



THE HON DR CRAIG EMERSON MP
MINISTER FOR TRADE

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E&OE

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KING: What do you think of Tony Abbott's reason why he didn't go with the Prime Minister to Afghanistan? Now he'd done a 35 hour straight run during the campaign, he's run marathons, but suggested jetlag was behind his reason to decline the invitation.

Do you think that's a poor excuse, or was Labor playing politics by inviting him, when he already planned to go?

Let's go Inside Canberra now, and that's with Trade Minister, Dr Craig Emerson, good morning.

EMERSON: And good morning to you, Madonna, and to George.

KING: And Opposition Legal Affairs spokesman, Senator George Brandis, good to speak to you again too.

BRANDIS: Morning, Madonna, morning, Craig.

KING: So many issues to get through. Let's start with that one though, do you think your leader's excuse was legitimate, George Brandis?

BRANDIS: Well, I think that he did choose his words poorly, but I also think that Julia Gillard and the Labor Party spin machine has been playing politics with this. What strikes me, Madonna, is this. Put yourself in Tony Abbott's position, he's asked a question why he didn't accompany Julia Gillard to Afghanistan. Now he knew, and he knew that Julia Gillard knew, that he already had his own plans to go to Afghanistan.

KING: Did he?

BRANDIS: Yes.

KING: Because she this morning says there was no firm date.

BRANDIS: She said there's no - this is what appears from what has been said overnight, but Julia Gillard disputes there was a fixed date, but doesn't dispute that Mr Abbott had made plans to go, and she knew that that was the case.

KING: So he knew that, and...

BRANDIS: Yes.

KING: ...when asked, he thought she was playing politics?

BRANDIS: Well, I don't know, I haven't spoken to Tony since last week, but you don't pre-announce these things, I mean for the most obvious reasons, you don't pre-announce these things. If somebody who knows that they are going on their own trip, into a combat zone, and is obviously reluctant to say that, because it wouldn't be appropriate to say it, except in very unusual circumstances, then the most natural thing in the world would be for them to say something else, this is what Tony did.

KING: Why not say, look, Julia Gillard's playing politics, why say, you know, the jetlag worried me, and - this is a man who runs marathons, whose energy has never been in question...

BRANDIS: Well, I mean - you know what, you know what? I think even people who run marathons get jetlag. I mean I'm...

KING: Yes, but Julia Gillard did manage to get eight hours sleep.

BRANDIS: Look, the other thing is, and you've got to always bear this in mind too, when politicians are travelling, and you know, the two of them were travelling in different countries, it's always I think perilous to try and reconstruct a sequence of events, without knowing what each of them knew the other had said at the time of the interview.

KING: Alright, Craig Emerson, was there a bit of politics here in the invitation in the first place, and the way Labor has played this?

EMERSON: Well, there's nothing wrong with an invitation to Mr Abbott to go to Afghanistan, to go with Julia Gillard, and as for this claim that Labor is playing politics, Julia Gillard has had two things to say about this matter of Afghanistan. One is that Tony Abbott's travel plans are a matter for Tony Abbott.

Now how is that playing politics? It could not be more benign, and she said it repeatedly, I've said the same thing, these are matters for Tony Abbott...

KING: So how did...

EMERSON: ...the only other thing that she said is that she was determined that her first overseas trip would be to visit the troops in Afghanistan. I think both of those are perfectly legitimate statements.

KING: So I guess - how did it become public that Tony Abbott had said no to the visit to Afghanistan?

BRANDIS: Good question.

EMERSON: Well, I'm not aware of how it became public...

KING: But isn't it crucial, in a sense...

EMERSON: ...but this is a...

KING: ...because why...

EMERSON: Well, I don't think so. Is it a national secret that Mr Abbott was invited to go to Afghanistan?

BRANDIS: No, that's not the point, the point is that he had plans to go to Afghanistan.

EMERSON: The point is that Julia Gillard has consistently said Mr Abbott's travel plans are a matter for Mr Abbott, and we've got Joe Hockey thundering around, saying, oh, this is making politics out of the Afghanistan conflict, it's nothing of the sort.

KING: No, no, but just answer the question, isn't it crucial who made public his refusal to go with her in a sense, because that would determine whether politics may have been played or not? Why was there a need for that to be released?

