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INSIDE CANBERRA
With Madonna King
25 March 2009

Subject: QLD election, privacy laws, people of interest.

KING: Let's start there, you've both been Ministers, or currently a Minister, what advice would you give someone like Cameron Dick, made an MP on Saturday for the first time? From Thursday he is actually the Attorney General of Queensland.

EMERSON: I'd say stay in touch – stay in touch with the people. It's very easy when you become a Minister to spend most of your time with the Department and that is a formula for being out of touch and not having your finger on the pulse.

KING: But you'd say that for any MP. What about an Attorney General, you've been the Attorney General of Australia, George Brandis.

BRANDIS: No I haven't, I'm the Shadow Attorney General.

KING: You're the Shadow but weren't you...

BRANDIS: I was the Arts and Sports Minister under the Howard Government. So you're talking about the next Government not the last Government (laughter).

KING: Am I, am I...Then what about...

EMERSON: Watch out for a reshuffle George.

KING: The first day you took over as a Minister...

BRANDIS: Yes.

KING: What do you do? Have you got a line up of people saying, oh, this is a briefing on this, this is a briefing on that?

BRANDIS: You do, you do. When I was appointed to the ministry at the beginning of 2007 a guy from the Department came with very large briefing books and it wasn't a portfolio I'd expected to be appointed to, I must say. So there was a lot of stuff to get across and I know it's a commonplace thing to say but I think what you need to do is you need to get into the detail into as much of the detail as fast as possible because you know what I found - and I'd be interested if Craig had the same experience - but what I found about being Minister is to a certain extent it is what you make it. I think it would be possible to coast and take the public service advice and do an adequate job but of course you don't want to do an adequate job, you want to do a very good job and therefore you need to put yourself in a position as early as possible to challenge the advice you're given.

KING: Craig Emerson...

EMERSON: Yeah, that's right...

KING: ...did you, were you nervous the first time you challenged a decision given to you?

EMERSON: No, not at all. In fact departmental people become pretty acquiescent if you go back to them and say I don't agree with that. Then they'll start scribbling on notepads as to what you do want. So they're not aggressive in that sense. But I couldn't agree more with George that there really are two types of ministers I think Madonna. One is an effective administrator, which I do not believe is good enough and the other is the minister that George is talking about: someone who will get across the detail, absorb the advice but then evaluate it and make your own decision. And that's what people are elected to do.

KING: Do you have...

EMERSON: Not simply to administer departments.

KING: But do you have freedom to do that or are you bound? Do you have to run most decisions by your leader for example? Just how much flexibility does a minister in any portfolio have? Craig Emerson?

EMERSON: A very good question. It's a matter of judgement. You can't bother the leader or even indeed the leader's office with every decision. But if it's likely to be controversial, or related to that, if I were to take a stance that might not be a standard kind of response by a minister in a particular situation, you might make a judgement to let them know that this is what you want to do. Interestingly...

KING: Because if you don't do that you might get a phone call after you've made the decision?

EMERSON: Well indeed, that hasn't happened yet (laughter) and I'm not looking forward to it happening. We keep the communications open but you really can't expect the Prime Minister or his office to run all the portfolios.

KING: All right Senator George Brandis, did you ever get a phone call from John Howard's office saying, woah boy?

BRANDIS: I once got a phone call from John Howard asking to clarify a particular position we had taken in relation to drugs and sport and some criticisms that I was making of the AFL. Generally speaking, John Howard tended to, John Howard was a guy who, he was very judgemental of people. When he decided to back you he backed you very strongly. So he was slow to, you were slow to win his trust but once you had it he tended to trust you and to delegate to you pretty much all the decisions that needed to be made.

KING: All right, can we come to the Queensland election briefly, then we will go back to federal issues, and I want you to be honest here, not suggesting you wouldn't be, but George Brandis in looking at what happened on Saturday night will there be a push now, do you think, from some to dismantle the LNP, to go back to the two parties?

