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Kieran Gilbert interviews Dr Craig Emerson and Senator George Brandis

E&OE

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**GILBERT:** Good morning and welcome to AM Agenda. The level of migration to Australia has always been a sensitive political issue, and now it's feeding into the broader debate about the size of the population in Australia and where it's heading. The new Minister responsible says there's not a one-size-fits-all approach...

**[Excerpt of audio]**

**BURKE:** The needs on population are different in different parts of the country and this is why we need to, when the person in Western Australia tells you they are crying out for a workforce and they can't find someone, they are telling you the truth, and when someone who is caught in traffic on the east coast in a major city, and is in complete gridlock and says the last thing they think we should need with current infrastructure is more people they're telling the truth too...

**[End of excerpt]**

**GILBERT:** Joining me this morning the Small Business Minister Craig Emerson with me in the Canberra studio good morning Craig.

**EMERSON:** G'day Kieran.

**GILBERT:** And from Brisbane, the Shadow Attorney-General, Senator George Brandis. Senator, thank you for your time. On this issue of population it looks like the Coalition is planning to promise to cut migration levels.

**BRANDIS:** The coalition shares the concern that is widespread across the population now, that when Prime Minister Rudd signed off last year on a 36 million population figure within a generation that provoked a lot of community concern that the migration levels as have been pointed out by Scott Morrison have now reached about 300,000 net a year. The average annual figure under the Coalition Government was about 126,000. Now, we make the obvious point that you can't massively increase the net migration levels without having a substantially dislocating effect on the way people live, particularly I might say, in the three big eastern seaboard capitals, where after a generation of Labor government, the infrastructure is just not able to cope with the population we already have. So we do express concern, we're alarmed that Kevin '07 seems to have now become 'Kevin 36 million' and we want the community, the community hasn't been engaged in this. The Government hasn't listened to what people think, they ...

**GILBERT:** So where do the numbers come from then? Where would you look to start reducing the intake?

**BRANDIS:** As we would, as Mr Morrison has said in this morning's papers, reduce the net migration intake to somewhere around where it was during the time of the Howard Government, and let me quickly make this point as well Kieran; the Australian immigration program, which has always enjoyed bipartisan support since its inception, has done so because the public have been comfortable with the level of migration. Now, when you more than double the level of migration in the space of about two years then you don't need to be very smart to work out that's no way of bringing the community with you. We want to see the bipartisanship on the levels of migration continue. We want to see widespread community support for a large-scale migration program continue. You don't achieve that by doubling the numbers in two years without even consulting the community as the Rudd Government has done.

**GILBERT:** Let's hear from the Small Business Minister now. Craig Emerson, I want to put to you, or get you to respond to George Brandis, but also with Australians on roads this morning, whether it be in south-east Queensland, in your neck of the woods, or in western Sydney, or in the outer suburbs of Melbourne on their way to work this morning choking on traffic congestion, that sort of message from George Brandis is going to be politically, very palatable ...

**EMERSON:** ... And that's why they're doing it. Because they see a political dividend in it. The problem in terms of infrastructure ...

**GILBERT:** ... But the stories are real, that's a fact of life isn't it?

**EMERSON:** This is a real problem, and there was an infrastructure drought under the Howard Government because the Howard Government insisted that all - substantially all - infrastructure investment should be made by either the states or the private sector. It said that it did not have a role in infrastructure investment and now Australians are paying the price in terms of traffic congestion, other forms of infrastructure needs, whether it be on our roads, in our ports and so on ...

**GILBERT:** ... That's the reality. Don't you have to deal with it now?

**EMERSON:** And that's why ... thank you for the question, that's why we are investing heavily in infrastructure under the nation building infrastructure plan. I'm answering your first question. Now, as to the number of people, the 36 million is contained in the Inter-generational Report. It is projections prepared by Treasury, based on recent...