EMERSON: I think that's a trivial matter, and in the scheme of things...

BRANDIS: That's what it's all about.

EMERSON: ...and is this such a huge issue, that it became known that Mr Abbott was invited to go to Afghanistan? Is this playing politics? I would say it's playing politics if Julia Gillard then made something of it, and instead of making something of it, she said, Mr Abbott's travel plans are a matter for Mr Abbott, and we've got George, and Joe Hockey and others, thundering around saying we've politicised the conflict in Afghanistan.

BRANDIS: I'm not politicising...

KING: And George Brandis?

BRANDIS: I'm not thundering around, but...

EMERSON: Joe Hockey was thundering around yesterday, saying this is an outrage, you know, the Labor Party...

KING: Alright, you've had your say though...

EMERSON: ...is not the source of all your problems, George.

BRANDIS: I think it's the source of most of the nation's problems. Craig, I think you've just snookered yourself, because you know, if you say that it would be playing politics if Julia Gillard had said such-and-such a thing, but she didn't. Well true, Julia Gillard hasn't, but everyone in political circles knows that this line is being put around by Labor Party spin doctors.

KING: Alright, let's move on from there just to the broader issue of Afghanistan. What is Tony Abbott's view on Afghanistan, Senator George Brandis?

BRANDIS: Tony Abbott's view on Afghanistan has never been in question, he and the Coalition to a person strongly support the Australian commitment in Afghanistan, this was a commitment by the way, initiated by the Coalition, by a Cabinet of which Tony Abbott was a member...

KING: Okay...

BRANDIS: ...and that support has never waivered, so much so, by the way, that last week the Coalition was criticised by the Labor Party, for saying that we should have more troops, not fewer, deployed in that theatre.

KING: Okay, now Senator David Johnston, your Defence spokesman, said there should be more troops, does Tony Abbott believe there should be an increase in troop numbers too?

BRANDIS: David Johnston spoke on behalf of the Coalition.

KING: So that is the Coalition's position?

BRANDIS: Yes.

EMERSON: Well that's news to me, and in fact I accept what George is saying, the basic premise is that there is bipartisan support for our engagement in Afghanistan, there has been a development that is worthy of debate, and that is that the Shadow Defence Minister has criticised the commitment of the Labor Government to the number of troops in Afghanistan, saying it should be around 360 more, and it should involve tanks.

Now I think that is a fraying, at the very least, of the bipartisan support, because we've got the Coalition saying for the first time a position that is different from the advice being given to the Government, and to the Coalition no doubt, from the Chief of the Defence Force, which says the 1,550 number is adequate, is a 40 per cent increase under this Government, and is the biggest non-NATO deployment.

KING: But wouldn't a difference in bipartisan support mean one party was against our involvement in Afghanistan, and another was for it?

EMERSON: And I accepted the basic premise that the Coalition indeed is supporting the engagement, but for the first time, there is a difference where the Coalition is saying it is not taking the advice of the Chief of the Defence Forces, and Labor has an inadequate number of people in Afghanistan, and we should be deploying tanks, which has been criticised by the Defence Force, as absurd.

BRANDIS: Well first of all, there are a couple of things arising out of that. First of all, I think it is plain silly, with all due respect, Craig, to say that because the Opposition has a different view about the appropriate numbers, or the appropriate weapons profile, in a particular theatre of war, that's, to use your word, fraying at the edges of bipartisanship, secondly...

KING: Is that the only difference, in relation to numbers?

BRANDIS: So far as I'm aware...

EMERSON: Tanks.

BRANDIS: Well, the tanks. Now, secondly, the Chief of the Defence Force is hardly in a position to publicly disagree with his own Government. We - Senator Johnston, and you would never expect the Chief of the Defence Force to do that, nor would it be proper for him to do that, so the fact that the CDF has supported the Government's position, merely tells you what the Government's position is...

EMERSON: No, it doesn't.

BRANDIS: ...it doesn't tell you what his thinking is, because these decisions, as you know, Craig, I know you're not a member of the National Security Committee of Cabinet, but you should know that these decisions are ultimately decisions made by politicians, they're made by - on advice - Cabinet, and in particular the National Security Committee...

KING: They're on advice...

BRANDIS: ...of Cabinet, on advice.

