

Question negatived.

**The PRESIDENT:** Senators, that concludes the discovery of formal business but I would urge you to block out some time in your diary for tomorrow afternoon.

### **MATTERS OF PUBLIC IMPORTANCE**

#### **COVID-19**

**The PRESIDENT (15:48):** A letter has been received from Senator Hanson:

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

"Allowing activists to breach Covid-19 restrictions without punishment, even as these same restrictions are devastating jobs, businesses and lives, is a grave insult to all law-abiding Australians."

Is the proposal supported?

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

**The PRESIDENT:** I understand that informal arrangements have been made to allocate specific times to each of the speakers in the debate and, with the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

**Senator HANSON (Queensland) (15:49):** The matter of public importance I have raised today is based on our state governments, in particular the weak leadership of Queensland Premier Annastacia Palaszczuk, allowing activists to breach COVID-19 restrictions without punishment even as these same restrictions are devastating jobs, businesses and lives. It's a grave insult to all law-abiding Australians.

Last weekend we saw tens of thousands of Australians pack city centres across the nation protesting for Black Lives Matter. This protest started in the United States with the unnecessary death of a black American at the hands of police officers. No-one could possibly condone the way in which George Floyd died, but what upsets me is the attitude of many people, black and white, that his death matters more because he is black, and yet when a white 40-year-old Australian-American woman by the name of Justine Damond was shot, there was no protest. No-one really cared, because she was white.

George Floyd had been made out to be a martyr. This man had been in and out of prison numerous times. He was a criminal and a dangerous thug. George Floyd had a criminal history of breaking into a pregnant woman's home, looking for drugs and money and threatening her by holding a gun to her stomach. It sickened me to see people holding up signs saying 'Black Lives Matter' in memory of this American criminal. I'm sorry, but all lives matter. If I saw signs being paraded on the day that said that very thing, we wouldn't be having this debate.

More whites in Australia and America die in custody than blacks. That's a fact. But where is the outrage for white people? For the majority of people in custody, it's because they've broken the law. In other words, they've committed crimes against innocent people. To hear brainless comments from people saying our Indigenous Australians should not be locked up, as was the case put forward in 1995, is absolutely ridiculous. Black and white Australians must face punishment if they commit an offence or break the law. We cannot allow bleeding hearts and those on the Left to destroy the fabric of our society and our freedom. The public sentiment calls for those who do the wrong thing to be held to account for their actions. I'm used to seeing gutless behaviour from political parties, but the word 'gutless' doesn't even begin to describe what I have seen transpire over the last few days.

When the severity of the coronavirus pandemic became apparent, we asked Australians to make some sacrifices. We asked them to stay at home, to shut down their businesses. We asked people to put their livelihoods on the line for the wellbeing of every Australian. And they've done that, much to their own detriment. So, after what I saw over the weekend, I don't blame the 445,000 mum-and-dad businesses in my home state for saying they feel betrayed. Although there were just two new cases of coronavirus across Australia, the Queensland Labor Premier, Annastacia Palaszczuk, has kept our state border in lockdown, like a scene out of Germany in the 1960s when they established Checkpoint Charlie. While 'Checkpoint' Palaszczuk claims to be saving Queenslanders from COVID-19, she authorises a mass gathering of 30,000 Black Lives Matter protesters in Brisbane, which flies in the face of all social distancing laws. Reportedly, not one person was fined or held to account even when someone was filmed jumping on a police car. What an insult to law-abiding Australians.

We saw this scene played out across Australia, and every politician who turned a blind eye should hang their head in shame. People are furious, and I don't blame them. They want to know how this can happen when our pubs, clubs, gyms, restaurants and businesses are still crippled by the full force of COVID-19 restrictions. They can barely have 20 people in a room. Doesn't Queensland's economy matter? Doesn't Australia's economy matter?

These activists should never have been allowed to march and call Australians racist, especially when we can't even hold a proper funeral for our loved ones. I say shame on the politicians who were too gutless and too scared of losing votes to stand up to the mob.

**Senator SESELJA** (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (15:54): I'm a big supporter of the right of people to peacefully protest. It is one of our fundamental human rights, amongst many others. But I, like many Australians—I think the majority of Australians—was angered and indeed shocked by the fact that these protest marchers were allowed to go ahead in the way that they were during a time of a global pandemic. I want to go to some of the reasons why I'm angry and why I think so many Australians are angry about the way this occurred.

Australians hate double standards. They hate the idea that there is one rule for some and another rule for others in our community. We talk about the right to protest. I heard some of the political leaders and some of the state and territory leaders, including the Chief Minister of the Australian Capital Territory, Andrew Barr, and I think others, talking about how there is of course a right to protest. Yes, there is a right to protest, but there are also all sorts of other human rights that have, in one way or another, been curtailed over the past couple of months, and this is where the anger is coming from. Yes, there is a right to protest. There is also a right to worship, but that has been curtailed over the last couple of months to deal with this pandemic. There is a right to run a business, and freedom of enterprise is an important freedom in Australia, but we have seen some of those rights curtailed, for good reasons, and some of those business owners have done it tough. There is a right to freedom of movement in this country, but we take that for granted. It's the ability to move wherever we like in our cities, the ability to move across state borders and indeed the ability to move beyond our nation when we have the opportunity. All of those rights have been curtailed to one degree or another.

