanthemum Throne on 1 May 2019, with the imperial era title of Reiwa ('Beautiful Harmony'),
  - (ii) Emperor Naruhito celebrated his birthday on 23 February 2020, the Emperor's first since acceding to the throne, and
  - (iii) the Consul-General of Japan marked the celebration of Emperor Naruhito's birthday on 20 February 2020, at an event in Peppermint Grove, attended by the Premier of Western Australia (WA), Opposition Leader, Ms Liza Harvey MLA, federal and state parliamentarians, and other representatives of the WA community. (*general business notice of motion no. 515*)

Senators McAllister and Hanson-Young: To move on the next day of sitting—That the Senate—

- (a) notes that:
  - (i) any questions going to the operations or financial positions of the departments and agencies which are seeking funds in the estimates are relevant questions for the purpose of estimates hearings, and
  - (ii) the Senate has resolved that there are no areas in connection with the expenditure of public funds where any person has a discretion to withhold details or explanations from the Parliament or its committees unless the Parliament has expressly provided otherwise; and

- (b) expects that at the examination of the 2019-20 additional estimates, the Department of Agriculture, Water and the Environment will be prepared to provide information and answer questions with respect to the following matters:
- (i) the Environment Restoration Fund, including but not limited to a list of all commitments made under the fund, including details of the names of projects, amounts allocated and paid, dates commitments were announced, and associated electorates, and
  - (ii) the Communities Environment Program, including but not limited to:
    - (A) the number of projects that required re-submission,
    - (B) the extent of written advice provided or received in relation to the eligibility of schools to be applicants,
    - (C) funds expended,
    - (D) training materials provided to departmental staff administering the program, and
    - (E) any correspondence relating to the award (or attempted award) of Communities Environment Program funds to community members or groups in the electorate of Dunkley, including between the ministerial offices, departments, and the former member Mr Chris Crewther. (*general business notice of motion no. 516*)

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

- (a) notes:
- (i) recent media reports that teenagers are taking up vaping under the misapprehension it is safe, and that concerned parents support a ban on the supply, sale and use of all e-cigarette products in Australia,
  - (ii) that it is legal to sell only nicotine-free vaping liquids in Australia,
  - (iii) that, while the sale of e-cigarette liquids containing nicotine is not legal in Australia, it is legal for a person to import a three-month supply of liquid containing nicotine for personal use,
  - (iv) that it is a simple task for anyone under the age of 18 to access vaping paraphernalia, including e-liquids containing nicotine, via online retailers, and
  - (v) a 2018 study in the *Australian and New Zealand Journal of Public Health* which cautioned that vaping may have a ‘gateway effect’ to cigarette use, with two-thirds of the young people surveyed stating a preference for e-cigarettes containing nicotine;
- (b) further notes that:
- (i) the Therapeutic Goods Administration (TGA) issued a warning to consumers in January 2019 regarding undisclosed by-products and toxic ingredients including nicotine in e-liquid sold in Australia, despite being labelled ‘nicotine-free’, and

- (ii) the TGA warning was prompted by a study, published in the *Medical Journal of Australia*, which stated there is little to no regulation of e-cigarette manufacture, and the frequency with which nicotine is detected in e-liquids labelled ‘nicotine-free’ was concerning; and
- (c) calls on the Federal Government to:
  - (i) regulate the manufacture and labelling of e-cigarette liquid to ensure safety and consistency of ingredients in imported and domestically-available products, and
  - (ii) ban the importation of e-cigarette liquids containing nicotine. (*general business notice of motion no. 517*)

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

- (a) recognises that:
  - (i) since the publication of the Education and Employment References Committee report, *They never came home—the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia* (the report), tabled on 17 October 2018, 183 workers have lost their lives in the workplace,
  - (ii) 2019 featured a nearly 10% increase in the number of Australians fatally injured while working compared with 2018, and
  - (iii) as of 13 February 2020, 21 Australian workers have died on the job this year,
- (b) congratulates the Victorian, Australian Capital Territory, Queensland and Northern Territory governments for passing comprehensive industrial manslaughter laws; and
- (c) calls on the Federal Government to:
  - (i) act on the recommendations of the report, and
  - (ii) implement a federal industrial manslaughter regime. (*general business notice of motion no. 518*)

