

New ban on boat people may be belt-and-braces for resettlement initiative

Written by Michelle Grattan, Professorial Fellow, University of Canberra

The only way the Turnbull government's announcement of its latest move against boat people makes sense is if it is the belt-and-braces part of a wider plan to resettle refugees from Nauru and Manus Island in one or more third countries.

The legislation will provide that boat arrivals taken for regional processing since July 19 2013, when Kevin Rudd announced the tough offshore processing policy, will never be allowed to apply for any sort of visa to enter Australia, including a tourist visa to visit relatives. Those who came as children would be excluded from the ban.

If it is not part of a broader initiative for resettlement, what is it about?

Sending another message to people smugglers? Even if a few boats are still setting out, they are not arriving, so the message has been pretty clear.

Getting the offshore refugees to realise they are not going to be settled in Australia? Given the policy has been solid and bipartisan, they probably do know that - although Immigration Minister Peter Dutton appears convinced that advocates (giving them hope the policy will change) have more persuasive power than the government.

Encouraging people on Nauru and Manus to go home? Perhaps, but an easier way might be to offer more assistance.

Just trying to wedge Labor? There is not an election in sight, and surely the government has other things to be concentrating on just now.

An appeal to One Nation? A bit far fetched but Pauline Hanson is claiming some credit tweeting "Good to see that it looks like the Government is now taking its cues from One Nation. Just like last time."

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On the other hand, if the government were to land a deal with one or more third countries to take some refugees – at present it only has an ineffective one with Cambodia - it could use the proposed legislation to argue that the resettled people couldn't find a backdoor way to Australia. In that case, talk of sending a message becomes more relevant.

Dutton said on Sunday: "We do have discussions ongoing with a number of countries". Sky was reporting sources saying that negotiations with Washington were well advanced, but nothing could be announced before the presidential election.

Unless there is more than is being revealed, the planned lifetime ban would just seem a punitive gesture for the sake of being punitive. Or a measure of the frustration the government feels that the offshore problem has been intractable.

Malcolm Turnbull sounded shrill when, with Dutton, he announced the legislation on Sunday.

It was "critically important" to send the "clearest message" about the firmness of Australian policy; the legislation would be introduced in the next parliamentary sitting week, he said, suggesting some urgency.

He expressed disappointment "to see what appeared to be some equivocation" from frontbencher Brendan O'Connor when he was asked about the plan during a Sunday morning TV interview.

Really? O'Connor is shadow minister for employment and workplace relations. It would be very surprising if he was stating a definitive position on a policy that the government had given to the Sunday media, but not even formally announced at the time of his interview.

Anyway, one would expect the opposition to want to see the legislation before stating its attitude.

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Turnbull portrayed the situation as “a battle of will between the Australian people, represented by its government, and these criminal gangs of people smugglers”.

“You should not underestimate the scale of the threat,” he told reporters.

How does this fit with the fact that the government is usually pointing out (correctly) that it has successfully got on top of the threat?

And while the crime of people smuggling is a very serious one that must be countered or prevented, his comment that “these people smugglers are the worst criminals imaginable” smacked of hyperbole, once you thought about it for a couple of seconds.

Dutton also stretched credibility when he worried about “intelligence that I have seen about people wanting to travel to Manus Island to marry some of [the] people from the regional processing centre to try and create a process where they might come here on a spouse visa”.

There are surely already adequate protections to prevent people gaming the immigration system via sham marriages.

Before the Senate gets to vote on this legislation it will want to know what the bigger picture is, assuming there is one.

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