As governments have put in place some of those restrictions, the community has largely followed them willingly. The feedback I have had as we have imposed restrictions, first with shutting down international travel and then with limiting people's freedoms and the ability to move around in this country, is that most Australians, even some of those who've done it really tough and even some of those business owners who I've spoken to who are really struggling with some of these restrictions—notwithstanding the fact we have done so much to try and support them through that—would prefer to be running their businesses, but they haven't been able to in some circumstances. And they have done that willingly. They have said to me: 'You know what? I know this is tough, but I know why the government's doing it. They're doing it because we're all in this together. We're going to defeat this health crisis. We're going to save lives. As soon as we can we want to get back to life as we know it.' Why I think these protests, and the fact that the protest was simply waved through by state and territory leaders, have struck such a nerve is the sense of the lack of fairness and how much they have undermined the sacrifices that so many Australians have made.

We're talking about rights, but what about the right to celebrate your wedding? And what about the right of Australians to farewell their loved ones? Nothing strikes at the heart more than when you hear the stories of people who have not been able to properly farewell their loved ones because of the restrictions that were put in place. Those restrictions were explained at the time. We know that there was a danger with mass gatherings at funerals and weddings and other places. When that was explained by the national cabinet, so many Australians said, 'This is a terrible burden to bear', but they bore it. They complied. They complied with the rules whether they agreed with them or not, because they were convinced that this is what we need to do in order to protect lives in Australia.

When those same political leaders turn around and say, 'If you want to gather with 500 people, 1,000 people, 5,000 people or 10,000 people, that's about your right to protest,' other people rightly turn around and say: 'What about my rights? What about my right to farewell my loved ones? What about my right to run my business? What about my right to move around freely?' Those freedoms are important too. They have been curtailed for good reasons that have been explained to the community. The community has come with us. I think this undermines that trust.

Some of the state and territory leaders, including Andrew Barr the Chief Minister here, talk about the right to protest. I heard Premier Daniel Andrews talk about how he was 'discouraging' people from going to these protests. There was no discouragement of people in other aspects of life. We didn't say to the people who wanted to have 50, 100 or 200 people at a funeral, 'We discourage you.' Do you know what there were? There were fines. There was enforcement action.

Over the weekend I had feedback on this issue from many people, not just here in Canberra but right around the country. I had some feedback from people here in the ACT who were affected. As these protests were going on I was getting feedback from cafe owners in the ACT who had been visited by the authorities on multiple occasions counting to make sure that there were not 21 people rather than 20 or fewer in the cafe. Down the road there were

thousands of people at a protest, and that was allowed. There were no fines. There were no moves by the authorities to in any way restrict that or impose any sanctions whatsoever.

Before, when only takeaway was allowed, an elderly gentleman—he was in his 80s—was getting a takeaway coffee and the cafe owner pulled out a chair for him. He was warned. He was told: 'You can't do that. You can't sit down here. We've got rules. It is only takeaway.' There was no, 'We're just going to advise you to do the right thing.' Churches here in Canberra in recent days have been warned by the police that they should not go over 20 in their gathering place—places that sometimes fit 300, 400 or 500 people. They cannot go beyond 20.

The double standards, the hypocrisy and the different standards that were applied are really what get to Australians. They say, 'This is not fair.' You have to say that they have a case. In the time I have left I have to say one of the reasons we see such frustration. I've pointed to the immense double standard of saying, 'The right to protest is important, but all of those other rights are not important and can be curtailed and restrained by the states'—sometimes, unfortunately, in fairly heavy-handed ways, and we've seen some examples that have been particularly unfortunate.

The other reason is the fact that the differences we are now seeing are not being explained. Please explain to me why in a territory where we have had no community transmission at any time it is dangerous to have more than 20 people gather in a church, a cafe, a restaurant or a pub but if you drive a couple of kilometres down the road to Queanbeyan, where they have had more community transmission—although not a lot at the moment, it must be said—it is safe to have up to 50 at a pub or a place of worship. That is another area of frustration. That is not being explained to people.

What they have done is undermine community confidence. Senator Gallagher might think this is a joke, because her mates in the Labor Party broke the rules about the restrictions and showed themselves to be above all those people who have had to put up with the rules. One rule for the rest; one rule for the Labor Party—there it is. That is why people are angry, and they are absolutely justified in their anger.

**Senator McALLISTER** (New South Wales) (16:04): I am quite surprised that the preceding speaker did not choose in his address to engage in any material way with the substantial injustices that are experienced by Australia's First Nations people. I am genuinely surprised, because I think a decent person genuinely seeking to reflect their community might have had the grace to consider the cruel circumstances, the limited life choices and the discrimination that has propelled this conversation in recent weeks and has driven so many people to reflect on what we might do better. I was surprised not to hear any reflection on those questions from the preceding speaker.

