

There is an interesting and notable point of detail about the “lifetime ban” legislation that remains a sticking point in the argument between the government and Labor over the resettling of offshore refugees in New Zealand.

The ban would not apply to the refugee children. The bill – which has so far failed the hurdle of the Senate - excludes anyone who was under 18 when transferred to a regional processing country.

So if the legislation were passed in its present form and people were sent to New Zealand, the parents could never travel to Australia but their offspring, if they later became NZ citizens, could eventually do so.

The row over the “lifetime ban” bill, which the government wants before a deal with NZ, is just one aspect in what is a complex set of manoeuvres to find an end to the limbo situation of the refugees on Nauru and Manus.

For years, their plight has been an international embarrassment. But now the government knows the issue is resonating domestically and Prime Minister Scott Morrison, pragmatic on this as on most else, accepts he has to do something about it and has already started to move quite decisively.

Admittedly the deal with the US under President Obama, which President Trump accepted under protest, is getting some people settled in America, but progress is slow and the number still modest.

Several Liberal backbenchers [began](#) to twist Morrison’s arm over the plight of the children some weeks ago. Morrison responded, with the sickest children quietly and fairly quickly removed to Australia.

Read more: [*Government raises glimmer of hope for New Zealand deal on refugees*](#)

Saturday's Liberal disaster in the Wentworth byelection, in which refugee policy was an issue, underlined the political necessity of being seen to do more.

Then Cathy McGowan and Rebekha Sharkie, crossbenchers in the House of Representatives, with a view to their enhanced clout in the coming hung parliament, further turned the screws with public comments.

By Tuesday even the Wiggles had joined the push, in a video appealing to politicians to “work together and get all the children off Nauru”.

Nauru is the focus, and the 52 children there. That was the number as of Tuesday, after [11 children arrived](#) in Brisbane late Monday with their families – a contingent of 27 in all.

As part of the rapidly evolving policy, whole families are being transferred – there is apparently no attempt now to keep a parent in Nauru to try to get people to return after medical treatment.

The reality is that those coming here won't be sent back.

Read more: [*As children are airlifted from Nauru, a cruel and inhumane policy may finally be ending*](#)

Morrison told a news conference on Tuesday: “I’m interested in getting children off Nauru. Over 200 children have already come off Nauru. More children have already come off in recent times under the quiet, effective management of these issues that the government is pursuing. We’re not here to grandstand on this. We’re just here to get the job done.”

But the government wants to keep its rhetoric tough – both to retain a debating distance with Labor over border policy (which has served it well as political weaponry in the past) and to send as loud a message as possible to people smugglers and their prospective clients not to try to reopen the pipeline.

Labor is under pressure to pass the “lifetime ban” legislation – if it doesn’t, it will be cast as frustrating a deal with New Zealand.

The ALP has [softened](#) its opposition to the legislation, putting forward proposed amendments. It wants to see a guaranteed acceptance of a deal with NZ. It also says the “lifetime ban” should apply only to those settled in NZ, and it should be limited to the provision that allows open movement from NZ to Australia (thus these people would be allowed to make tourist visits here).

It’s not clear what Home Affairs Minister Peter Dutton thinks about the present subtle but distinct policy shift. In Tuesday’s question time Dutton focused on 13 children on Nauru in families in which adults had been “the subject of adverse security assessments from the United States”.

If Dutton had been the victor in the August coup, very likely the policy movement now underway would not be happening.

Dutton, however, would contest the proposition there has been a shift, on the grounds that transfers happened before. But many of those were on court orders, or under the shadow of court action. And, as Morrison flagged, more are happening.

While the shift should be welcomed, it also should be kept in perspective. There is so far no deal with NZ – though there is great pressure to get one in place, through mutual compromise between government and Labor.

View from The Hill: Scott Morrison eases refugee policy while talking tough

Written by Michelle Grattan, Professorial Fellow, University of Canberra

But even if the NZ deal comes to pass, on previous indications it would only involve a limited number – the offer was for 150 annually, and there are currently 635 people on Nauru including the children.

And in all the talk, the hundreds of single men on Manus hardly get a mention.

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Authors: Michelle Grattan, Professorial Fellow, University of Canberra

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