

Australian Broadcasting Corporation

TV PROGRAM TRANSCRIPT

LOCATION: <http://www.abc.net.au/lateline/content/2006/s1662211.htm>

Broadcast: 13/06/2006

LATELINE.

Backbenchers revolt over asylum changes

Reporter: Greg Jennett

TONY JONES: Well, the Prime Minister is tonight facing an uprising from his backbench, threatening his diplomatic olive branch to Indonesia. A Senate committee, dominated by Government members, has called for his tough new asylum-seeker laws to be abandoned or drastically reworked. They're citing deep concern about the legality of the offshore processing regime, designed to prove to Jakarta that Australia does not support Papuan separatism. It means tough negotiations for John Howard, ahead of an expected meeting with President Yudhoyono later this month. From Canberra, Greg Jennett reports.

GREG JENNETT: There was no fanfare, just a workmanlike presentation of the Senate's report...

NIGEL SCULLION, GOVERNMENT SENATOR: I present the report of the Committee on the Provisions of the Migration Amendment (Designated Unauthorised Arrivals) Bill of 2006.

GREG JENNETT: ...but its contents are extraordinary. The Government-dominated inquiry is a direct assault on the Prime Minister's toughened asylum-seeker laws. Its first recommendation demands that "the bill should not proceed", an unusually blunt request, all the more so considering it's the work of Government senators, Marise Payne, Brett Mason and Nigel Scullion.

KERRY NETTLE, GREENS SENATOR: This is quite a remarkable Senate report. When I first saw it, I was surprised to see the length in which Government senators were prepared to take on the recommendations.

GREG JENNETT: The bill was John Howard's gesture to placate Indonesia amid fury that Australia had accepted 42 West Papuan asylum seekers. As recently as yesterday, he appeared confident he'd get his way.

JOHN HOWARD, PRIME MINISTER (YESTERDAY): We will be going ahead with it and I believe it will pass. The legislation is necessary.

GREG JENNETT: The changes would have required all unauthorised boat arrivals to be processed in Nauru, but the Senate inquiry was not convinced, raising concerns about the bill's incompatibility with the rule of law; potential breach of international law and that it's an "inappropriate response to what is essentially a foreign policy issue". It also fired a broadside at the Immigration Department, for "the brevity and in some cases contradictory or sophist nature of some of the information provided". The Greens, Labor and Democrats members of the Committee split with each making their own findings, but all agreed that the Bill should not proceed.

TONY BURKE, OPPOSITION IMMIGRATION SPOKESMAN: We already knew John Howard was willing to listen to Indonesian politicians. We now get to find out whether he's willing to listen to Australian politicians.

GREG JENNETT: Where the Government senators differ is in the list of suggestions they offer to fix the Bill, including time limits for processing; legitimate refugees to be allowed into Australia if other countries aren't available; that children only be detained as a last resort; independent scrutiny by the Ombudsman; and a sunset period of 18 months. If John Howard disregards the recommendations he courts danger in the Senate. Judith Troeth has already threatened to cross the floor. Barnaby Joyce is also unhappy.

BARNABY JOYCE, NATIONALS SENATOR: I hope that within the Senate - the Australian Senate - that this is a wide and encompassing debate.

GREG JENNETT: The Immigration Minister will meet a delegation of backbenchers from both chambers tomorrow and says she won't be responding to the report tonight.

AMANDA VANSTONE, IMMIGRATION MINISTER: Now, Senator, we have a number of obligations as a Government and we intend, Senator, to live up to all of them.

GREG JENNETT: The view among some in the Government is that the disgruntled backbenchers are unlikely to give ground. But it's clear someone will have to. The Prime Minister and Amanda Vanstone don't have much room to negotiate. Any drastic watering down would risk further upsetting Indonesia. A visiting Indonesian delegation is seeing the democratic process in action.

MUHAMMAD HIKAM, INDONESIAN MP: We will follow very closely about, you know, the process of amendment of the regulation.

REPORTER: Did Minister Vanstone give you an assurance or otherwise that this legislation will pass, even though there is some dissent?

MUHAMMAD HIKAM: We didn't discuss that.

GREG JENNETT: But the legislation, as originally proposed, was explained to them. Greg Jennett, *Lateline*.