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- KING: Let's go inside Canberra now. Senator George Brandis, good morning, welcome to 612 ABC Brisbane.
- BRANDIS: Good morning Madonna.
- KING: Dr Craig Emerson, good morning. And I think, a congratulations is in order isn't it, Dr Emerson?
- EMERSON: Well, it's up to you, but thank you very much, Madonna. Becoming Australia's Trade Minister is a great honour and a privilege and something that I really have worked for, and towards, for about 25 years of public policy work. While we're in the business of congratulations, if I could extend my congratulations to George Brandis, who's been re-confirmed as the Shadow Attorney-General and the Deputy Leader of the Opposition in the Senate. They are both very high posts and congratulations to you, George.
- BRANDIS: Well, that's very kind of you, Craig. And in the spirit of amity, may I join in the congratulations to you. But I thought you were going to congratulate me on my promotion being made also Shadow Minister for the Arts.
- EMERSON: I didn't know that, George, and I'm happy now to extend my congratulations there, and I'm sure we'll have long discussions about the arts.

KING: So can I just ask, are you both planning to turn up each Wednesday? Are you trotting off overseas? Are we going to have to give Kevin Rudd your job Craig Emerson?

EMERSON: Inevitably there will be some occasions when I won't be available. I'm not one who travels for travel's sake. And I'll confess this to you Madonna, in the last term of the Parliament I travelled overseas for the grand total of one day to the city of Christchurch. I'm not averse to travel but travel is necessary for a Trade Minister. I'll travel where warranted.

KING: Alright well we'll talk about, we'll talk about how much you have to turn up before we give your gig away, a little bit later I think. The Ministry didn't get off to a great start, there was no Education Minister, Craig Emerson, no Aboriginal Affairs Minister, no Status of Women Minister but they've all been added since.

EMERSON: Well, there was an Education Minister. It didn't have the name education in it. Titles were modified as a result of issues that were raised in the public discussion in the community. But the division of responsibilities was not changed. We have a Minister for schools education, we have a Minister for tertiary...

KING: Yeah, but words mean so much don't they?

EMERSON: ... education, and also for post-graduate education.

KING: Yeah, but words mean a lot. And Julia Gillard had put such a focus on education in the last term.

EMERSON: And that's why she has three Ministers working in this vital area which is not only an important social policy area but increasingly, Madonna, in the 21st century, the key to our future prosperity through productivity growth.

KING: Well, the universities...

EMERSON: I can hear George...

KING: But the universities didn't think that, did they? The universities came out very strongly, quite upset that she'd done this.

EMERSON: Well, okay and we responded. And I think it's actually a strength of someone who responds to points that are made in public discourse...

KING: Sure.

EMERSON: ...not a weakness. And, as I say, there was no changing of the responsibilities. If universities argued, as they did, that there

should be a reference to tertiary education, we've adopted that as a relevant point, and Julia responded. I think that's good.

KING: George Brandis, not many changes on your side but Malcolm Turnbull is back in the fold. How will he and Tony Abbott get on?

BRANDIS: They've always got along fine. You know, notwithstanding the way they came into, into competition with each other at the end of last year and Tony replaced Malcolm, they've always got on fine. They've known each other, you know, practically all their adult lives. They're both major figures, political figures from Sydney and they have a very happy relationship. Unlike Gillard and Rudd, who obviously can't stand each other.

KING: Well we'll come to that in just a moment. But Malcolm Turnbull's been given the communications portfolio, the National Broadband Network, a big element of this. Is the Coalition, the Opposition, going to fight to prevent Julia Gillard's NBN plans? Is that the aim?

BRANDIS: We think that it is bad policy. We think it is bad policy, we think has been badly... well the proposal for its implementation is a bad proposal. It is just extraordinary that you could be committing \$43 billion which is about, more than an eighth of the Budget, \$43 billion without a business plan.

KING: Alright, you've said this before, but my question is...

BRANDIS: Well, we're going to keep saying it, Madonna.

KING: But are you going to just say it or are you going to do something about it?

BRANDIS: What we're going to do, and Malcolm Turnbull I think is probably about the very best person in the country to be doing this, having... been essentially the father of email in this country, 20 years ago when he...

KING: He started OzEmail didn't he?

BRANDIS: ...started OzEmail. We are going to put alternative proposals and we are going to critique this Government's proposal. But as Malcolm said on your radio station this morning, Madonna, on AM, the problem for the Government is they have to show - and they haven't shown yet - why this is a good idea and why the costings stack up. Malcolm, who knows more about this, as I say, than virtually anyone in the country...

KING: Yes, you've made that point.

BRANDIS: Now, his assessment is that the value of this infrastructure once installed will probably be somewhere around a quarter to a third of the \$43 billion advertised.