**BRANDIS:** ... But it is because Kevin Rudd adopted and embraced it Craig ...

**EMERSON:** ... I'll come to that George ... recent historical trends in both fertility - that's our own increase in the number of kids - and net overseas migration. Now, it's based on those, based on therefore, Howard Government increases in immigration which they did, and which personally I supported, which personally I supported. The planning target for this government is similar to that of the Howard Government. The difference, and this is the figure that they're seeking to quote of 300,000 people actually relates to the fact that many Australians came back to Australia after being overseas during the period of the Howard Government. Well that's a pretty good thing I would think. But let's look at the planning targets and you'll find that they're comparable. Finally, on the question, George just said "But Kevin Rudd adopted the 36 million", let's find out what Tony Abbott did when he was responding to a question "Well what's wrong with 35 million?" Tony Abbott: "I don't see what's wrong with that either. As long as we plan for the infrastructure we need to make it all work". That's Tony Abbott on 25<sup>th</sup> January. The 25<sup>th</sup> of January this year, saying "I don't see what's wrong with 36 million, or 35 million". Now they've done their polling, now they see what's wrong with it; that is that they can get votes out of this.

**BRANDIS:** Well Craig, I don't know where you've been for the last few months, but if you haven't worked out that this issue, the expansion by more than a third of size of the Australian population within a generation, as planned by your Government. It's the great barbecue stopper of the moment, that is what people are concerned about, and you're right about one thing, you said to me in one of these debates we had on another program a couple of weeks ago that there'd been an infrastructure drought in this country since 1990. Well hello, there has been, as you admit and the reason for that is; who has been in power in the states, in particular the three big states, NSW, Queensland and Victoria ...

**EMERSON:** ... And who's been in power in Canberra since 1996?

**BRANDIS:** ... most of the time since 1990 state Labor governments, and you know, and Kieran your viewers know that responsibility for building infrastructure is one of the core responsibilities of state governments, this happened on your watch ...

**EMERSON:** ... And that's the point Kieran ...

**GILBERT:** ... Just let George finish.

**BRANDIS:** This happened on your watch Craig. In fact, in the area of Australia where the problems are most acute, where the infrastructure drought, according to you, began in 1990, that is south-east Queensland, who was the chief public servant in the first six years of that period? None other than Kevin Rudd.

**EMERSON:** And who has been constantly complaining about the Bligh Government investing in infrastructure and going into debt? George Brandis and the Coalition.

**BRANDIS:** We've never complained about investment in infrastructure ...

**EMERSON:** ... You have. You have. Consistently you have complained about ...

**BRANDIS:** ... We've complained about billions of dollars being splashed up against the wall by incompetent Labor governments.

**GILBERT:** Let's just hear the reply.

**EMERSON:** George, that is just completely untrue. Completely untrue. You have consistently complained about Anna Bligh investing in infrastructure in south-east Queensland. Now Tony Abbott embraced this 35 million people in January ...

**GILBERT:** ... You've made that point. Let me ask you a question about the figure, the figure of the level of migration. What Tony Abbott said last night was that if you have a good year economically then you look to rein in the number of skilled migrants, if you have, sorry, a good year and you need more skilled migrants you increase the number, if you have a recession or a downturn you decrease it. Rather than have a fixed number ...

**EMERSON:** ... But that's what happens...

**GILBERT:** ... So you're saying that's what you're already doing.

**EMERSON:** That's what happens with planning targets, they move, they are reviewed, they are changed year to year. Now the 300,000 is a function, because it's net overseas migration, net overseas migration, you can do a planning target on how many people you're going to bring into the country right? You can't do a planning target on how many Australians are going to come back. What are you going to say; "Hold on! You're violating our planning target, we can't have any more expatriates coming back to Australia!" I thought the Coalition believed that the 'brain drain' was an issue for Australia and wouldn't it be good to attract our talented people back into Australia. We do so and they go "Oh my god! Oh my god! 300,000 people" ...

**BRANDIS:** ... We're not saying that.

**EMERSON:** Yes you are, by saying the 300,000 is some change in the planning target when you are absolutely not telling the truth about that. We did not have a planning target of 300,000 George, you know it and you're seeking just to get a political dividend out of what you know is always a sensitive issue and that's migration in this country.

