

INSIDE CANBERRA
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HON CRAIG EMERSON MP

MINISTER FOR SMALL BUSINESS, INDEPENDENT CONTRACTORS AND
THE SERVICE ECONOMY
MINISTER ASSISTING THE MINISTER FOR FINANCE ON
DEREGULATION

KING: This idea that workers would get long service leave, every decade or so even if you changed your jobs regularly, and this is under a plan you'll hear more about today. The Australian Workers' Union is going to launch a national campaign for portable long service leave. This is one of the issues we'll ask our politicians about as we go *Inside Canberra* with Craig Emerson, Small Business Minister in the Rudd Government and Opposition Attorney-General, Senator George Brandis, good morning.

EMERSON: Good morning Madonna.

BRANDIS: Good morning.

KING: Now, I'm going to put you both on the spot. This morning, I know you're back in Canberra this morning, the one issue that people want to talk about this morning relates to the previous history of taxi drivers. We're told that almost one in two of registered drivers over the last two years, becoming registered, have a criminal or a traffic offence. When I spoke to the Queensland Transport Department about this those offences could actually include murder.

Now we've had someone convicted of armed robbery ring up and say "look when can I move on? I've been a taxi driver, people are safe with me". We've had other people saying "no, you suffer the consequences of your action". A view from you Craig Emerson?

EMERSON: Well it's obviously a very tricky one. I'd be interested to know the proportion who have actually had a traffic offence because if you are banned, if there's a proposal or any suggestion that someone couldn't be a taxi driver because they've had a traffic offence, we won't have any taxi drivers. On the issue of criminality that is a pretty tough issue. I think people would be concerned if they knew that their taxi driver had committed a very, very serious crime. But all the evidence I have as an ordinary citizen is that taxis are not that easy to get so if we start getting really, really fussy and say ok they can't even have that traffic record, we're not going to have taxi services.

KING: Senator Brandis are you going to get splinters by sitting on the fence there too?

BRANDIS: No, I haven't really thought about this issue until you raised it so it's not as if I have a settled view about it. I've never had a bad experience with a taxi driver in Brisbane I must say. I come at this, I guess, partly from my background as a lawyer and I do have a very strong prejudice in favour of the view that once a person has paid their debt to society they ought to be given another chance. I mean, you know, there are some exceptions to that, particularly in the case of sexual offenders where you could never be sure about whether or not a person might re-offend. But in general I think we should approach people who have served their time and have been discharged from prison from the basis that their slate is clean.

KING: All right, lets move on to another issue and we are going to come back to the taxi issue a little bit later in the program, so stay with me, it's 21 minutes past nine. This idea of portable long service leave, what would it do for business Craig Emerson? A good move?

EMERSON: Labor doesn't have a proposal for portable long service leave. This is not part of the policy that we took to the last election. We will implement our *Forward With Fairness* policy. To a very large extent the election campaign was fought over industrial relations. We laid out in extraordinary detail the commitments that we were making and went to the people on that basis and among those commitments was not portable long service leave.

KING: George Brandis?

BRANDIS: Well, I think this is a very interesting development and it's part of what is going to be a very large log of claims from the trade unions because, you know, there's no doubt at all that the Rudd Government owes the trade union movement. The trade union movement funded the Labor Party's campaign to the tune of more than \$20 million at the last election and you know the old saying, Madonna, he who pays the piper calls the tune.

EMERSON: I remember Madonna, when I was Shadow Industrial Relations Minister then the Minister for Small Business saying that Labor would introduce portable long service leave because in the ACT Government a Private Members Bill was put up to that effect, therefore it must be Labor policy. We have freedom of speech in this country and I think anyone is entitled, if they've got a view, to argue that view, but similarly the Government is

entitled to say that we are implementing our policies that we took to the people and upon which we were judged.

KING: Do either of you see any merit in it though? I mean is long service leave there to reward loyal service to one employer or should there be a recognition that after ten years in the workforce workers deserve a paid break?

EMERSON: Oh, I think people who have been with an employer for a long time should get long service leave and that's one of the conditions that Labor has in its policy that will be assured; that is long service leave. But that is different from portable long service leave. There's potentially a very large problem of a business, a business that is hiring someone is suddenly perhaps exposed to a long claim, a big claim for long service leave.

KING: Yes, but I guess one of the reasons the union is arguing for this is that fewer workers can claim it now because everyone changes jobs so often, don't they? I mean, how do you, as policy makers, deal with that or is that just the luck of the draw for workers?

EMERSON: Well, we have developed a fair and flexible industrial relations system that we think strikes that right balance. Portable long service leave is not part of that policy and we have put very clear policies forward for the election, at the election, so the Australian Workers' Union is fully entitled to contribute to the national debate on industrial relations and other matters.

I also remember, just very recently in the middle of last year, Fran Bailey, the then Small Business Minister, saying at a big meeting of small business organisations "don't vote for Labor because big, bad unionists will come bashing at your door, at your home demanding money for union coffers". Well, those ridiculous scare campaigns had no real impact during the last election because people understood that these were ridiculous assertions.