KING: Yes, and he said that during the campaign too. My question to you, though, as a result of this election aren't voters saying they want both parties to work more properly together, or...

BRANDIS: I... No, I don't think voters are saying that at all. In fact, on the contrary, I think what the election results showed were, you know Craig and I have gone backwards and forwards about this two-party preferred vote, let's settle on it being at about as close to 50/50 as you can get. Is the country split between the Labor Party and the Coalition? No, what they want is a constructive Parliament.

KING: But they're also very split on the National Broadband Network, aren't they? Would you both agree, would you agree with that too Dr Craig Emerson, that the NBN was one issue where voters were very split?

EMERSON: I think it was an issue on which voters expressed their support in the ballot box. I actually think that if you look at regional Australia there'd be overwhelming support for a National Broadband Network. And I'm still amazed that the Coalition is pursuing this line that it's a bad idea. Back in the last century, when Australia was rolling out a copper wire network, you wouldn't surely have had the Coalition saying 'well, not everyone deserves access to a telephone.'

KING: Now well we've gone through, we've gone all through this before the election...

BRANDIS: That's... that's ancient history and it's a limited, it's a limited metaphor, Craig. We're not against broadband. We want the best, we want the best broadband at the most efficient price. And this is the, the big difference you'll see now, in this argument between the Coalition and the Labor Party. The Coalition argument will be prosecuted by somebody who understands the business aspects of this intimately.

KING: You two aren't obviously of the view that the Coalition and Labor should hold hands and work together on most areas of policy?

EMERSON: I am actually. And in the past, although your listeners wouldn't be aware of this, in respect of a very large proportion of the legislation that was being debated in the House and in the Senate, a very large proportion of it did actually pass with Coalition's support. Obviously there'll be issues of which we have philosophical differences and it sounds like the National Broadband Network is one of those. But, I hope...

BRANDIS: Practical differences...

EMERSON: ...the Coalition will support legislation that doesn't perhaps have high political or philosophic content.

KING: Yes, but that's what's always happened, I guess. And on National Broadband Network, can I ask you, if you're sitting in your car or at home, there's a question you have on that, we will talk to both the Government and the Coalition on this in coming days, send me an email at king.madonna@abc.net.au and tell me what you want to know and we'll try and get that answered. Can I go from National Broadband Network to Kevin Rudd, and Craig Emerson, am I being unfair? But Kevin Rudd yesterday in the swearing in, just, he looked sad, he looked isolated. He wasn't talking to anyone or joining in.

EMERSON: Oh, well I, I couldn't... I wasn't in line of sight of Kevin. But what I can say is that when we had a cup of tea and a sandwich afterwards, Kevin was wandering around the room, talking to me, talking to lots of other front benchers, talking to our children, as we were talking to his children, and it was a great sense of conviviality. So...

BRANDIS: I'm sure... I'm sure... I'm sure he was in love with everyone, I'm sure he had a bit of a hug with Senator Arbib, did he?

EMERSON: You weren't there, George...

BRANDIS: That's why I asked the question.

EMERSON: Yeah, and the answer is that we had a very enjoyable occasion in the swearing in because for every one of those 42 members of the front bench, that's 30 Ministers and 12 Parliamentary Secretaries, this is a great privilege...

KING: Can I just ask you...

EMERSON: ... to those people.

BRANDIS: Indeed it is.

KING: But you look at the commentary this morning, and you looked at the vision on the telly last night, it there going to be a problem here in Kevin Rudd getting on with his colleagues?

EMERSON: No, there won't. And Kevin and I have already had a very fine lunch at the staff cafeteria at the Department of Foreign Affairs...

KING: There might be you and him, I'm not asking about you, I'm asking...

EMERSON: Well, I'm one of his colleagues.

KING: More broadly, you know what I'm asking.

EMERSON: Sure, and we're all professionals, we'll work together. I hear Tony Abbott and Malcolm Turnbull, according to George, are really good friends...

BRANDIS: They are good friends, as a matter of fact.

EMERSON: That's great, that's great, I'm very happy about that. But I do notice, and I have to say this in respect of the Coalition's front bench line-up, a Shadow Minister for whom I have always had high regard, Steve Ciobo from the Gold Coast, is no longer a Shadow Minister at all, he's...

BRANDIS: I wonder if we could get back... I wonder if we could... I wonder if we could get back to the topic because [indistinct]

EMERSON: ... not even in the Outer Ministry and this shows the vindictiveness of Tony Abbott, and I think that that's a very bad sign that because Tony Abbott doesn't like him...

KING: Yeah, but I asked you, I asked you Craig Emerson about Kevin Rudd. You're saying it's all sweetness and light.

EMERSON: I'm saying that we are working together. We will work together. But if you're looking for animosity, you need look no further than the animosity that Tony Abbott has shown to Stephen Ciobo.