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

- (a) notes that:
  - (i) Australian public servants work extremely hard to prepare for estimates hearings, with an overriding spirit of acting ethically, respectfully, impartially and with accountability,
  - (ii) leadership by ministers and secretaries is essential to supporting public servants as they prepare for estimates hearings and as public servants prepare responses to questions on notice,
  - (iii) the quality of the answers to questions on notice provided by the Department of Home Affairs to senators following the October 2019 estimates round raises questions about whether details or explanations are being withheld from public scrutiny without sufficient explanation as to why,

- (iv) Senator Keneally wrote to the Secretary of the Department of Home Affairs on 11 February 2020, and provided the Secretary with five case studies to demonstrate concerns that questions may not be being answered with the spirit of accountability and transparency that the Senate expects,
- (v) Senator Keneally asked the Secretary of the Department of Home Affairs to re-examine the Department's responses to all of its questions on notice from the October 2019 estimates round, and to correct any omissions or lack of transparency, by 24 February 2020, and
- (vi) as of 2 pm on 26 February 2020, the Secretary of the Department of Home Affairs has not responded to the senator's letter;
- (b) in advance of next week's estimates hearings, thanks the Australian Public Service for its commitment to acting ethically, respectfully, impartially and with accountability;
- (a) calls on the Secretary of the Department of Home Affairs to re-examine the Department's responses to all of its questions on notice from the October 2019 estimates, and to correct any omissions or lack of transparency by 28 February 2020; and
- (b) ahead of Additional estimates next week, reminds the Secretary of the Department of Home Affairs of his obligation under the Australian Public Service Values, including to the Australian public's right to know. (*general business notice of motion no. 519*)

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

- (a) notes that:
  - (i) it is women who remain disproportionately more likely to arrange childcare and are assessed under the Government's 'activity test' to access childcare support, and
  - (ii) under the Government's 'activity test', only parents who undertake approved courses of education or study meet the activity test requirements;
- (b) considers that:
  - (i) it is wrong that parents studying Masters degrees or PhDs that are not approved by the Government do not meet the activity test requirements, and
  - (ii) this discriminates against women participating in education; and
- (c) calls on the Federal Government to extend eligibility for childcare support to all parents undertaking education or study. (*general business notice of motion no. 520*)

Senators Abetz, Askew, Chandler, Colbeck and Duniam: To move—That the Senate—

- (a) expresses strong support for the right to peaceful and lawful protest activity, and equally, everyone's right to be able to feel safe at work;

- (b) notes the order by the Tasmanian Work Health and Safety Regulator for the Bob Brown Foundation to cease all forestry protests until the Regulator is satisfied the Foundation is managing health and safety duties, and risks to workers allowing Tasmanian forestry workers to get on with their jobs; and
- (c) calls on the Bob Brown Foundation to abide by the Regulator's order.

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) the Great Barrier Reef supports approximately 64,000 jobs and generates \$6.4 billion for the Australian economy annually,
  - (ii) approximately half of the shallow water coral of the Great Barrier Reef has been lost since 2016 due to successive coral bleaching incidents,
  - (iii) the Centre for Tourism and Regional Opportunities has reported a dramatic decline in domestic tourism since successive coral bleaching events,
  - (iv) in February 2020, Great Barrier Reef Marine Park Authority survey teams found significant bleaching at three reefs in the Shelburne Bay and Wuthathi region of the Great Barrier Reef,
  - (v) current National Oceanic and Atmospheric Administration Coral Reef Watch forecasts show a heightened risk of a mass bleaching event in the Great Barrier Reef in the coming weeks, and
  - (vi) climate change remains the greatest threat to the Great Barrier Reef; and
- (b) calls on the Federal Government to:
  - (i) implement a climate policy that accelerates actions to limit global warming to 1.5°C to protect the Great Barrier Reef and the jobs that it supports,
  - (ii) take all action necessary to properly protect the Great Barrier Reef and avoid the UNESCO World Heritage Committee needing to place the Great Barrier Reef on the World Heritage In Danger List, and
  - (iii) develop a clear plan to move Australia towards 100% clean energy, including a plan for a just transition for Australia's regional workforces so that regional economies can thrive and workers are protected. (*general business notice of motion no. 521*)

*Intention to withdraw:* The Chair of the Standing Committee for the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells), pursuant to standing order 78, gave notice of her intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notices of motion standing in her name, as follows:

Business of the Senate notice of motion no. 1 for three sitting days after today for the disallowance of the Financial Sector (Collection of Data) (reporting standard) determination No. 30 of 2019 [F2019L01196].