On advice, which isn't always necessarily accepted...

EMERSON: George, you...

BRANDIS: ...but once the political decision is made, the military has to back it, 100 per cent.

EMERSON: Well, this is a new claim, George, that...

BRANDIS: I'm not making any claims, I'm just explaining...

EMERSON: Well, you are...

BRANDIS: ...to you the processes of your own Government.

EMERSON: We have and are taking the advice of the Chief of the Defence Force, that's how the troop numbers have been arrived at, not the other way around, which you are asserting, that a decision has been made by politicians, and then the Chief of the Defence Force is obliged to back it in.

BRANDIS: Sorry, sorry...

EMERSON: It's also news to me...

BRANDIS: Sorry, sorry, I'm sorry, I didn't mean to...

EMERSON: That's what you said.

KING: That's how it was interpreted.

BRANDIS: I didn't mean to contradict you then. I thought you were about to say something else. The way you've expressed it, is absolutely right. These decisions are ultimately, in a democracy, made by elected politicians...

EMERSON: On advice from the Chief of the...

BRANDIS: ...but the members of the Cabinet...

EMERSON: ...Defence Force.

BRANDIS: They take advice.

KING: Have you accepted the advice of the chief?

BRANDIS: We have accepted the advice...

KING: And this is the exact number he [indistinct].

BRANDIS: ...and well I...

EMERSON: We have accepted the advice of the Chief of the Defence Force and I think it's an outrage to say now that the Chief of the Defence Force may well have a different view, and he is just being put in a political position...

BRANDIS: He's not being put in a political position...

EMERSON: ...of having to back into...

BRANDIS: No.

EMERSON: ...into place a political decision by this government. We are...

BRANDIS: Craig, Craig...

EMERSON: ...taking advice from the Chief of the Defence Force.

BRANDIS: ...Craig, hang on. Hang on. Hang on. Hang on. Hang on a second...

EMERSON: And it is further news to me George...

BRANDIS: ...you've got this wrong.

EMERSON: ...that...

KING: Now hold on, hold on Dr Emerson, just let George Brandis [sic] finish here.

BRANDIS: You've got this quite wrong Craig. When I say it is a decision made by politicians, I'm not saying it should be otherwise. I'm not saying it's a political decision in a pejorative way.

EMERSON: I didn't assert that.

BRANDIS: What I am saying is that ultimately these decisions are made by the Cabinet.

KING: But are you disputing...

BRANDIS: Not by the - not by the CDF. And, of course, the Cabinet takes advice, which it may or may not accept, or which it may accept in part, and reject in part. But once the decision is made, at the political level, by the Cabinet, the military must back it 100 per cent.

KING: And your final point on this issue?

EMERSON: And my point on this, is that George has confirmed that the position of Senator Johnston, the Shadow Minister, is the position of Tony Abbott. That's the first time we've heard that,

because Tony Abbott has been silent on the matter. This is now the Coalition's position...

BRANDIS: Well at least...

KING: You hear all sorts of things first...

EMERSON: ...360 more troops and tanks.

BRANDIS: Well he - look, Senator Johnston is the Coalition's defence spokesman and what he says about defence on behalf of the Coalition is, by definition, the Coalition's position.

KING: It's 11 minutes to 10. That's the voice of Senator George Brandis. You're also listening to Dr Craig Emerson as we go inside Canberra here on 612 ABC Brisbane.

From The Age this morning, the Coalition appears likely to abandon its pre-election freeze on changes to IR policy. It says three senior members of your team George Brandis - Joe Hockey, Julie Bishop and Eric Abetz, have left the way open for possible changes to your IR policies. Do you see any change to the IR policy?

BRANDIS: Well first of all I haven't read the story in The Age newspaper this morning. But, look, let me explain what the position is. We took a set of policies to the 2010 election. They were very well received, so well received that the Labor Party lost 16 seats to the Coalition at that election. And the position of the Coalition is that the policies we took to the 2010 election remain in place.

Now that's not to say that in the life of this parliament - and I, by the way, aren't one of those who think that the government might fall over in the next few weeks, or few months. I think we should be assuming that this parliament will go for a substantial period of its normal life - that's not to say, that over a period, in the next couple of years, there can't be a discussion, within the Coalition and indeed, one would hope, within the government as well, about a range of policy options.