What is happening in the United States has caused many Australians to reflect on the treatment of Aboriginal and Torres Strait Islander people by law enforcement. As Labor's shadow minister for Indigenous affairs, Linda Burney, recently said, what is happening in America is an example of the divisive and corrosive effects of systemic discrimination, and racism and we don't need to worry about importing it here because it is already here and it would be far better if we accepted and were honest about our history and our present.

This government needs to consider its priorities. Government members stood in support of today's motion. Instead of picking a fight about protests, they might do better to turn their minds to the material issues that drove the protests. Instead, we've had tone deaf comments from the Prime Minister and tone deaf comments from Senator Cormann. Thousands of Australians clearly were trying to balance their sense of responsibility about their obligations to protest against institutional racism alongside their obligations to support public health. But there's no support for those obligations from this government. The government has the policy levers to effect serious social change, whether it be in law enforcement, social services, housing or health care. It could choose to address the injustices that are present for First Nations people. But government members don't choose to come into this chamber and talk about that.

Even during Reconciliation Week, the unfair and sometimes brutal treatment of First Nations people occurred on an almost daily basis. In my own neighbourhood, footage emerged of a young Aboriginal man slammed to the ground by a New South Wales police officer. An Aboriginal woman in a Perth prison was body slammed by a guard and left in a critical condition. A young Aboriginal girl was incorrectly accused of stealing at a local store. An Aboriginal woman was dragged out of a Melbourne hospital by staff after experiencing a drug overdose. I don't imagine that those events or stories are surprising for First Nations people, because this is the real experience of discrimination that they seek to speak to us about again and again.

I want to read to this chamber one of the most moving parts of the Statement from the Heart that was adopted at Uluru:

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness.

I think about that statement, adopted by so many people at Uluru after an extensive nationwide consultation, undertaken at the request of government, that went on for many years. I think about that powerful statement of powerlessness—that sense that, no matter how often they raise their voice, they are not heard—and I think about the callous, disrespectful way that the government responded when that statement was presented to them. They dismissed it out of hand. They mischaracterised the idea of a constitutionally enshrined voice to parliament as a third chamber, which is not something that was ever sought by people at Uluru. And they did all of that after having invited the ideas of our First Nations people. They dismissed those ideas out of hand almost immediately upon receipt, and without discussion—without discussion with the people who they had requested to drive and run that consultation. It was disgusting!

And so, if people feel that they are not being heard and say, 'We have no other way to have our voice heard and to have our perspective heard—to be listened to by this government—except to protest,' well, who can blame them? Their treatment by this government over seven years has been absolutely disgraceful. They have had their time wasted. They have engaged again and again and again in good faith—in conversations about reform of the CDEP, in conversations about reform of the Closing the Gap targets and in conversations about reform and constitutional recognition. They have engaged again and again and again, at the request of government, in good faith, and nothing ever changes.

There is absolutely a sense that people's time is being wasted. And if people are angry and upset then I understand that. The last week ought to have been a pause for reflection, not for coming into this chamber and playing petty politics with, arguably, the most serious issue that this nation needs to address.

**Senator RICE** (Victoria—Deputy Australian Greens Whip) (16:12): The true matter of public importance that we should be debating here today is the racism that pervades this country—the racism that was expressed by Senator Pauline Hanson in her contribution just previously.

The true matter of public importance we should be debating here today is the ignorance of the racism that is experienced by First Nations people—by black people and by brown people; by non-white Australians—every day. We don't have equality in this country; we have discrimination, we have prejudice, we have ignorance and we have deaths. The true matter of public importance that we should be debating here today is the deaths of 437 First Nations people in custody in the almost three decades since the Royal Commission into Aboriginal Deaths in Custody, and it is the continued racism and violence experienced disproportionately by people of colour, here in Australia and across the globe. That record, that racism and that discrimination are why I decided that I had to attend the rally in Melbourne on Saturday. It was in response to First Nations peoples and the organisers of that rally who were calling for settler allies to protest in solidarity with them. They made that call, and I made the decision that I needed to be there in solidarity with them. None of us would normally choose to protest during a pandemic, but we do not have a choice when black lives are being lost and our government refuses to do anything about it. Black lives are already at risk every day in Australia. Black people around the world are more likely to die from this pandemic.

Since that 1991 royal commission, not only have there been 437 Indigenous deaths in custody—and that total has increased by five just in the last week—but not one person has been convicted over any of those deaths. Racial injustice in this country is so bad that people feel they do need to protest during a pandemic, because black voices have not been heard.

That royal commission was almost three decades ago, and yet the racist institutions in this country are still causing the deaths of people like David Dungay and Tanya Day. I feel particularly strongly about Tanya Day. She was a woman about my age. She died because she fell asleep on a train. She died in custody 17 days later. If I had fallen asleep on the train having had a couple of drinks, I know that I would not be dying in custody 17 days later.

The movement in the US sparked by the murder of George Floyd has resonated so strongly in Australia and expresses the fault lines of injustice in our own home that people feel compelled to come out to express their anger and their grief. Protest is never popular, but it's an important expression of that community grief and it can bring about change. And we've seen that the protests in Minneapolis have brought about change. The council has pledged to defund and dismantle the city's police department.