**GILBERT:** Let's get George Brandis to respond.

**BRANDIS:** It must've been a pretty dodgy estimate Craig if this 300,000 figure wasn't anticipated by your government. The fact is ...

**EMERSON:** Maybe people are flocking back to Australia for the Rudd Government.

**BRANDIS:** Well maybe you could do a little song and dance routine about the nirvana of Kevin Rudd, Craig?

**EMERSON:** Well maybe people are voting with their feet and coming back to Australia? I would think that's a good thing George. I'm disappointed you think it's a bad thing.

**GILBERT:** George Brandis, just finish your point.

**BRANDIS:** The point I'm making is that the main reason for the historic success of the Australian immigration program over several generations is that there has been widespread community support because we've taken in a number of arrivals each year that people feel comfortable with, and people don't feel comfortable with the doubling of the numbers to 300,000 a year and the prescription of an increase by more than a third within a generation to 36 million by Kevin Rudd. They don't feel comfortable with it and we're at risk that bipartisanship on this could break down because of your laissez faire population policy.

**GILBERT:** A few other issues we've got to get to this morning, I'm going to be speaking to the Shadow Immigration Minister a little later in the program so we'll get his thoughts on that, Scott Morrison joining us. Craig Emerson, three refugees from Cuba, Guantanamo Bay detainees arriving in Australia later this week. The Government denies it's part of any deal with the United States in which the US took Sri Lankan asylum seekers off the *Oceanic Viking* in return for us taking these three Cuban refugees.

**EMERSON:** And it's easy to say 'Guantanamo Bay detainees'. They are not detainees from the war in Afghanistan or the war on terror. They are refugees from Cuba. Right. And it is not as a result of an exchange. They are not associated, they were not combatants and we are doing this as part of the alliance and our relationship with the United States. Several other countries are taking such detainees but they are not ex-combatants.

**GILBERT:** Okay I'll get the Coalition's response to that a little later with Scott Morrison, but George Brandis I want to get your thoughts on the judicial inquiry that you announced yesterday with Tony Abbott in Sydney, into schools and pink batts. The Auditor General is already looking into both of these programs. Why do you need a judicial inquiry as well?

**BRANDIS:** I'll tell you why we need a judicial inquiry. And let's put this in context. This is the greatest public policy fiasco in Australia since the days of the Whitlam Government if not worse. We haven't seen a situation in more than a generation in which tens of billions of dollars of tax payers' money has been wasted. Now the reason we say we need a judicial inquiry is this; the two more orthodox ways of pursuing these questions are through Parliament and as you rightly say Kieran, through Auditor Generals' inquiries. The reason the parliamentary process has not been capable of pursuing this sufficiently is because Ministers will not answer questions about it and in Senate Estimates hearings which is the most natural forum to be

pursuing these matters, they refuse to allow public servants to answer questions in relation to these matters, so the point about a judicial inquiry is that, unlike Parliamentary Committees, all of them incidentally chaired by Labor Party Senators, you have the power to compel witnesses to answer questions. We can't compel Ministers to answer questions and we can't get Labor Ministers to allow public servants to answer questions in particular to the relevant Senate Committees. Now, in relation to the Auditor General's inquiry, there is a role for Auditor Generals' inquiries but they are narrowly focused. They are as the function of the Auditor General suggests; they are basically about auditing the movement of money, the way in which the money is being spent, but we want to look at this more broadly, we want to, for example, go into the arrangements between the Commonwealth, and state and territory governments, what arrangements were put in place to ensure this money wouldn't be wasted, what protocols, if any were arrived at. Why tendering processes were not in many cases, even observed. So the scope of judicial inquiry is in our view ... A judicial inquiry is necessary in our view because only it has a scope beyond an Auditor General's inquiry to investigate these issues of concern and beyond what, because of the refusal of the minister's to be answerable to Parliament or to allow public servants to be answerable to Parliament, beyond what Parliament is able to discover.