Business of the Senate notice of motion no. 1 for 14 sitting days after today for the disallowance of the Jervis Bay Territory Rural Fires Amendment (Miscellaneous Measures) Rules 2019 [F2019L01494].

## 10 Postponements

General business notice of motion no. 506 standing in the name of Senator Gallagher for today, relating to estimates was postponed till 27 February 2020.

The Clerk informed the Senate that the Leader of the Australian Greens in the Senate (Senator Waters) had lodged a postponement notification in respect of general business notice of motion no. 505 standing in the name of Senator Waters for today, relating to the Commonwealth Grants Rules and Guidelines.

Pursuant to standing order 67, the Minister for Finance (Senator Cormann) requested that the question for the postponement be put.

Question—That general business notice of motion no. 505 be postponed to 27 February 2020—put.

The Senate divided—

### AYES, 35

Senators—

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

### NOES, 35

Senators—

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

*\* Tellers*

The ayes and noes were equal and so the question was negatived.

## 11 Commonwealth Grants Rules and Guidelines—Proposed order for production of documents

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. 505—

- (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.

*Statements by leave:* Senator Gallagher and the Leader of Pauline Hanson's One Nation (Senator Hanson), by leave, made statements relating to the motion.

*Leave refused:* Senator Waters sought leave to make a statement relating to the motion. An objection was raised and leave was not granted.

*Suspension of standing orders:* Senator Waters, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent her making the statement.

Question—That the motion to suspend standing orders be agreed to—put.

The Senate divided—

#### AYES, 9

Senators—

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

#### NOES, 61

Senators—

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

\* Tellers

Question negatived.



Main question put.

The Senate divided—

AYES, 11

Senators—

Di Natale  
Faruqi  
Griff

Hanson-Young  
McKim  
Patrick

Rice  
Siewert\*  
Steele-John

Waters  
Whish-Wilson

NOES, 58

Senators—

Abetz  
Antic  
Askew  
Ayres  
Bilyk  
Bragg  
Brockman  
Canavan  
Carr  
Cash  
Chandler  
Ciccone  
Colbeck  
Cormann  
Davey

Dodson  
Duniam  
Farrell  
Fawcett  
Fierravanti-Wells  
Gallagher  
Green  
Hanson  
Henderson  
Hughes  
Hume  
Kitching  
Lambie  
Lines  
McAllister

McCarthy  
McDonald  
McGrath  
McKenzie  
McLachlan  
McMahon  
Molan  
O'Neill  
O'Sullivan  
Paterson  
Payne  
Polley  
Pratt  
Rennick

Reynolds  
Roberts  
Ruston  
Ryan  
Scarr  
Sheldon  
Smith, Dean  
Smith, Marielle  
Sterle  
Stoker  
Urquhart\*  
Van  
Walsh  
Watt

\* Tellers

Question negated.

## 12 Right-wing extremism

Senator Faruqi, also on behalf of Senators Di Natale and Keneally, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 497—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.

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

Question put.

The Senate divided—

AYES, 66

Senators—

Antic	Dodson	McGrath	Ruston
Askew	Duniam	McKenzie	Ryan
Ayres	Farrell	McKim	Scarr
Bilyk	Faruqi	McLachlan	Sheldon
Bragg	Gallagher	McMahon	Siewert
Brockman	Green	Molan	Smith, Dean*
Brown	Griff	O'Neill	Smith, Marielle
Canavan	Hanson-Young	O'Sullivan	Steele-John
Carr	Henderson	Paterson	Sterle
Cash	Hughes	Patrick	Stoker
Chandler	Hume	Payne	Urquhart
Chisholm	Kitching	Polley	Van
Ciccone	Lambie	Pratt	Walsh
Colbeck	Lines	Rennick	Waters
Cormann	McAllister	Reynolds	Watt
Davey	McCarthy	Rice	Whish-Wilson
Di Natale	McDonald		

NOES, 2

Senators—

Hanson	Roberts*
--------	----------

\* Tellers

Question agreed to.

### 13 Great Australian Bight

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 501—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.