If the coalition was serious about antiracism and justice for our First Nations peoples and people of colour across this country, there would not be a pressing need to protest. In May, when restrictions were still in place, the Prime Minister did nothing to stop the anti-5G people and declared that it's a free country; however, when it's a protest he didn't like then suddenly it's something that should be quashed and condemned.

**Senator CHANDLER** (Tasmania) (16:16): Well, there is real anger in the community that thousands of people were allowed to breach restrictions against mass gatherings over the weekend and anger at the double

standard that seems to have been applied to these protests by some state authorities when compared to the onerous restrictions which all Australians have been following for the past three months. I've seen many small business owners and employees across the country express their frustration and disbelief that mass gatherings of thousands of people were held in breach of all the advice of public health authorities.

Australians over the past few months haven't been able to visit unwell relatives in hospital or aged-care facilities. People have missed out on attending the funerals of their family members. Weddings have been cancelled. Businesses have been forced to close, and their employees in many cases have lost their jobs. This is all because the Australian community as a whole has understood the need to make a collective sacrifice to ensure we get the coronavirus pandemic under control.

So many Australians and businesses have respected and followed the physical-distancing measures endorsed by national cabinet and implemented by the states and territories. This was a matter of civic duty. These physical-distancing measures have slowed the spread of the virus and saved lives.

Our medical expert panel had previously outlined that the coming together of people in mass gatherings has the real potential to undo the amazing work of Australians in flattening the curve over the past few months. That's why I was deeply concerned by the clear lack of physical distancing evident in some of these gatherings that we saw over the weekend, particularly when I know so many Australians have just been trying to do right thing.

Whilst expressing concern for important causes is a critical part of our democracy, now is not the time for mass gatherings and it could potentially risk the lives of our most vulnerable Australians. The sacrifice and the effort that has been asked of Australians has been extraordinary and, with very few exceptions until last weekend, Australians have been united in following the rules and helping each other to keep this virus under control. And the reason we followed the rules isn't because we don't think it's important to go to a loved one's funeral, that businesses stay open or to march on Anzac Day to pay our respects to those Australians of every race and background who have made the ultimate sacrifice for our country. Of course those things are incredibly important, but Australians understood that it was our turn to make a sacrifice because the top priority at this time was to avoid spreading coronavirus so more Australians didn't die.

That's why it was so galling and so unfair for Australians to witness some people ignore the advice not to attend mass gatherings and break the public health directives against mass gatherings, and yet receive no fine or consequence. Of course we support the democratic right to legal protest. Of course we were all appalled and horrified at the killing of George Floyd in the United States. And of course we all want better outcomes for Indigenous people in this country. We also support the right to operate your business, the right to work, the right to visit your family and the right to move freely around your community and your state, but we've accepted that the coronavirus health threat was serious enough to restrict our ability to do those things for a limited time. But if the vast majority of Australians have avoided mass gatherings, even to the extent of missing a family funeral or not seeing their own parents or grandparents, why does one group have a right, or feel entitled, to break the rules?

We know that the ongoing restrictions are having a huge impact on businesses and the economy. That means that there's also a huge impact on Australians and the amount of work they're getting—the amount of money they're earning to look after their family. We know that when the economy suffers people suffer. So it's hardly surprising that Australians who are getting less work because of restrictions or who are seeing their small family business struggle to stay afloat will ask the legitimate question, 'Why am I following the rules that only a small number of people can attend my business and I have to actively enforce social distancing at a risk of being fined or shut down, when there is apparently no other consequence for those groups who don't follow the rules?'

We have community groups who have been given pages of instructions about the need to wipe down surfaces regularly and keep volunteers 1½ metres apart if they want to access their facilities and resume meetings. What are they supposed to think when they see thousands of fellow Australians not being required to follow the same rules? Worst of all, state and federal public health authorities are now suggesting that, specifically because of the protests held over the weekend, we may have to wait an additional two to three weeks before easing restrictions further, because we don't know whether people attending these protests have contracted coronavirus and taken it back to their community. Just when we've done so well collectively to follow the rules, this large-scale breach has many Australians rightly asking the question, 'Do the rules still apply, or don't they?'

As a younger Australian, I know that the economic impact of the COVID-19 crisis will be felt for years to come. We are most likely about to embark upon a recession that many people my age haven't experienced in living memory. I have friends who haven't been able to work during this period and certainly can't see when they might be able to work in the future. I have friends who haven't been able to travel to see their family, particularly over Easter, which, as we all know, is a time when families traditionally like to come together and spend time

with each other. I have friends who have struggled with their mental health during a time of great uncertainty about their work, their lives and their social connectedness.

We'd all like our lives to go back to normal. We'd all have liked to be able to visit our mum on Mother's Day and give her a hug. We all would have liked to be able to commemorate Anzac Day in the usual way. But for most of us, particularly those who live further away from our families and friends, that hasn't been possible over the past few months. We accepted those limitations on our personal freedoms because we knew that doing so would ensure that we kept our loved ones safe from this awful virus. And we followed the rules consistently, even when we struggled with the reality of the unprecedented situation we found ourselves in.