BRANDIS: Look, I think Madonna – thank you for letting me have a go. I think the writing was on the wall between Kevin Rudd and Julia Gillard, if it wasn't already. Don't forget this is the person that stabbed him in the back on the 23rd of June. But, you know, for this new Gillard Government the writing is on the wall the day the new Ministry was announced, when Kevin Rudd held a competitive media event when he strolled around the shores of Lake Burley Griffin in Canberra with the American Ambassador, specifically to attract attention to himself.

KING: But isn't he entitled to do that – he's the Foreign Minister.

BRANDIS: Indeed, but when did he do it? On the very morning that Julia Gillard, down in Melbourne, was announcing the Ministry. Because he very well knew that on the TV pictures that night – as was the case – it wouldn't just be about Julia Gillard. There would be the story about Julia Gillard and the story about Kevin Rudd. And he set that media opportunity up in order to distract attention away from Julia Gillard. Now that's just emblematic of the tensions that are going to be writ large in this Government.

EMERSON: It's thoroughly appropriate to reaffirm the strength of the alliance between Australia and the United States, and that's what Kevin did.

KING: Alright. I think George Brandis is saying it was a matter of timing.

BRANDIS: Quite strategic timing.

KING: But let's wait and see how that unfolds. And what everyone will be looking at, I guess, is when Parliament resumes. How will this work, logistically, in terms of where will the Independents sit? Obviously on the cross benches, but on the Coalition side or on the Labor side? Do we know?

BRANDIS: Well, that's a matter that I think the Whips work out.

KING: Well, people listening would say 'what's a Whip?'

BRANDIS: Well, the Whips are the offices of the respective parties in Parliament who tend to things like that and organise the troops in a practical day-to-day sense.

KING: Would they be negotiating with the Independents on that?

BRANDIS: Oh look, I would... I would... I think the orthodox approach would be for those Independents who are supporting the Government to sit on the Government's side and Mr Katter, who favoured the Coalition, to sit on the Coalition side.

KING: And Craig Emerson, does that sound reasonable?

EMERSON: Look, I'm no expert on this. But as you say, they will be on the cross benches. For your listeners there are two sides and a curve in there, to make it a horse shoe. And what we're talking about is where on that curve the Independents and the Green member will sit. And the answer is, I don't know.

KING: Alright, so you...

EMERSON: I can say this, that in the previous Parliament the Independents actually sat behind the National Party members. So I don't know if that's a guide or not.

KING: Craig Emerson, what is the big thing to look out for during the Parliamentary session this year? What should our listeners be thinking that they may see? Or the big piece of legislation, or the...

EMERSON: Well, I couldn't really anticipate that. I think that the new style of Parliament will be something upon which is reported. And that is the tightness of the Parliament will have a – will therefore create

a real focus on the words and the behaviour of the Independents. During divisions I think, early on, there will be television footage of Independents coming over to the Labor side, perhaps, on some legislative matters. At some point in time they will join the Coalition. That's what they've said they're going to do. But I think it's novel. It's historic really. The only comparison is probably the 1940s. So I think there will be great interest in that myself.

KING: We've gone through all that. What I'm trying to look for is whether you can offer any insight to my listeners in terms of whether it will be the National Broadband Network; whether it will be the some big piece of legislation that was talked about during the campaign that will be the focus of the first session. George Brandis?

BRANDIS: Well, I think one thing to keep your eye on is the mining tax. The mining tax was a big issue in the election campaign. It is a disaster for regional Australia. It is a disaster for States like Queensland and Western Australia.

KING: How do the Independents line up with the mining tax?

BRANDIS: Well, certainly Mr Wilkie and the Green member for Melbourne like the mining tax. Mr Katter, I think, was on the money when he described what a disaster it was. And I think the other two rural Independents who have decided to support the Labor Party have done so with great scepticism about the mining tax. They've got their eyes wide open.

KING: But you believe they will vote...

BRANDIS: Well I don't know. I don't know. And you're right Madonna when you say that that will make this Parliament very interesting. But if you want to write a disaster scenario for the economies of Queensland and Western Australia in particular let the Labor Party go ahead with a mining tax – turbo charged by the Greens by the way by who want a higher and more extensive mining tax, and whom the Government is now in debt to.

KING: Craig Emerson, can I ask you do you believe that the two Independents will support the Government so you'll get the mining tax through, or is that the first big thing we need to look out for?

EMERSON: I don't think it is the first big thing that we need to look out for, because there is still some work to be done by a committee that will be chaired by Don Argus and Martin Ferguson as the Resources, Energy and Tourism Minister.

KING: So we won't see the mining tax this year?

EMERSON: On specific legislative provisions, I'm not going to say definitely not.

BRANDIS: I can understand that you're trying to distract attention from this, Craig.