*Statements by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam), the Leader of Pauline Hanson's One Nation (Senator Hanson) and Senator Gallagher, 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, 57

Senators—

Abetz  
Antic  
Askew  
Ayres  
Bilyk  
Bragg  
Brockman  
Brown  
Canavan  
Carr  
Cash  
Chandler  
Ciccone  
Colbeck  
Cormann

Davey  
Dodson  
Duniam  
Farrell  
Fawcett  
Gallagher  
Green  
Hanson  
Henderson  
Hughes  
Hume  
Kitching  
Lambie  
Lines

McAllister  
McCarthy  
McDonald  
McGrath  
McKenzie  
McLachlan  
McMahon  
Molan  
O'Neill  
O'Sullivan  
Paterson  
Payne  
Polley  
Pratt

Rennick  
Reynolds  
Roberts  
Ruston  
Ryan  
Scarr  
Sheldon  
Smith, Dean  
Smith, Marielle  
Stoker  
Urquhart\*  
Van  
Walsh  
Watt

\* Tellers

Question negatived.

## 14 Renewable energy

Senator Urquhart, at the request of Senators Watt, Green and Chisholm and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 493—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.

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

### NOES, 36

Senators—

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

\* Tellers

Question negatived.

## 15 Aged Care Assessment Teams—Tender of 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. 498—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 the 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:
  - (a) provide an explanation as to why the Morrison Government is continuing with its tender of ACAT services despite the fact 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.

Senator Griff, by leave, moved the following amendment:

At the end of the motion, add:

- (4) Any motion under paragraph (3)(b) may be debated for no longer than 75 minutes, and senators may speak to the motion for not more than 10 minutes each.

Question—That the amendment be agreed to—put and passed.

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

Main question, as amended, put.

The Senate divided—

AYES, 34

Senators—

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

## NOES, 36

Senators—

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

\* Tellers

Question negatived.

## 16 Commonwealth Grants Rules and Guidelines—Proposed order for production of documents

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. 504—

- (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.

Question put.

The Senate divided—

## AYES, 35

Senators—

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

## NOES, 35

Senators—

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

\* Tellers

The ayes and noes were equal and so the question was negatived.

## 17 Aged Care Assessment Teams

Senator O'Neill, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 494—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.

*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, 35

Senators—

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

### NOES, 35

Senators—

Abetz	Cormann	McGrath	Roberts
Antic	Davey	McKenzie	Ruston
Askew	Duniam	McMahon	Ryan
Bragg	Fawcett	Molan	Scarr
Brockman	Hanson	O'Sullivan	Seselja
Canavan	Henderson	Paterson	Smith, Dean*
Cash	Hughes	Payne	Stoker
Chandler	Hume	Rennick	Van
Colbeck	McDonald	Reynolds	

\* Tellers

The ayes and noes were equal and so the question was negatived.

## 18 Youth justice

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 500—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.

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

The question was divided at the request of Senator Duniam.

Question—That the motion be agreed to in respect of paragraphs (a) to (c)—put and passed.

Question—That the remainder of the motion be agreed to—put.

The Senate divided—

AYES, 35

Senators—

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

NOES, 34

Senators—

Abetz	Davey	McKenzie	Roberts
Antic	Duniam	McMahon	Ruston
Askew	Fawcett	Molan	Ryan
Bragg	Hanson	O'Sullivan	Scarr
Brockman	Henderson	Paterson	Seselja
Canavan	Hughes	Payne	Smith, Dean*
Chandler	Hume	Rennick	Stoker
Colbeck	McDonald	Reynolds	Van
Cormann	McGrath		

\* Tellers

Question agreed to.

## 19 Legal and Constitutional Affairs References Committee—Reference—Domestic violence

Senator Patrick, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by 13 August 2020:

- (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.

*Statements by leave:* The Leader of the Australian Greens in the Senate (Senator Waters) and Senators Gallagher and Roberts, by leave, made statements relating to the motion.

Question put.

The Senate divided—

#### AYES, 50

Senators—

Antic	Faruqi	McKenzie	Scarr
Askew	Fawcett	McKim	Sheldon
Bragg	Gallagher	McLachlan	Siewert
Brockman	Green	McMahon	Smith, Dean*
Brown	Griff	Molan	Smith, Marielle
Canavan	Hanson-Young	O'Sullivan	Steele-John
Carr	Henderson	Paterson	Stoker
Chandler	Hughes	Patrick	Urquhart
Chisholm	Hume	Rennick	Van
Colbeck	Lambie	Rice	Waters
Davey	Lines	Ruston	Watt
Di Natale	McCarthy	Ryan	Whish-Wilson
Duniam	McDonald		

#### NOES, 2

Senators—

Hanson                      Roberts\*

\* Tellers

Question agreed to.

