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PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**  
**MATTERS OF PUBLIC IMPORTANCE**

**Asylum Seekers**

**SPEECH**

**Tuesday, 11 September 2012**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

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**Speaker** Morrison, Scott, MP

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**Mr MORRISON** (Cook) (15:13): I have some very good news for the House: the government has finally stopped a boat. What is more, they have turned it back. Sadly, it was not one of the many other fishing boats seeking to illegally enter Australia. As the Leader of the Opposition said to me earlier today, the only boat Labor have managed to stop is the *Margiris*, also known as the *Abel Tasman*, and this is a boat they had previously invited in. They have actually stopped a legal boat, not an illegal boat.

I notice that the Minister for Immigration and Citizenship has decided not to take the MPI today. I suspect he is out of the chamber at the moment taking a briefing from the minister for the environment to understand how you actually do stop a boat. I will wait with patience as I learn how the minister may seek to implement those policies.

This is a sad matter. If only the government had shown the same resolve it showed to do a backflip and stop the *Margiris* and applied it to stop the 424 illegal boats that have turned up since the government abolished the Howard government's successful border protection policies, then perhaps we would not be in the terrible mess that we are in today. More than 10,000 people have turned up on more than 150 illegal boats this year. This is a scale of failure on our borders that is unprecedented. More people have turned up on illegal boats since the last election—in the two years of this government's term—than under the four terms of the Howard government in total, including the surge of arrivals that we saw over 1999 to 2001. There is a big difference between the Howard government and this one, and that is that, when faced with that surge of arrivals, the Howard government did something about it. And we all know what happened to the Howard government policies when this Labor government was elected.

This unprecedented failure has occurred because, when it comes to border protection and asylum policy, as with everything else under the Labor government, they just make it up as they go along. They fail to understand the issues that are in front of them. They fail to think through the consequences of their decisions. Those failures have been catastrophic. This is what happens when you do not believe in anything. It is easy to backflip on things you do not believe in. It is easy to change your position with the wind when you do not believe in anything. It is also easier to do this when you do not know where you are going. The government often reminds me of the person who drives around a roundabout with their head stuck out the window, constantly asking people for directions. I have got news for the government: when you do that—when you have always got your head out the window, wondering where you are going and asking people for directions—people will reasonably form the view that you do not know where you are going, you do not know what you are about and you do not know what you believe in. The Australian people are wise to that. The people smugglers are certainly alive to that, and they have this government's measure.

The government are always managing the politics on this issue rather than seeking to solve the problem. I seek to point that out this afternoon by running through the 'make it up as you go along' policies of the Labor government as they apply to border protection. We know that, when Labor came to power, they abolished the Howard government measures that had been so successful. I note that recently the former Prime Minister the member for Griffith, when pressed on this during a seminar he was addressing, said that the voters made him do it. It was not his decision; they made him do it, because he had promised it. So he blamed the voters for his decision to abolish the measures. And I noticed last night that Senator Evans says he still feels proud of his decisions as the minister for immigration who abolished the Pacific solution. I hope he is proud of the consequences of those decisions. We all know of the chaos, cost and tragedy that followed those decisions. If that minister is going to be proud of those decisions, he must own the consequences that flow from them.

Then there was the asylum freeze. When this government saw that its decision to abolish the measures that worked was clearly opening up once again this terrible trade in people, it announced the asylum freeze—its first attempt. This was a discriminatory asylum freeze that froze applications from certain people who were seeking asylum in Australia and froze them for one reason only: where they came from, their nationality—whether they were

Sri Lankan or whether they were Afghan. This government made a policy in immigration which discriminated against a person's nationality.

On this side of the House—I know the member for Berowra would agree—we believe in a non-discriminatory immigration policy. That is why you will not see from us policies that discriminate on a person's application on the basis of their nationality. We stand for strong border protection. We stand for the universal application of strong border protection policies. What was the result of the asylum freeze? Over the three months in which the Sri Lankan asylum freeze was in place, we had 38 boats and 1,800 people. Over the six months of the Afghan freeze, we had 59 boats and almost 3,000 people. Around 1,200 of those were Afghans. So the asylum freeze, this government's first attempt, fell by the wayside.

Then we had the major diplomatic and regional embarrassment of the East Timor farce, where regional leaders were forced to endure endless polite conversations with the Prime Minister talking about a policy that was clearly absurd and was going nowhere. They were particularly concerned that it would provide nothing other than a regional asylum magnet to encourage even more people into the region than our own government had already attracted by their failed policies.

We need a return to the policies of uncompromising deterrence. The government are mixed-minded on this. They cannot get their thinking straight on this. On the one hand, they want to talk about deterrence and, on the other hand, they want to talk about accommodation. The true effect of the Howard government's policies was that we focused single-mindedly on deterrence. That is what those in our region want us to focus on as well. They do not want us to deal in half-hearted measures and less than half-measures, as the government are doing. They do not want to engage in the folly of going through the accommodation process and setting up mini-UNHCRs within the region, just to attract more people into the region. They want to focus on deterrence. They want to focus on border security. They want to focus on returns. They do not want this region to be the chosen location for people to fly halfway round the world to seek asylum in Australia.