EMERSON: George, you know that this was announced before the election was called. So don't be disingenuous about this. This committee was being established, and therefore it is unlikely that there would be legislation in the Parliament in the very near future.

KING: So can I ask you then Craig Emerson, what is the big piece of legislation, the big thing that Labor will put up first?

EMERSON: Well, this itself is the subject of – needs to be and should be the subject of discussion with other political parties.

BRANDIS: Oh, get your act together. Parliament starts in two weeks.

EMERSON: Well, George you can just be a little bit patient. I'm sorry that you didn't manage to form a Government, but we are not going to – on this program or in any other forum – have people like me starting to announce the legislative program for this Government.

KING: No, I'm not asking you to do that. What I'm asking you... you were elected, you're going in to Parliament, what can voters expect in terms of the Government putting up something big?

EMERSON: I understand the question, but I....

BRANDIS: You don't know the answer.

EMERSON: I am indicating that I am not in a position, and will not speculate, about legislation, the legislative program, which we said we would discuss with the Independents – and by the way George, with your side of politics, if you were remotely interested. We're happy to do that. And it is not my role, and I will not respond.

KING: No, no. I'm not asking you to give away anything secret. I'm asking you, of the promises you went to the election on, what might we see become policy this year?

EMERSON: And I am saying to you – once again Madonna – that I will not, on your program or any other program, determine legislation that will be submitted and passed in this Parliament before the end of the year.

BRANDIS: This is extraordinary, Madonna. Now you've got... the Parliament starts in less than two weeks time. It starts on Tuesday week. We've had a longer than usual post-election period because of the negotiations with the Independents. And

here you have Craig Emerson, a senior Minister in this Government on your program and you, on behalf of your listeners, ask him the most obvious question in the world: what's the big thing Parliament... the new Government's going to introduce in the Parliament in less than two weeks time and he can't tell you.

KING: I don't want to know what Government's introducing if that's confidential. What I want to know...

BRANDIS: But it shouldn't be confidential. I mean a newly elected Government is meant to get out of the blocks and be able to tell the people what it means to do.

KING: But what about your side? Are you going in there with legislation or a plan?

BRANDIS: Yes we are. And as Tony Abbott said this morning in his interview on AM, one of things the will be doing is introducing legislation to repeal... to override the Queensland Wild Rivers legislation which has wrecked the livelihoods of the Aboriginal people in Cape York.

KING: Where will Labor sit on that, Craig Emerson?

EMERSON: Well, again, I absolutely doubt that we would be supporting Tony Abbott's legislation in the House of Representatives.

BRANDIS: I'm sure you won't.

EMERSON: Going back to the question, and to the point, the Government was formed yesterday. We were sworn in yesterday. I will not, and am not in a position, to...

KING: You're not listening to the question Craig Emerson. I'm not asking you for a copy of your legislative agenda. I want you to tell my listeners what will Labor do in Government.

EMERSON: That's not the question you asked.

KING: Well, can I ask you, what will Labor do first in Government, Craig Emerson?

EMERSON: I am not going to indicate a legislative program.

KING: I didn't ask, I didn't mention the word 'legislation'. Is there any promise that you will implement in Parliament this year?

EMERSON: That is a question about what legislation we will introduce into the Parliament, and when.

KING: So I can't ask you what promise Labor might talk about in Parliament, or get through Parliament, this year?

EMERSON: We have indicated... Could I respond?

BRANDIS: How many goes do you want?

EMERSON: We have indicated that we will discuss these matters with other members of the House of Representatives in a consultative way. That is what we will do.

BRANDIS: Oh, look, this isn't a very encouraging start. This is not a Government that seems very secure in the saddle and with a clear idea of where it wants to go, Madonna.

KING: Alright. I want an answer from both of you before the end of this, so I'm going for something easy. Oprah Winfrey is coming to Australia. Where would you take her in your electorate, Craig Emerson?

EMERSON: The Logan Entertainment Centre, of course.

KING: We've got an answer there. George Brandis, where would you take her?

BRANDIS: Well, since the Logan Entertainment Centre is in my electorate too, I can't think of a better place to take her. So we can agree on that.

EMERSON: I don't think you've ever been inside it!

KING: Would you take her together?

BRANDIS: I'd be prepared to accompany Craig if he was prepared to accompany Ms Winfrey.

KING: Have you ever seen an Oprah Winfrey show, George Brandis?

BRANDIS: Yes.

KING: Oh, that surprises me. What was it on?

BRANDIS: Um. It was on television.

KING: [laughs] Do you know the topic?

BRANDIS: It wasn't very memorable.

KING: [laughs] George Brandis, thank you.

BRANDIS: Thank you.

KING: Dr Craig Emerson, thank you.

EMERSON: Thanks a lot Madonna.

KING: That's Dr Craig Emerson and Senator George Brandis, back at the same time next week.