That is what made it all the more appalling for me to see these protests over the weekend and see so many people clearly flouting social restrictions, because what was the point of following these rules if they weren't going to be followed consistently? I thought of the Tasmanians I know who haven't been able to go to the funerals of the people they love. I thought of the Tasmanians I know who haven't been able to go to work. I thought of the Tasmanians I know who have had their livelihoods almost lost because their businesses haven't been able to operate. I thought of the local festivals and the markets that we all love that haven't been able to go ahead, just because people are trying to follow the rules and do the right thing, because we understand how important it is to do so for the safety of everyone.

In my opinion we're at a crucial stage in the easing of restrictions now, where we need state governments to apply consistency and have a real focus on getting us back to business. We can't sustain a situation where some businesses can have 20 people attend, some 50 and some even more than that or where some footy games can have 2,000 people show up and others can't have any or where a blind eye is turned to a mass gathering of tens of thousands of people with no social distancing while other restrictions remain in place for everybody else.

Governments around the country have done a great job suppressing coronavirus. We've all supported the efforts of governments at every level to encourage Australians to do the right thing and follow the rules, but we always knew from the start that this was a dual crisis—an economic crisis as much as a health crisis. Mixed messaging and being slower to ease restrictions than public health advice dictates are not going to help us through the economic challenges and get people back to work. Again I say that, as a young Australian who has experienced a recession in my lifetime but certainly not at a time I remember, this is a great concern for me.

I believe in the right to protest peacefully and legally, but I also believe in the right of free movement, the right to conduct a business and the right to worship. All of these rights and more have had to be curtailed in recent months, and this hasn't been easy. In fact, for many it has been absolutely heartbreaking. But we accepted it as our civic duty to stay home and save lives. What we didn't accept is for some Australians to pick and choose which rules they get to follow and when they get to follow them, and that is what we saw this weekend.

**Senator LINES** (Western Australia—Deputy President and Chair of Committees) (16:26): What a missed opportunity it is for the government to respond to the real issues around Black Lives Matter today in this place. It is a missed opportunity, and I condemn the government for their silence. We saw today the contribution of my colleague Senator Patrick Dodson—a Western Australian, the same as me. He made a powerful contribution, taking note of the high incarceration rates and about the need for change. He challenged the government to say that these are not complex issues. We've seen during the COVID-19 crisis how governments have moved quickly, including the Morrison government. The Western Australian government has moved really quickly. So where there's a political will, there's always a way.

First Nations people have waited way too long in this country for justice and for action. We heard the comments of Senator Malarndirri McCarthy earlier this week. She attended the rally up in Darwin. When she heard government ministers—indeed, senior government ministers—say that those protests were irresponsible, she said:

What's irresponsible here is that for nearly 30 years, we've had over 430 deaths in custody, and there's been no convictions, no arrests, no steps forward.

She went on to say:

This issue resonates far deeper than any other issue in Australia and around the world.

We need to be open to that. Our hearts need to move more quickly to the point that there is incredible change in our country. When there's change occurring, I would say to people that it's time to get on board or get out of the way. Is it any wonder that today we saw that anger from Senator Dodson and that on Monday we saw that anger from Senator McCarthy?

On Monday night on *Q+A*, who could not be moved by that powerful contribution from Meyne Wyatt—another Western Australian, an actor from Kalgoorlie—about the racism and discrimination that he faces as an Aboriginal person in this country every day of his life? Indeed, my own granddaughter Charlee, a Gija girl, has

felt racism. Her family was a part of the stolen generations. She first felt racism, and remembers it, at the age of seven. She watched Meyne Wyatt's contribution, and she said to me that it was incredibly hard to watch. She's 16. I agree, and I felt everything that he talked about in that two-and-a-half minute video. If you haven't watched it then I urge you to do so.

These responses from Australians have of course been in response to the shocking, horrific murder of George Floyd in the US. But it's bigger than that in Australia, and we can no longer deny that we live in a racist country and that our First Nations people are not treated equally. Whilst George Floyd was clearly the catalyst for that outpouring, what it said to our First Nations people, and to the many millions of us who support the need for change, is that we have to get on to the streets. It is time for change, because there's no doubt that for First Nations people in this country there is profound and systemic disadvantage that they confront on a daily basis. As Professor Megan Davis said earlier this week: 'It's impossible to deny that these protests reflect a growing sentiment across Australia that justice for First Nations people is well overdue.' When tens of thousands of Australians take to the streets demanding justice for the 432 First Nations lives lost since 1991 and demanding that the deaths don't continue, we must not sit back and criticise that expression of grief and that expression of anger. We must listen.