BRANDIS: No, I don't think so. I think that regardless of what views people may have had last year on the wisdom or otherwise of a merger of the two parties that has now happened and I think the new party is here to stay. So the short answer to your question, will there be a split back to the Liberal Party and the National Party, in my opinion, no.

KING: Does the next LNP leader though, need to come from the city? Several people have said that since Saturday night. You seem to hint that?

BRANDIS: I don't say the next leader needs to come from the city and I wouldn't presume to tell the state parliamentary party whom they should elect, but I think it is very obvious that the area where we should have done better is in Brisbane.

KING: But isn't all the seats you picked up in Brisbane?

BRANDIS: Well, it looks as if we may end up with seven seats but there are 39 seats in the greater Brisbane area and you know I don't think it's a very controversial thing to say, and I said this on Saturday night, that the area where there are, let me put it more positively, the area where there are the most future gains to be made is in Brisbane because all those Brisbane seats that the LNP failed to win, every last one of them, are still seats where the margin is narrower next time than it was last weekend.

KING: So do city voters see Lawrence Springborg as a country leader?

BRANDIS: Well I don't know about that. But, and I'm not saying that, but...

KING: I am trying to analyse, get inside your brain in terms of the analysis of where to from here?

BRANDIS: Well my view as I said on Saturday night, and I think it's a pretty uncontroversial view, is that given most of the political opportunities for the LNP at the next state election lie in Brisbane, and Brisbane is where we still hold, even on the most optimistic expectations of these undecided seats where we will still hold fewer than 20 per cent of the seats, obviously at the next state election and in the three years between now and then the LNP needs to make itself as attractive as possible to Brisbane voters particularly.

KING: That's Senator George Brandis from the Federal Coalition. I'm also talking to Craig Emerson from the Rudd government this morning on Inside Canberra and George Brandis just before we leave there, several people have asked this question since Saturday night, how does the LNP work in a federal election?

BRANDIS: Well in the, there's a fairly sharp distinction I think between state politics and federal politics, that although it's a unified party structure, we federal members and senators sit as Liberals or Nationals according to as we were elected so there is no LNP in Canberra. The LNP is not a party to the federal coalition, there is no LNP party room. I sit in the Liberal Party room. Bruce Scott or Ron Boswell, Barnaby Joyce sit in a National Party room and that arrangement seems to have worked quite well.

KING: So will you be sitting as a Senator next time you are up for election which is this time around?

BRANDIS: Yes.

KING: As a Liberal Senator from Queensland?

BRANDIS: Well in fact there will be a joint ticket comprising both Liberals, myself and Senator Mason and Senator Trood, and a National Party Senator, Senator Joyce.

KING: So, the National Party Senator will run on National Party issues and the Liberal Party Senators on Liberal Party issues?

BRANDIS: Well I think we will go to the federal election everywhere in Australia as a federal coalition.

KING: Yes but not a Liberal/National Party. Not an LNP.

BRANDIS: Well I think the parties are identified at the federal level in the minds of the electorate as the Liberal Party and the National Party as a coalition.

KING: But you are a member of the Queensland LNP?

BRANDIS: Yes, though the Queensland LNP is itself the Queensland division of the Liberal Party of Australia.

KING: That's true but are you being a bit tricky with me here in a sense?

BRANDIS: No it is quite complicated because you have a structure that's been created essentially for the purposes of state politics. But of course it's a unified structure in an organisational sense but in terms of federal politics we have a coalition, in state politics we have a single parliamentary party.

KING: All right. Craig Emerson, on the state election obviously Anna Bligh an historic win, the fifth victory for the Labor Party at the state level on the run, but a strong swing against the party, four per cent, does this confirm a swing against Labor across Australia?