KING: Okay. To you, Dr Craig Emerson.

This - the proposed \$120 billion deal between BHP Billiton and Rio Tinto to mine iron ore in the Pilbara appears to be on life support. AM had a story on this, this morning.

It would have been the biggest merger in Australian corporate history. Are you aware of where that merger stands?

EMERSON: Well it's ... I have to say - and I'm obliged to say, and I will say - this is a commercial decision. It's not a matter that the

government has addressed. It's a decision between two large companies and I have to let that take its course.

KING: Okay.

EMERSON: But on this issue of industrial relations...

KING: No, come on let's go back...

EMERSON: So I don't get back into the industrial relations...

BRANDIS: I think - I think we get enough parodying...

EMERSON: WorkChoices isn't dead...

BRANDIS: No, no, well, we're going to have –

EMERSON: “Craig, you're flogging a dead horse that”. - you said to me many times during the election campaign, “the horse is dead, it won't get up”.

Yeah, yep. That's right. Well the horse is up...

BRANDIS: No it's not.

EMERSON: ...and it's running again.

BRANDIS: Well, you see, this asinine line you use Craig, you really - you're a man with a PhD from one of the great universities...

EMERSON: Thank you very much George.

BRANDIS: ...in the world. And you really ought to be doing better than reciting these asinine lines...

EMERSON: You used the dead horse.

BRANDIS: ...written for you by spin-doctors...

EMERSON: You wrote it George.

KING: All right.

BRANDIS: ...written for you by spin-doctors...

EMERSON: “Flogging a dead horse” written by George Brandis.

BRANDIS: Really Craig, you ought to be able to come to terms with a serious public...

EMERSON: Written and sponsored by George Brandis.

BRANDIS: ...policy debate.

KING: Can - just speaking...

EMERSON: Yeah, flogging a dead horse.

KING: ...speak...

EMERSON: The horse is up and running again.

KING: Speaking of...

EMERSON: Your words.

KING: Speaking of phrases, George Brandis another phrase you used overnight - where do you get these phrases from? You've accused Julia Gillard of speed dating foreign leaders in Brussels...

BRANDIS: Well...

KING: ...while Tony Abbott's in London. Where did you get that line from?

EMERSON: George, you're a highly educated man. You've been to university, I don't know where you get these phrases from.

BRANDIS: I don't know Madonna, I just - it seemed to me to be a...

KING: It just popped out.

BRANDIS: ...an appropriate metaphor for a series of very brief, superficial meetings.

KING: Now Julia...

EMERSON: Well I thought it was a very worthwhile visit actually and it doesn't surprise me that George doesn't think visiting Europe and talking to...

KING: I don't think that's what Senator Brandis said.

EMERSON: ...world leaders...

BRANDIS: Well and you - and you...

EMERSON: ...the idea is pretty...

BRANDIS: ...and you know that's...

EMERSON: ...he's trying to rubbish it, of course he is.

BRANDIS: ...and you know - no - and you know that's not the case Craig because the remark was actually made in a debate with you, so you heard me say that this is the sort of - this is the sort of

international conference that is a Head of Government, Julia Gillard would be expected to attend.

KING: All right. Julia Gillard says she was taken aback by how few women she met in leadership roles while she was over there. She said she's met with the Chancellor of Germany, the Leader of Finland, who's a woman, the Foreign Minister of Singapore, who's a woman, and she said this. Sorry, this is on the back of an equal opportunity report saying women hold 8.4 per cent of board positions and eight per cent of key executive positions among the ASX 200 companies here in Australia.

She says; I think that for a world meeting with 49 world leaders here, I think that is it. There were just four of us. It says a lot.

Do we have to do more for women in Australia, before there is a parity at that decision-making level? George Brandis?

BRANDIS: Well, I think that the parties do have different approaches to this. The Labor Party has a quota system, the Coalition has...

EMERSON: That's news to me.

BRANDIS: ...the Coalition doesn't. Well, you should speak to Joan Kirner about it. The - her party [indistinct]

EMERSON: On boards?

BRANDIS: No, no, I'm talking about...

EMERSON: Okay.

BRANDIS: ...Members of Parliament

EMERSON: All right.