But we know that for the entire time that we've had white settlement in this country First Nations people have been killed—massacred—and have been held in custody. Whilst we in this parliament have apologised to the stolen generations, and I believe those in the parliament—with a number of exceptions, sadly—genuinely expressed that sorry, we are now seeing a second generation of children being taken away, children being taken after birth and children being taken into the care of state departments. That is clearly not a First Nations problem; it's a problem for all of us. It's something we all have to grapple with, because all of us agree that children are best off, where that's possible, in the care of their relatives, not in an institution, and certainly not in foster care. We know that the denial and failure to recognise that this country was settled as terra nullius has had a lasting impression. We've seen First Nations peoples in this country dispersed and their lifestyles damaged, and white diseases introduced—all of those things that are about intergenerational trauma are still being felt today. And some Australians still don't fully support the historic Mabo decision.

I am pleased to see the Morrison government finally starting to take account of incarceration rates, something Labor has been calling for for five or six years. So that is a positive first step, but it's not enough. I believe that step has come about as a direct result of the protests we saw—that palpable anger that we see in our First Nations communities, which I respect. I want to be part of change, because we do know we can achieve change. Change must happen. We must start to stamp out racism in this country, and it starts with us.

**Senator FARUQI** (New South Wales) (16:33): I proudly attended the Black Lives Matter rally in Sydney on unceded Gadigal land on Saturday 6 June. I attended the rally to show solidarity with the families of David Dungay Jr, George Floyd, and every black or Indigenous person who has died in custody. In wake of the huge rallies in the United States following the killing of George Floyd, Indigenous people in Australia asked us for support from across the community to call for justice for First Nations people and no more Aboriginal deaths in custody.

Some people in this chamber, and in the other place, have said that the protesters were selfish and reckless. My response to them is this: there's no doubt that COVID-19 is dangerous, but so is systemic racism. We are potentially at a real historical turning point, a global historical turning point, where this could change. We simply can't waste it. What you should really be asking is: 'What has pushed people to the point that tens of thousands of people across the country came out to protest in a pandemic?'

They are sick and tired of the injustices, the violence and the deaths in custody of Aboriginal people—the fact that it still goes on more than 200 years after invasion and after report after report on how to stop it, and yet action hasn't been taken.

Well, enough is enough! Racism is killing people and I won't stand by. At least 437 Aboriginal people have died in custody since the 1991 royal commission and not a single person has been found criminally responsible. Now is the moment to stop this. State violence against Indigenous people didn't end with the apology and it didn't end with the royal commission. To this day, the royal commission recommendations haven't been anywhere near fully implemented. Those over there stand there and try to shame the protesters. Well, shame on you! Where is the rage against the system that excludes, punishes and kills Indigenous people? This country is home to one of the most incarcerated minorities in the world. Indigenous life expectancy alone should make you hang your heads in shame! As we marched for justice, a 40-year-old Indigenous man died in custody in WA. Where is your rage when it matters? Black lives matter; Indigenous lives matter.

I wore a mask throughout the rally and I kept my distance from others. I participated in the safest way possible, as did most people. During this sitting fortnight, I will of course continue to practice the rigorous social distancing which is expected of all us. And, like anyone else, if I experience any symptoms of COVID-19 I will follow the health advice given by the Deputy CMO to get tested and self isolate.

I have to say that I'm really angry at the way members of the government have sought to shame my and Senator Rice's attendance. They have done nothing to stop institutional systemic violence, disadvantage and racism, and now they want us to explain why we want to do something about it? Stop trying to divert attention from the real issue of Aboriginal deaths in custody! Implement the recommendations of the royal commission and commit to antiracism. As Meyne Wyatt said so simply yet so powerfully on *Q+A* earlier this week, 'Silence is violence. Complacency is complicity.' And black deaths in custody? That shit needs to stop. It does need to stop, and the time is now!

**Senator AYRES** (New South Wales) (16:37): I was horrified, but not surprised, when I saw the terms of the MPI submitted by Senator Hanson. I was horrified, but less surprised, when I received a report about the contents of Senator Hanson's speech. How any person could watch the video of Mr Floyd's death, or indeed watch the video of Mr Dungay's death in Long Bay prison, where they both said, over many, many minutes, 'I can't breathe,' and reach the conclusion that it was an acceptable use of force is absolutely beyond me.

I am, frankly, surprised by the approach that the government has taken to the MPI that's in front of us today. This was an opportunity to show that while a small number of senators want to use the alt right talking points, the majority of the parliament could recognise, listen, learn and show empathy, love and concern for our fellow citizens. But, instead, what's happened is a decision to pit Australians against Australians. I asked my staff to check our email inbox. There was not one complaint and not any controversy about the rallies on the weekend. Why would you talk about funerals and cafes in the way that Senator Seselja and Senator Chandler just did?

I have a friend whose wife died over the course of the COVID-19 period. Why would you pit his experience of having a very difficult funeral, unable to be attended by family and friends, against the experience of Aboriginal Australians and their families in custody? We have had 437 funerals that we didn't need to have and 437 grief-stricken families who could have been with their loved ones today but who will never see them again. Why are we allowing in this place that kind of divisive rhetoric, that attempt to pit Australians against Australians? I will not condemn the people who attended the rallies on the weekend.

