

Peter Dutton's Wednesday news conference was the predictable rant against Labor, but something else came through. The Immigration Minister is genuinely anxious to get the refugees off Nauru and Manus Island ASAP.

It's now clear the government is currently engaged in a complicated exercise, with sometimes conflicting moving parts, to try to clear away an issue that should have been dealt with a long time ago.

Sunday's announcement of legislation to permanently ban anyone sent for offshore processing since July 19 2013 from ever applying for any sort of visa to come to Australia is part of a complex mix of actions and messages.

The government is negotiating arrangements, said by some sources to involve the Bali process, for third country relocations of refugees, while using the proposed ban to shout through the megaphone to the people smugglers that there is no change of policy.

The ban is not actually about the people who would be resettled, but aimed at discouraging others from being tempted or able to purchase passages on boats.

Giving Labor a bollocking on the way through is regarded as a political plus by some in the government; if you were cynical you might say it also counters any danger the government might be seen to be softening its approach. Dutton talks so much about what Bill Shorten would or wouldn't do that you'd think the ALP leader was about to become prime minister the week after next.

The attacks on the legislation, including from the opposition, are at one level good for the government's wider strategy. The more draconian the critics declare the ban, the greater the prospect the people smugglers will be convinced.

But on the other hand the intense criticisms carry the risk that they may make other nations

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wary about what they are getting into through resettlement arrangements with Australia. Will they find themselves condemned for being involved with a country that slaps on this sort of ban?

On a practical front, if the legislation comes under too much assault, its chances of getting through the Senate are reduced. If it can't be passed, the message to the people smugglers becomes simply hot air.

Caught with trying to project the legislation simultaneously as harsh but not absolutely heartless, the government is emphasising the ministerial discretion to deal with particular cases.

The government is likely to unveil its resettlement initiative within weeks. If it adheres to that timetable, it probably won't be able to get its ban bill to a Senate vote by then.

As part of its broad approach, it is also likely to feel the need to further shore up its naval ring of border protection, so it can be confident that any "try on" by the people smugglers will fail. Politically, the government would feel vulnerable if even the odd boat got through, given it has made so much of none arriving for so long.

Border security, people smuggling and refugees are expected to be canvassed when Indonesian President Joko Widodo visits next week.

On Wednesday former prime minister Kevin Rudd brought into the debate about the ban legislation with [an article in Fairfax Media](#).

Rudd – whose 2013 uncompromising "PNG solution" was a decisive step towards stopping the boats - wrote that the ban legislation "sinks to new lows. It is pure politics designed to appease the xenophobes. ... And it does nothing to help those refugees left to rot for more than three years, who should be resettled now."

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Rudd is right that these unfortunate people should be got off Nauru and Manus now. But he misses or overlooks the proposed legislation's link with the push for resettlement. Whatever criticisms are made of the measure, its context is important.

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