BRANDIS: And the selection for safe and winnable seats.

We in the Liberal Party are very proud of the number of women that we have put in senior positions.

KING: So what ... what number of Coalition MPs - and I'll come to you too - would be female?

BRANDIS: I would say it would be around about a quarter, including the Senators.

EMERSON: A bit lower, I think. The Labor party has - I saw some figures on this the other day. I should have brought them in. It's about a third of our MPs - and I think that's House of Reps - Madonna, are women. And we do have more women on the front bench than the Coalition.

I'm not casting aspersions about that George, I'm just talking about statistics...

KING: But what about...

EMERSON: ...we do have a stronger representation of women.

KING: ...what about in the broader Australian community, in terms of decision-making, do you think there is sufficient women?

BRANDIS: I think that if you had to identify one area, or one sector, in which women are most strikingly under-represented, it's - and at senior executive positions - and at board levels of the major public companies. I think women are very well represented in the university sector.

KING: Yes.

BRANDIS: We have a number of female Vice-Chancellors.

EMERSON: True.

BRANDIS: I think that they are reasonably well represented in parliament, although both parties could do a little more. But I think it's in commerce that it's most striking.

KING: All right. To schools here. A Sydney council wants all schools to be able to have third party advertising on their front fences. It's Warringah Council. And it says it would provide strong funding for schools. And one school that does have advertising, means that the kids don't pay any school fees and every excursion is free.

Under any circumstances do you think you would support that, that state schools be able to advertise certain things on the school fences?

EMERSON: Well I think you're asking both of us, as federal politicians, maybe as parents. As federal politicians, I don't think we have a direct role in this. This is state and local council.

KING: But I'm just asking you.

EMERSON: So I don't want to carry any national, federal inferences in what I say. I'll observe this though, Madonna. P&C newsletters have always got local businesses advertised on the back. I don't think anyone finds that particularly affronting and it is used to fund those very purposes. A lot of kids from poor families can't go...

KING: All right. That's an in...

EMERSON: ...on excursions and I think this is where we are at the moment.

KING: That's an interesting point Dr Craig Emerson brings up. Is advertising on school fences any different from the newsletter advertising that you receive in your school bag once a week?

George Brandis, do you see it that way, or differently?

BRANDIS: Oh, I think it's a good point Craig, and I've got to say I've got a reasonably open mind about the question. I think it is a bit of a - a bit culturally affronting, almost, to think of school buildings, or school fences being commercialised in that manner. But I think I'll just keep my counsel on that, because I haven't really thought about it before.

KING: All right. Just before I let you go, there's another report out this morning. The Australian Council for Education research says performing poorly academically is not the end of the road for most high school students. Something like three-quarters of kids regarded as low performers at the age of 15 go on to make a successful transition into full-time work or study.

Your grade 12 report card. What would it show, Craig Emerson?

EMERSON: I did pretty well, but not brilliantly. A lot of other kids did much better than I did.

KING: What was your best subject?

EMERSON: English actually.

KING: Did you fail anything?

EMERSON: No, I didn't fail anything, but I didn't get first level geography and that's pretty evident from the way I get around in a car. [Laughs]

KING: George Brandis, pass every subject?

BRANDIS: Yes, I...

KING: Honours in every subject.

EMERSON: ...[indistinct] straight A's.

BRANDIS: No, no, no. Not [indistinct] all...

KING: Goody, goody, two shoes.

EMERSON: [Laughs]

BRANDIS: I could have done better in French if I'd tried a bit harder. But like Craig I was more - English was my - English and history were my strong suits.

EMERSON: I'm illiterate in seven languages.

KING: [Laughs] And so our country is littered with people who didn't do well at school, who ended up becoming very, very...

EMERSON: That's true, that's true. But the statistics do show that if you go on, finish year 12 and if you go on to university, then your life - expected life earnings are about 20 per cent higher and the unemployment rate is considerably lower. It does not mean that there are no exceptions to the rule. In fact, trades people can do pretty well these days.

KING: Craig Emerson, thank you. Senator George Brandis, thank you.

BRANDIS: Thanks Madonna. Thanks Craig.

EMERSON: Thanks Madonna. Okay George.

KING: And that's Inside Canberra for this week. They'll be back with us next week.