There's been a lot of focus on the rallies in our big capital cities. I want to spend a little time focusing on the rallies that happened in country towns in New South Wales—5,000 people in Newcastle, 3,000 people in Byron Bay, 1,500 people in Wagga Wagga, 1,000 people in Lismore, 400 people in Port Macquarie and hundreds and hundreds of people in Coffs Harbour, Dubbo, Grafton and Broken Hill. These are places where there are large Aboriginal communities, places where enormous effort has gone in from those communities and, indeed, in many cases, from local police on improving the relationships between Aboriginal communities and the police force. Do you know what? For Aboriginal communities in those towns that have never really been big on rallies and never really been big on letting Aboriginal people speak up, it takes a lot of courage and a lot of determination. I will not, like people on the other side of this chamber, condemn those Australians who have stood up.

There was an opportunity for leadership today. There's been an opportunity for leadership over the course of the last week. I actually thought the Prime Minister got it right the first time when he said that we should not seek to prohibit rallies. He said that would jar with most Australians. Well, I think that's right. When the New South Wales government sought to ban the rally that happened in Sydney it fell over in the courts because it wasn't sustainable. It wasn't a sustainable proposition. I think that the place that we've got to here—where we've shifted too easily, because the politics of division suit some people, to indulging MPIs and resolutions like this—is a shame and a blight on this parliament.

There are many places where great work is being done. In Bourke, the Maranguka project is working with Aboriginal communities and working with the police force. There have been fantastic outcomes in that community. In Redfern-Waterloo, where I live, there's been very important work. Yes, what happened the other day was a setback, but there's been very important work by community leaders. What those communities need, what Australia needs, is leadership from this parliament. Implement the recommendations of the royal commission. Take all the steps that are required to be taken to resolve this problem. (*Time expired*)

**Senator McKIM** (Tasmania—Deputy Leader of the Australian Greens in the Senate) (16:43): It's no surprise that Senator Hanson and Senator Roberts just don't get it. After all, their political party was built on reactionary racism. Not that it will make any difference to them, but here is what the Black Lives Matter protests were about. They were about the 437 First Nations people who have died in custody since the royal commission in 1991, with not a single person charged over any of those deaths. They were about the systemic racism based on a racist

colonial legacy that is impacting so seriously on First Nations Australians and other non-white people in this country.

If others don't get it, they should take a look around this country. Look at Western Australia, which has effectively reinstated debtors' prisons by throwing people into jail for unpaid fines, disproportionately affecting First Nations people. Look at Victoria, where the rate of First Nations people in custody has nearly doubled in the last decade. Look at our calamitous racist policy of offshore detention, which has seen thousands of innocent people of colour exiled to Manus Island and Nauru, where many have died and many more have had their lives destroyed. If they can't look that far, look at the TV. Look at Channel 7 who paid for Senator Hanson to be a commentator and reinvigorated her political career.

The Black Lives Matter protests should make all of us in this place reflect on what we can do to start turning this shameful situation around. If Senator Hanson and Senator Roberts can't do that then they should get out of the way and let those of us who want to make Australia a fairer, more equal, less racist country get on with the job. Black lives do matter. Thank you to all who joined the protests on the weekend.

**Senator ROBERTS** (Queensland) (16:45): As a servant to the people of Queensland and Australia of all colours I reinforce the right of people to protest and speak lawfully. We are in favour, in One Nation, of freedom over control. I want to make the comment that Senator Hanson condemned the killing of George Floyd in her speech. It stuns me that Senator Ayres can so blatantly reverse Senator Hanson's clear position. That is dishonest.

I refer to Senator Rice, who said, 'Racism exhibited by Senator Hanson.' That too, from Senator Rice, is a lie. It is false. It is dishonest. It is cowardly. Stating accurate data, as Senator Hanson did, in a coherent, logical argument; calling for all people, regardless of skin colour or race, to be treated the same under our laws is the reverse of racism. It is fairness, it is honesty and it is care. Yet out-of-touch and ignorant policies, such as those of the Greens of artificially raising energy prices and tossing workers out on the scrap heap, are what exposes the Greens fault lines across our society. These policies of the Greens are hurting all people and most savagely our most vulnerable and poorest people, black and white. Resorting falsely to labels shows that Senator Rice cannot counter Senator Hanson's data and logical argument.

I remind the Labor Party that their Senator Polley tweeted, 'All lives matter.' She was slaughtered by her own Labor politicians. She withdrew the tweet. So accordingly I can conclude that in the Labor Party all lives do not matter.

Now let's turn to the protest. I draw to people's attention the protest of activists last week. In breach of the COVID-19 restrictions they blatantly ignored the stated health concerns and wilfully broke the law. That is the issue. The protesters have not been punished, yet our law-abiding businesses continue to be punished. Livelihoods are being crushed complying with these restrictions. Tourism and hospitality are key sectors in Queensland shouldering the burden, a burden that the Queensland Labor government placed, and continues to place, to prevent the spread of COVID-19 in the community well beyond these border use-by dates.