KING: That's slightly off the point though, can I come back to perhaps Senator Brandis' point there when he says that, you know, the union movement got behind Labor, but is there a time where the union movement will start arguing very strongly against Kevin Rudd? You've got a big base of support within the union movement, several members of the union movement on your front bench, or in senior positions within the Government...

BRANDIS: You mean almost all of them.

EMERSON: That, by the way...

BRANDIS: Almost all of them Craig, come on.

EMERSON: Apparently that included me on the advertisements that were put to air, that I'm a former union official and we pointed out there was nothing of the sort, but it took them a long time to take that off the air.

KING: But how do you deal with the unions? To take up George Brandis' point, how do you deal with the unions vocally doing this? I mean it's not good publicity for the Government is it?

EMERSON: A number of key union officials have said that there's, it's very important that there be wage restraint because we want to keep a lid on inflation and try to cut off this pipeline of inflation that's coming through as a result of the neglect of the previous government, so union officials are entitled to a view. I actually agree that there's an argument for wage restraint.

BRANDIS: With respect though Craig...

EMERSON: Do we live in a democracy or not George?

BRANDIS: Well we do...

EMERSON: What are we going to do? Are we going to say this fellow can't give a speech?

BRANDIS: Can I have a go?

KING: Craig, can you, can Senator Brandis have the floor?

BRANDIS: Of course we live in a democracy. Of course trade unions are entitled to put up a view, just like everyone else and they're entitled to favour their own sectional interests, just like everyone else but you can't kind of hide behind the democracy excuse and answer a question like that by saying, oh well, this is a democracy. The real test is how it works out in Government decision making, in Government policy, in economic management...

EMERSON: And I've just answered all of that...

BRANDIS: And the gauntlet that I'm throwing down to you and to your Government is, are you going to have the strength to stand up to the trade unions who just bought the election for you?

KING: And Craig Emerson is saying yes, I think.

EMERSON: I think that's a bit crass to say they bought the election.

- BRANDIS: Well let's see because I think that's the test.
- EMERSON: Kevin Rudd won the election and, George, you're going to have to get over it.
- KING: All right, so let's move on. There's a few things I want to get through this morning and the next one, George Brandis I might start with you. Kevin Rudd's signalled an apology to the Stolen Generation. This is causing a bit of a split within your own party. How do you personally see it? Should we say sorry?
- BRANDIS: Well I don't think it is causing a split within the Liberal Party. I mean there are nuances of views from different people but that's not a split. Two points. First of all, let's wait and see what the words are. I mean, I think it would be very unwise to be dogmatic about this until we see what it is proposed should be said. But secondly, a broader point. I very much hope that we don't go back to, in this debate, to where we were ten, fifteen years ago and reintroduce through the door, the politics of guilt and shame. Now, I think that one of the things that the last Government did very well, and Mal Brough in particular I think got a lot of public respect, was the hands-on, practical approach that was evidenced in the Northern Territory intervention and, you know, I think symbolism is important, don't get me wrong, but I've got very little respect for what I call the politics of gesture. If it isn't backed by substantive, on the ground results that actually improve the day to day lives of Aboriginal people, and in particular, Aboriginal kids, and can I conclude by saying, what I've said I think is very similar to where Noel Pearson is on this and I think a lot of the most sensible observations coming from the Aboriginal community and Aboriginal leadership on Aboriginal Affairs in the last few years have come from Noel Pearson and the Cape York Institute.
- EMERSON: Madonna, George has said there's no split. These are both post-election comments, Brendan Nelson: "I do not support a formal apology", Malcolm Turnbull: "clearly we should have said sorry then, unfortunately that was an error".
- KING: Yes, but, so there are different views as George Brandis says, a split in other terms, but can I take up that point in terms of moving forward. Symbolic as it may be, a lot of people support it, a lot of people don't, once an apology is done and dusted, what are you planning to do? Like, has federal intervention now been ruled out in other States where these children are at risk?

EMERSON: Well if I could just say the purpose of an apology is to build a bridge and establish some respect so that we can move on with practical reconciliation and do whatever is humanly possible to bridge the gap - the seventeen year life expectancy gap between Indigenous and non-Indigenous Australians and on that point I agree with George.

BRANDIS: Well, I don't think an apology is going to fix you up Craig.

EMERSON: To move on George, and I was saying, I was about to agree with you but you're now about to disagree with the fact that I'm about to agree with you.

BRANDIS: Well, I'm about to make the point, and I hope you agree with this, that an apology isn't going to extend the life expectancy of a single Aboriginal person and that's why I am sceptical. I mean, I'm not going to pre-judge this until I see the words but I am deeply sceptical of the usefulness of this.

KING: Well, let's wait and see what the words are and we might revisit in *Inside Canberra* down the track. A couple of other things.