EMERSON: I don't think so. There was a swing but I think everyone expected it to be much tighter than it actually was. Labor has been in power in Queensland for 18 of the last 20 years so it actually says that this so-called "it's time" factor is not inevitable. That if you do keep delivering services, if you do renewal which has now happened under Anna Bligh since the election and she promised it before the election, then people will look at you and say we will give you another go.

Indeed, interestingly Madonna, the history of Queensland politics is that right up until 1957, I think for something like 30 or 40 years Labor was in power, then the Nationals were in power from '57 though to '89 then Labor has been in power for 18 of the last 20 years. So in a sense the electorate is conservative, in this sense that is they don't change government just for the heck of it.

KING: Yeah I hadn't thought about that.

BRANDIS: I think that's a correct historical observation. I mean one of the things that is striking about Queensland politics and this has been the case throughout, since the beginning of the last century, is that it is the status quo. Governments tend to last for decades then when they change it is usually because of an enormous political eruption like the Labor split of '57 or the collapse of the coalition in the 1980's.

KING: Twenty five minutes past 9, a couple of quick issues to get through. This debate on privacy laws that's going on, some people are saying that there should be stronger privacy laws that impact very strongly on the media, the media have misused laws for example the Hanson photos that weren't the Hanson photos. The media are saying look we need this and we expose real

wrongdoing in the community and use it for the greater good. Where do you both stand on the issue of privacy laws? George Brandis?

BRANDIS: Well funnily enough Craig and I both yesterday attended the Right To Know conference in Sydney, which was addressing this very issue of where freedom of information stops and privacy begins. I myself have always been a strong believer in privacy and the importance of privacy and I think there is a sharp distinction, not always very easy to draw, but a sharp distinction between what is in the private realm and what is in the public sphere.

KING: Thirty year old pictures of Pauline Hanson that ended up not being of Pauline Hanson but even if they were, should privacy laws stop those being printed?

BRANDIS: Well I think the publication, even if they had been by the way accurate, which they weren't...

KING: Which is what I'm asking.

BRANDIS: Even if they'd been accurate I think it was very inappropriate to print them.

KING: Craig Emerson?

EMERSON: I'm more on the freedom side here, that is the freedom of the press and that's why I attended the conference yesterday. I didn't have a portfolio reason to be there but I used to do FOI, freedom of information applications when I was on the backbench, very frustrated at the lack of response and cost of it. Look, I'll be the first one to say matters in your private life that do not impinge on your ability, capacity to discharge your public responsibilities should really remain private.

KING: Including...

EMERSON: But beyond that...

KING: Including photos of a politician wearing lingerie 30 years ago?

EMERSON: Including that, but let's do another stylised example. Someone for example who is publicly saying that they are very, have strong Christian values, but privately have been involved in some unsavoury activities and behaviour. I think that is fair game because they are using...

KING: Yes.

EMERSON: ...the argument of strong Christian values to their political advantage...

KING: Yes.

EMERSON: If they are in fact hypocrites, that is fair game.

KING: George?

BRANDIS: I think that's true but I think that's very much an exception. And the reason it's an exception is because it exposes hypocrisy and you can make a reasonable case to say that well if a person is saying one thing as a politician but in fact observing different values in their own life.

KING: So Cheryl Kernot's affair with Gareth Evans, in the public interest because is that political...

BRANDIS: Well I don't know about that because I don't think she was being a hypocrite. I mean Cheryl Kernot wasn't somebody who was given to moralising, to the best of my recollection...

KING: She'd written a tell-all about her life and this wasn't included. I'm just asking the question.

BRANDIS: Sure, well look, I don't have a sort of immediate response to that. It might be close to the border. I disagree with Craig by the way about the fact that a politician 30 years ago in lingerie.

KING: No he agreed with you.

EMERSON: No I said that I agreed with that.

BRANDIS: Oh, I'm sorry.