The Palaszczuk Labor government implicitly gave permission for 30,000 demonstrators to turn out to the Black Lives Matter protest. Meanwhile Queensland businesses stay closed, restaurants stay closed and stadiums stay empty. Premier Palaszczuk remains obstinate and defers critical decisions to Queensland's Chief Medical Officer. To add insult to injury, emotional and financial injury, the Queensland Labor government has now callously stated, 'Our border closures and restrictions have not created financial hardship.' What? Meanwhile these economies continue to unravel. That is Labor's arrogance, insensitivity, callous disregard for people, dishonesty, weakness, gutlessness and fear. This cold-hearted indifference to the people and businesses of Queensland undermines any remaining confidence that business may have had in Premier Palaszczuk's Labor government to respond to the COVID-19 pandemic, based not on data but on hidden agendas. This simply does not make sense. It is not fair to allow businesses to continue to collapse due to government hypocrisy and cowardice.

We all know the reality is quite different. While some people can congregate and demonstrate, people on the border continue to suffer. Over the next three months, which is when Queensland's Chief Health Officer believes it will be realistic to open the Queensland border, the Gold Coast will lose a further \$1 billion in revenue on top of its existing losses. Southern visitors spend three times more than intrastate travellers, so we cannot expect that Queensland travellers alone will save the glitter strip economy. Gold Coast Airport traffic fell 99 per cent in April and May compared to the same time last year. This is financial hardship, and the Queensland Labor government still have not provided the data they relied upon to close the borders in the first place. Lifeline is taking calls of distress from people.

State and federal politicians who attended the Black Lives Matter demonstrations broke the law. The Palaszczuk Labor government in Queensland has a duty of care to all Queenslanders. Labor's blatant hypocrisy needs to stop.

**The ACTING DEPUTY PRESIDENT (Senator Fierravanti-Wells):** The time for the discussion has expired.

## DOCUMENTS

### Consideration

The following documents were considered:

#### Documents presented by the President

Aged Care Legislation Amendment (Emergency Leave) Bill 2020—Answer to question—Letter to the President of the Senate from the Minister for Aged Care and Senior Australians (Senator Colbeck) providing information concerning a question asked by Senator Siewert on 14 May 2020 during debate on the bill.

Cabinet briefings by the Chief Medical Officer—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 25 May 2020, providing information concerning a question without notice asked by Senator Wong on 14 May 2020.

JobKeeper payment—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 20 May 2020, providing information concerning a question without notice asked by Senator Keneally on 12 May 2020.

National Bushfire Recovery Agency Fund—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 27 May 2020, providing information concerning a question without notice asked by Senator Watt on 13 May 2020.

Victoria Cross—Ordinary Seaman Edward 'Teddy' Sheean—Letter to the President of the Senate from the Minister for Defence (Senator Reynolds), dated 19 May 2020, correcting a statement made to the Senate on 13 May 2020. [*Received 20 May 2020*]

#### Documents in response to orders for the production of documents

New South Wales water access licences—Order of 14 November 2019—Letter to the President of the Senate from the Minister for Trade, Tourism and Investment (Senator Birmingham), dated 12 May 2020, responding to the order, and attachments. [*Received 21 May 2020*]

Building Landcare Community and Capacity Grants program—Order of 13 May 2020—Letter to the President of the Senate from the Minister for Families and Social Services (Senator Ruston), dated 28 May 2020, responding to the order, and attachments. [*Received 28 May 2020*]

Death of Work for the Dole participant—Order of 22 March 2017—Letter to the President of the Senate from the Minister for Employment, Skills, Small and Family Business (Senator Cash), dated 26 May 2020, responding to the order, and attachment. [*Received 28 May 2020*]

#### Government documents

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 October to 31 December 2019. [*Received 28 May 2020*]

*Migration Act 1958*—Section 486O—Assessment of detention arrangements—

Commonwealth Ombudsman's reports—Reports nos 9 and 10 of 2020.

Government responses to Commonwealth Ombudsman's reports nos 9 and 10 of 2020, dated 25 May 2020.

*Superannuation (Government Co-contribution for Low Income Earners) Act 2003*—Operation of the Government co-contribution scheme—Quarterly reports for the period—

1 July to 30 September 2019—Subsections 12G(1) and 54(1).

1 October to 31 December 2019—Subsections 12G(1) and 54(1).

Treaties—

*Bilateral*—Text, together with national interest analysis—

Exchange of letters terminating the Agreement between the Government of Australia and the Government of the Republic of Indonesia concerning the Promotion and Protection of Investments (Jakarta, 6 February 2020).

International Bank for Reconstruction and Development (IBRD) General Capital Increase and Selective Capital Increase (Washington DC, 1 October 2018).

International Finance Corporation General Capital Increase (Washington DC, 16 April 2020).

*Multilateral*—Amendments to Appendices I and II to the Convention on the Conservation of Migratory Species of Wild Animals (Gandhinagar, 17-22 February 2020)—Text, together with national interest analysis and annexure.

#### Documents pursuant to continuing orders

Department of Home Affairs—Protection visas—Statement pursuant to the order of the Senate of 14 November 2019—April 2020. [*Received 19 May 2020*]

Estimates hearings—Unanswered questions on notice—Statement pursuant to the order of the Senate of 25 June 2014—Additional estimates 2019-20—Finance portfolio. [*Received 28 May 2020*]