EMERSON: If I could just say Richard Court, who's a very conservative politician, has also said that there is no downside to a Government offering a formal apology. Richard Court is of the right, the former Premier of Western Australia.

KING: All right, well let's move on. I think there are people opposed to the apology within Labor and there's people for the apology within Liberal, so it's something both parties, I guess, have to grapple with. A simpler topic for you both, the ABC logo, we read, might be out the window, just kept for corporate purposes. I'm wanting to ask both of you what the ABC means to you? What does the ABC mean?

BRANDIS: The ABC means a lot to me. In fact, the only sticker I have on the back of my car, Madonna, is an ABC Western Queensland sticker that somebody in Charleville was good enough to give me once, in Longreach was good enough to give me once...

EMERSON: Is there a squiggle on it?

BRANDIS: It does, the Euclid curve, apparently it's called Craig.

EMERSON: Oh right, yes I knew that.

BRANDIS: I actually do feel quite strongly about this because I think that that is an iconic Australian symbol. It's more than just a corporate logo, in my view, and I think, I said something about

symbolism in a completely different context a moment ago, I think we shouldn't too lightly discard symbols that have become iconic and I would call on the ABC to rethink this decision.

EMERSON: Yeah, well I am a traditionalist on this. I think there's been an enormous fondness for the squiggle and it's taken on many incarnations over the life of the ABC. I'd be very sad to see it go. But ultimately, I guess, that's a matter for the Board but it's an enormous part of the imagery of the ABC and I think it invokes a real sense of fondness.

KING: Now, while you're both agreeing, can you just talk among yourselves, I just want to go quickly to news headlines and come back and ask you about the US election. Senator George Brandis and Craig Emerson, a Minister in the Rudd Government, *Inside Canberra* this week and we'll come back and just look at the US election in just a moment to Francine Norton in the newsroom. Hi Francine.

Newsbreak

KING: The US election, are both of you watching that closely?

BRANDIS: Yeah.

EMERSON: We were just talking about it off-air before the program began, Madonna. Fascinating really.

BRANDIS: I think this is the most interesting election that I've seen, certainly in my adult life and one of the, I mean, there's the obvious fact that the Democrats will almost inevitably choose as their candidate either an African American or a woman. There's the fact that I think the leading candidates in both parties are of remarkably high calibre.

EMERSON: I agree with that and...

KING: Do you think John McCain's looking like the frontrunner on the Republican side?

BRANDIS? I would say so, yes, I think he's the person most likely to win the Republican nomination.

KING: What about this view that seems to be in some commentary that Barack Obama has a better chance of defeating John McCain if he was the Republican candidate than Hillary Clinton.

BRANDIS: Well, my view is that the Republicans' best chance is with McCain and that the Democrats' best chance is with Obama.

KING: Why?

BRANDIS: Because, well going to Obama first, Obama doesn't have the negatives that Hillary Clinton has. I mean, about 45 or so per cent of Americans loathe Hillary Clinton. Whether that's good, whether that's fair or not is a different question. But Obama, I think, has a capacity to reach more people and more independent voters than Hillary Clinton ever could. On the other hand I think McCain, who is not sort of the Republican establishment choice as it were, also is the Republican who can reach beyond the party base to the independents.

KING: Craig Emerson, can I bring you in here? I was reading a lot of the US commentary last night and it struck me that Barack Obama's not unlike Bill Clinton sixteen years ago, just getting onto the national stage, not talking like a politician, coming from nowhere, being that charismatic, getting people in...has that struck you?

EMERSON: Oh well, I don't really want to comment on the merits of each of the candidates, but you see in the campaign, I think Barack Obama started with people holding up a placard of "change". We're going through one of these periods that happens about every fifteen years, where people say look, we need to do things differently. So that's obviously a sentiment in the US election. But from Australia's point of view I think the most important thing is that obviously the US economy is going into an economic slow-down. What we would really not want to see is the American administration run by either side of politics descending into protectionism.

KING: Is there a particular side of politics, or a particular candidate, who would be best for Australia?

EMERSON: I don't think there's a way of forming that view. Whoever is elected, we need to press our case for the retention and, in fact, the improvement of an open trading system. That's what's in Australia's best economic interests and it's in the world's best economic interest.

KING: George Brandis, what do you think?

BRANDIS: I think that it's very important that both sides of politics maintain relations with both of the major American political parties and I must say I think one mistake the Howard Government made was in identifying the Liberal Party exclusively with the Republican Party. Now, I think it is always

in Australia's interests to have good working relationships with whoever's in the White House and whoever controls Congress.

EMERSON: Madonna, I used to work for Bob Hawke and went to the US, met George Bush Snr, met Ronald Reagan, both Republicans and the relationships were very good. I also met Democrats and those relationships were good. We need to do what's in the national interest here and, as George says, work with both sides of politics in the US and press our case.

KING: Gentlemen, lovely to catch up with you again, I look forward to doing it, sparring with you again this time next weeks.

BRANDIS: Thanks Madonna.

EMERSON: And my pleasure, thanks a lot Madonna.