## 20 **Parliamentary Zone—Capital works proposal—Approval**

The Assistant Minister for Forestry and Fisheries (Senator Duniam), at the request of the Minister for Aged Care and Senior Australians (Senator Colbeck) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority for capital works within the Parliamentary Zone, relating to the Sir John McEwen sculpture, pavement and interpretive material.

Question put and passed.

## 21 **Consideration of legislation**

The Assistant Minister for Forestry and Fisheries (Senator Duniam), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 2—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.

Question put and passed.

## 22 **Bushfires—Misinformation**

Senator Whish-Wilson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 407—That the Senate—

- (a) notes:
  - (i) the spread of misinformation on social media during the recent bushfires, particularly posts that exaggerated the number of bushfires started by arsonists,
  - (ii) the analysis undertaken by Queensland University of Technology academics that found that a significant amount of social media activity that exaggerated the number of bushfires started by arsonists was indicative of highly automated and inauthentic behaviour, which suggests the existence of a concerted campaign,
  - (iii) that the spread of such misinformation during the bushfires crisis is highly irresponsible; makes it more difficult for bushfire-affected communities to obtain accurate information; makes it more difficult for bushfire-affected communities to respond in a timely and safe manner to fires; and demonstrates a callous indifference to the hardship and grief being experienced by bushfire-affected communities; and
- (b) acknowledges the importance of:
  - (i) the accurate reporting of bushfires; and
  - (ii) the public being able to trust information sources during a state of emergency.

Question put and passed.

## 23 **Intelligence and Security Legislation Amendment (Implementing Independent Intelligence Review) Bill 2020**

Senator McAllister, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 488—That the following bill be introduced:

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

Question put and passed.

Senator McAllister presented the bill and 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 McAllister moved—That this bill be now read a second time.

*Explanatory memorandum:* Senator McAllister, by leave, tabled an explanatory memorandum relating to the bill.

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

## 24 **Public servants—Bushfire response**

Senator Gallagher, also on behalf of Senator Watt, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 495—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.

Question put and passed.

## 25 Public servants—Coronavirus response

Senator Gallagher, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 496—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.

Question put and passed.

## 26 Child exploitation material

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 499—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.

Question put and passed.

## 27 **Funding for domestic violence services**

The Leader of the Australian Greens in the Senate (Senator Waters), also on behalf of Senator Marielle Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 502—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.

*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 and passed. Senator Roberts, by leave, recorded his vote for the noes.

## 28 **Notice of motion withdrawn**

Senator Duniam withdrew a notice of motion given in his name and the names of four other senators earlier today relating to Tasmanian forestry.

## 29 **Asia Pacific Parliamentary Forum—28th annual meeting—Documents**

The Deputy President (Senator Lines), by leave, tabled the following documents:

Asia Pacific Parliamentary Forum—28th annual meeting, Canberra, Australia, 13 to 16 January 2020—

Chairman’s statement.

Joint communique.

Senator Lines, by leave, moved—That the Senate take note of the documents.

Debate ensued.

Question put and passed.

---

*At approximately 5 pm—*

## 30 **First speech**

Pursuant to order, Senator McLachlan made his first speech.

### 31 Notice

Senator Pratt gave a notice of motion as follows: To move on the next day of sitting—That the following matter be referred to the Education and Employment References Committee for inquiry and report by first sitting day in May 2020:

The announcement, by General Motors on 17 February 2020, to withdraw the Holden brand and operations from Australia, with particular reference to:

- (a) the impacts of that decision on:
  - (i) Holden employees,
  - (ii) the Holden dealership network (small and medium sized businesses and family enterprises, and their employees),
  - (iii) the Holden research and development facilities, and
  - (iv) owners of Holden vehicles (including service and repair);
- (b) the role of the Franchise Code and the Government's proposed dealership amendments to the Franchise Code;
- (c) Government policy settings on manufacturing, research and development, business support and transition, and employee support; and
- (d) any related matters.

### 32 Discussion of matter of public importance—Climate change policy

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

The Government has no costing for its current climate policies which have us on track for a catastrophic 3.4 degrees of warming.

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

### 33 Documents—Consideration

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

Motion to take note of documents nos 1 and 4 moved by Senator Urquhart.  
Consideration to resume on Thursday at general business.

### 34 Committee reports and government responses—Tabling and consideration

Senator Urquhart, at the request of the Chair of the Standing Committee for the Scrutiny of Bills (Senator Polley), tabled the following report:

Scrutiny of Bills—Standing Committee—Scrutiny digest 3 of 2020, dated 26 February 2020.