**GILBERT:** Okay, Craig Emerson your response, and I want to ask you also why not have greater scrutiny of these programs if, as Julia Gillard says, the schools program for example, the Building the Education Revolution has been overwhelmingly positive, she consistently says "25,000 projects, only a hundred complaints". I mean if that's the case and you believe that to be overwhelmingly positive why not have the greater scrutiny that Senator Brandis is arguing for?

**EMERSON:** Just when we got all excited that the Coalition might be announcing a policy yesterday they announced an inquiry. Now it seems to me that the Coalition was the party that was saying time and time again that the Rudd Government has set up too many reviews and too many inquiries. What's the Coalition's policy? Another inquiry. We've got a Senate inquiry into the insulation program, we've got Senate Estimates...

**BRANDIS:** But your Ministers won't answer the questions and the specifically prohibit public servants answering the questions...

**EMERSON:** ... George you had a very very long go. You had a very long go and I'm glad I didn't hold my breath when you started that answer because I'd be blue now, pal. Listen, the Senate Estimates process has actually yielded information which

George has shouted from the rooftops “Revelation! Revelation!”, now he says “There are no revelations coming out of the Senate Estimates process or the Senate inquiries”. We’ve got the Auditor General looking at both of those and the fact is that this school modernisation program has been enormously valuable and as I’ve said before, 99 per cent plus of those projects have been done very satisfactorily and if I were going back to school or going back to uni I’d like 99½ out of a hundred any time of the week. Now the fact is the Coalition in lieu of its inability to come up one policy other than its paid parental leave scheme, the great big new tax on everything you buy, is announcing what it’s criticised the Rudd Government for doing, and that is having too many reviews and inquiries. It’s insincere.

**GILBERT:** Well on one other issue before I let you go, sorry Senator Brandis, I want to touch on one thing before we wrap up our panel chat and that is the hospital reform talks, the COAG talks for April 19, a fortnight from now. Craig Emerson, these apparently could go for days. The Prime Minister talking about recalling the Parliament. Is this just bluff and bluster from the Prime Minister as Tony Abbott says it is?

**EMERSON:** Well he’s a very determined Prime Minister, determined to achieve health reform - the reform of the health and hospital system in this country and we’re the only party that has taken on this job. The Howard Government in 12 years shirked it ...

**GILBERT:** ... But why not sit down and just have the talks rather than the threats?

**EMERSON:** Well all I’m saying is if we can’t get reform through the processes then we have to go to a second plan which is a referendum. But what we hope to do is achieve through, if necessary, extended discussions with the Premiers, extended discussions with the Premiers, we hope to achieve an agreement on the model for advancing health and hospital reform in this country. And George you talk about the Australian people and their views on immigration, I can tell you this; the Australian people want health and hospital reform, they don’t want Tony Abbott’s little plan to have hospitals boards in New South Wales and Queensland and that’s meant to be a health and hospital plan.

**GILBERT:** Okay Senator Brandis, on a referendum the Coalition would have to endorse that wouldn’t they? Giving people a say politically, it would be hard to oppose that wouldn’t it?

**BRANDIS:** We think the referendum is a stunt, because the Commonwealth under the provisions of the Constitution as it stands, has all of the powers that it needs. A referendum is absolutely

unnecessary. What we say in relation to health reform is that public hospitals should be governed by local boards. It was Tony Abbott who put this issue on the agenda and we don't make no apology for saying that the two states where the need to do that is most acute, New South Wales and Queensland, are the two states where state Labor governments have given the system a heart attack. I think it's noteworthy that although there is need for reform in all of the states, New South Wales and Queensland as you should know Craig, being a Queenslander yourself, is where the problems are most acute. Now, the Coalition will announce its health policy in due course. But what we will not do, is we will not engage in the sort of stunt that Kevin Rudd is engaged in by saying ...

**EMERSON:** Lucky I didn't hold my breath ... I'm going blue ...

**BRANDIS:** ... We'll have a constitutional referendum where there is absolutely no need for one.

**GILBERT:** Senator Brandis I'm sorry, I'm going to have to wrap you up there, and Craig Emerson, appreciate both of your contributions as always this morning, thanks.

**END**