KING: All right so let's pass on from privacy laws, a slight disagreement there. The leadership. I'm pretty sure there'll be a disagreement here. More people, George Brandis, including a majority of coalition voters, in a poll this morning think Peter Costello has a better chance of beating Kevin Rudd at the next election than Malcolm Turnbull. Now you might say look this is the media, who believes polls? This is coming out everyday hurting the federal coalition. How or who or when will the leadership of your party be resolved?

BRANDIS: Well this is the media, who believes polls?

KING: Yes there you are, I predicted that didn't I (laughter) but you know that it's daily discussed.

BRANDIS: Well that might be so and I'm not going to contribute to that discussion.

KING: Well why not?

BRANDIS: Because it's one of those discussions that become self-generating.

KING: It's going to go on irrespective of whether you comment, but you are a senior member of the coalition.

BRANDIS: Let me just say this. In my opinion and I say this very genuinely and with no disrespect to you Craig, the two most talented people in the House of Representatives are both on my side of the parliament. And if it's a problem, it's a good problem to have.

KING: That's sitting on the fence. You're going to get thorns doing that. You're saying Malcolm Turnbull and Peter Costello are the two most talented people in Federal Parliament?

BRANDIS: Peter Costello is in a class of his own, the best treasurer Australia ever had and I think Malcolm Turnbull is one of those spectacularly successful individuals who's decided to pursue a political career and I think he is doing very, very well.

KING: Craig Emerson I suspect you are not going to be sitting on that same fence.

EMERSON: No but I'd make this observation Madonna, that the grass is always greener on the other side of the fence. We went through this over 11 years, looking for a Messiah, and it's very de-stabilising and it's not really for me to give advice to the Liberal Party.

KING: Some would say it stopped you getting into government earlier because you couldn't resolve it?

EMERSON: Well that's right and that's what I'm saying really. When Brendan Nelson was leader, they said he's no good we need Malcolm Turnbull. Now Malcolm Turnbull's leader some people, not George, are saying well he's no good we need Peter Costello.

BRANDIS: Well I think Malcolm Turnbull is very good as a matter of fact. The polls are a poor reflection.

EMERSON: That's why I'm saying not you George. But the point is everyone is always looking around for some bit of magic. In the end it is the hard grind of policy and I think you'll find that Peter Costello's policies are more well, tough minded and I think harsher than Malcolm Turnbull's.

KING: All right and you might have a view at home on that on who would make the best leader. Feel free to jump onto my blog and let me know. Something just to end off with this morning: I want to ask you whether you've met someone interesting this week. I asked Anna Bligh and Lawrence Springborg last week and they were able to tell me someone they'd met when they travelled around Queensland that as a minister they had not have met previously. Craig Emerson you first: was there someone who made you rethink your policy or just stop in your tracks in your travels as a minister?

EMERSON: Well literally Mal Meninga. I was playing touch football and he stopped me in his tracks. In fact he scored the winning try down in Canberra. The Maroons always do that in the last 10 seconds. Slipped between two of our frontbenchers, our ministers, to score the winning try.

KING: When was this?

EMERSON: Game of touch footy last Wednesday.

KING: All right so Mal Meninga the most interesting person Craig Emerson's met this week. George Brandis you can beat that?

BRANDIS: Craig you seem to spend half your life playing touch football which is certainly not something that could be said of me. Look the most interesting person I met this week was when I was handing out how to vote cards at the Ironside State School and I met an old gentleman who stopped for a chat and he was regaling me with stories of Queensland politics going back to I think the late 1940's and I don't know his name but I found him very fascinating.

KING: Well he was in Brisbane.

BRANDIS: Yes.

KING: Well if you were that person give me a buzz and tell me the story. George Brandis thank you.

BRANDIS: Pleasure Madonna. See you.

KING: That's Senator George Brandis, Opposition Spokesman on Attorney General's matters and Dr Craig Emerson Small Business Minister in the Rudd Government. Dr Emerson talk to you next week.

EMERSON: Okay, will do Madonna. Bye George.

KING: And that's Inside Canberra for this week.

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