Then of course there was the Malaysian farce, which continues to this day—this mirage of a policy that the government cling to as nothing more than an excuse to restore the full suite of Howard government measures. This was a policy made up on the run and poorly designed. It involved a five-for-one people swap. That is right: five for one. It is still five for one. They have not changed it. They have not thought that perhaps that is a little unbalanced, that perhaps that is not the way to go. They talk about their negotiating skills, and the Prime Minister is referred to as the great negotiator. Well, when you walk into a room and give the other person every single thing they ask for and offer to pay for it, guess what; they say yes. This was the great negotiation that the minister likes to talk about.

Well, clearly it wasn't. Five for one is not a fair deal for Australia. There is the 800 cap—the 800 cap, I stress—which the government refuse to budge on and refuse to talk to the government of Malaysia about, even now, as they say they are having discussions with them.

There is the issue of legally binding protections. I remind the House that yesterday—as we are doing in the Senate today—the coalition supported the designation of Nauru because we believe, on the basis of Nauru's signature of the Convention relating to the Status of Refugees, that legally binding protections are in place. That is why we supported it. That is not why the government support it. The minister specifically in his statement yesterday removed that and said that matters of legally binding protections were not taken into his decision. Well, they were taken into our decision. We supported the Nauru designation yesterday because we know that there are legally binding protections in place.

Then we had the bungled implementation of the Malaysia measure. This is the problem the government have. Whatever idea they have, whatever its merit, you can be pretty sure that they will bungle it in its implementation. Right from the date of the Malaysia announcement on 7 May, announcing something with no detail, with nothing negotiated and with no clue when the thing would be finalised and how it would operate was a catastrophic, bungling mistake. We saw weeks and weeks and weeks of uncertainty pass, as any potential real assertion in this measure was eroded by the government, more interested in a headline than actually getting something in place. The agreement came on 25 July, many, many weeks later, but this is where the government killed their own policy that they believed in so much. They said they would turn people around in 72 hours. The government's failure to implement their own policy and to get people to Malaysia within 72 hours opened up the opportunity for the injunction to be lodged on 7 August, and then it was confirmed again on 8 August.

This government butchers its own policy, so I can only imagine what is taking place now, when it is trying to seek to implement coalition policy. There was the 'let them in, let them out' policy of November, when the government was faced with the choice, after the High Court decision, of embracing the full suite of Howard government measures or embracing the policies of the Greens. It embraced the policies of the Greens. Since that decision, the number of arrivals to Australia has increased by around 280 per cent as a result.

There were the amazing adventures of Captain Emad—and where is Captain Emad, by the way? Have we found him? Maybe that is where the minister is. He is out looking for Captain Emad to tell him that he cancelled his visa, several months after he actually left! We saw in the amazing adventures of Captain Emad, in the answers to questions on notice, that the minister admitted that he had no idea who Captain Emad was when *Four Corners* went to air. He had no idea that he had given a protection visa to an alleged people smuggler who had put himself into Australia. And he confirmed that, had he known about this sooner, there was power under the act for him to cancel that visa. That power was in place. The amazing adventures of Captain Emad, almost more than any other of the amazing sagas of this government, demonstrate how it makes it up as it goes along.

And then there is the MV *Parsifal*, where this government was faced with a situation not unlike the *Tampa* situation, when asylum seekers who were picked up in relation to a distress call threatened the crew and the captain with harm to themselves. The minister at the table, the Minister for Home Affairs and Minister for Justice, even referred to it as 'aggressive' behaviour. How did we meet these people when they came to Christmas Island? Were they met by the Australian Federal Police taking statements, identifying those who had made these threats, taking statements from the master of the vessel and the crew? Was a formal investigation launched when this happened? No, the Department of Immigration and Citizenship bus turned up, they were taken up for breakfast, and their processing was commenced. This is how this government deals with these issues on a daily basis. No wonder the Australian people simply do not trust the government when it comes to this.

And now, of course, we have the U-turn, the Nauru-turn, when it comes to this government, as it now takes up just one of the three critical measures that are necessary, in our view and from the view of history, to stop the boats coming to Australia. We said yesterday and we have said consistently for years that you need the full suite of Howard government measures if you expect the Howard government results. I warn the government on this point deliberately: do not wait until Nauru fills up because you have refused to put in place the full suite of Howard government measures, if you think you can come back to the coalition and seek further support for more of your failed policies. If you take on Nauru as you are now doing and you do not bring in the full suite of measures that we have asked you to do and that you have voted against, then you will see Nauru fill up, and our policy will be this—

The DEPUTY SPEAKER ( Ms AE Burke ): The member for Cook can stop using the word 'you', because I am sure he does not apply this to me.

**Mr MORRISON:** Thank you, Madam Deputy Speaker, I will. I will say this clearly. If the government seek support from the coalition down the track and they have failed to take our advice and continue to resist the implementation of the full suite of Howard government measures, and they wait as Nauru fills up and fills up, the policy will be this: you break it, you own it. And that is what is going to happen with the government if they fail to implement the full suite of Howard government measures. Do not come back to the coalition when you find that the things that we said would not work on their own do not work. Put them in place now. If you break it, in terms of the Nauru policy, then you will certainly own it.

If the government wants to know what the real problem is when it comes to border protection, it simply needs to look in the mirror, because at the end of the day the biggest pull factor that this government offers to people smugglers and those seeking to get on boats is itself. It is this Labor government. It is the pull factor. Frankly, no matter what this government may introduce, that will not change.