---

Pursuant to order, Senator Brockman, at the request of the chairs of the respective committees, tabled the following reports:

Reports on annual reports referred to legislation committees—No. 1 of 2020, dated February 2020—

Community Affairs Legislation Committee.

Economics Legislation Committee.

Education and Employment Legislation Committee.

Environment and Communications Legislation Committee.

Finance and Public Administration Legislation Committee.

Foreign Affairs, Defence and Trade Legislation Committee.

Legal and Constitutional Affairs Legislation Committee.

Rural and Regional Affairs and Transport Legislation Committee.

---

Senator Brockman, at the request of the Chair of the Parliamentary Joint Committee on Human Rights (Senator Henderson), tabled the following report:

Human Rights—Joint Statutory Committee—Report 3 of 2020—Human rights scrutiny report, dated 26 February 2020.

---

The Chair of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity (Senator Scarr) tabled the following report and documents:

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—Examination of the annual report of the Integrity Commissioner—2017-18—Report, dated February 2020, Hansard record of proceedings and additional information.

Senator Scarr moved—That the Senate take note of the report.

Debate adjourned to the next day of sitting, Senator Scarr in continuation.

---

Senator Brockman, at the request of the Chair of the Standing Committee for the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells), tabled the following report:

Scrutiny of Delegated Legislation—Standing Committee—Delegated legislation monitor 3 of 2020, dated 26 February 2020.

---



Senator Brockman, at the request of the chairs of the respective committees, tabled the following documents:

Budget estimates 2019-20 (Supplementary)—

Finance and Public Administration Legislation Committee—Hansard record of proceedings, additional information.

Foreign Affairs, Defence and Trade Legislation Committee—Additional information received between 12 and 24 February 2020—Defence portfolio.

**35 PFAS testing—Blood and genetic testing on humans and livestock—Order for production of documents—Document**

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

PFAS testing—Blood and genetic testing on humans and livestock—Order of 12 February 2020—Letter to the President of the Senate from the Minister for Defence (Senator Reynolds) responding to the order.

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

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

**36 Disaster risk reduction—Ministerial statement—Document**

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

Disaster risk reduction—Ministerial statement by the Minister for Agriculture, Drought and Emergency Management (Mr Littleproud), dated 26 February 2020.

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

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

**37 Statute Update (Regulations References) Bill 2020**

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

Message no. 183, dated 26 February 2020—A Bill for an Act to update references to regulations in the statute law of the Commonwealth, 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.

**38 Farm Household Support Amendment (Relief Measures) Bill (No. 1) 2020**

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

Message no. 182, dated 26 February 2020—A Bill for an Act to amend the *Farm Household Support Act 2014*, 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.

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

Order of the day read for the further consideration of the bill in committee of the whole.

---

*In the committee*

Consideration resumed of the bill.

Senator Dodson moved the following amendment:

Page 2 (after line 14), after clause 3, insert:

**4 Review of operation of amendments**

- (1) The Minister must cause an independent review to be conducted of the operation of the amendments made by this Act.
- (2) The review must start as soon as practicable after the end of 12 months after this Act commences.
- (3) The persons who conduct the review must give the Minister a written report of the review within 6 months of the commencement of the review.
- (4) The persons who conduct the review must consult:
  - (a) income support recipients impacted by the amendments made by this Act; and
  - (b) persons who have expertise in social security law; and
  - (c) persons who have expertise in any other area of public policy considered relevant by the persons who conduct the review.
- (5) The review must provide for public submissions as part of the review.
- (6) The Minister must cause a copy of the report to be tabled in each House of the Parliament within 15 sitting days of that House after the report is given to the Minister.
- (7) In this section, *Minister* means the Minister administering the *Social Security Act 1991*.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 36

Senators—

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

NOES, 32

Senators—

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

\* *Tellers*

Question agreed to.

On the motion of the Minister for Families and Social Services (Senator Ruston) the committee reported progress.

**40 Offshore Petroleum and Greenhouse Gas Storage Amendment (Cross-boundary Greenhouse Gas Titles and Other Measures) Bill 2019**  
**Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Miscellaneous Measures) Bill 2019**

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

Debate resumed.

*At 7.20 pm:* Debate was interrupted while Senator Roberts was speaking.

**41 Adjournment**

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

Debate ensued.

The Senate adjourned at 7.59 pm till Thursday, 27 February 2020 at 9.30 am.

**42 Attendance**

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

**RICHARD PYE**  
Clerk of the Senate