

Lambie's vote key if government wants to have medevac repealed

Written by Michelle Grattan, Professorial Fellow, University of Canberra

The government almost certainly would have to obtain the support of Tasmanian crossbench senator Jacqui Lambie to amend or repeal the medevac legislation.

Home Affairs minister Peter Dutton on Sunday claimed Labor was reconsidering its position on the legislation, but that was quickly dismissed by his opposite number Kristina Keneally.

The Coalition would need four of the six non-Green crossbench Senate votes, assuming the ALP and Greens opposed.

The government could rely on One Nation, which will have two senators, and Cory Bernardi from the Australian Conservatives.

But that would leave it one vote short. Stirling Griff, one of the two Centre Alliance senators, said Centre Alliance was “100% opposed” to repeal or amendment of the legislation. That position was “non-negotiable”, Griff said.

This would put Lambie, who is returning to the Senate after having to quit in the citizenship crisis, as the swing vote. Her spokeswoman said she was not giving answers on anything yet.

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The government said in the election campaign that it would repeal the legislation.

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It claimed when the medevac bill was passed – against Coalition opposition during the period of minority government – that it would lead to a flood of transfers from Manus and Nauru, including of people accused of serious crimes. It reopened Christmas Island and said any transferees under the medevac legislation would be sent there.

Dutton said on Sunday just over 30 people had come under the new law, none of whom had been sent to Christmas Island. Asked on the ABC whether they included any criminals or people charged with offences Dutton said he didn't know. When pressed he said, "we don't bring anyone to our country where we can't mitigate the risk".

Dutton continued to insist the government could be compelled under the legislation to transfer criminals, although the medevac legislation gives the minister power to veto people on security grounds.

The minister claimed Labor was reconsidering its position "and that they would be open to suggestions about how that bill could be repealed or at the very least wound back".

But Keneally said he had misrepresented Labor's position; she stressed it supported the legislation.

It was "up to the government to explain if changes are necessary. I have no information that would suggest changes are necessary," she said.

"If the government believes that the medevac legislation is no longer necessary to ensure that sick people can get the health care they need then the government needs to explain why to the parliament.

"And if the government wants to improve the medevac legislation to ensure that people can more readily get the health care that they need then the government needs to explain that to the parliament.

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"The government has said nothing about either of those two aspects of the legislation".

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Dutton said there were now just over 800 people remaining across Nauru and Manus.

He did not think the United States would take the maximum 1,250 people under the deal between Malcolm Turnbull and Barack Obama.

So far 531 had gone to the US and there were about 295 in the pipeline who had approvals but hadn't gone yet. More than 300 had been rejected by the US.

He hoped all offered a place would take it up. About 95 had either withdrawn from consideration or rejected an offer. "If we can get those 95 across the line, we get closer to zero".

In a controversial decision, Australia accepted under the US deal two Rwandan men accused of involvement in the murder of tourists on a gorilla-watching expedition in Uganda in 1999. The government says the men have been found by Australian security agencies not to pose a threat.

Pressed on whether these two were the only ones coming here to fulfil Australia's side of the deal, Dutton said: "We don't have plans to bring any others from America at this stage."

Dutton, while saying it was a matter for the department, also indicated the security company Paladin was likely to have its contract for services on Manus rolled over, despite an ongoing investigation by the Australian National Audit Office into the Home Affairs department's

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management of the procurement process for the earlier A\$423 million contracts.

Keneally said the A\$423 million contract had been “given out by the government in a closed process – a closed rushed process [...] to an organisation that was registered in a beach shack on Kangaroo Island, that had one member barred from entering PNG, had another accused of fraud”.

Michelle Grattan does not work for, consult, own shares in or receive funding from any company or organisation that would benefit from this article, and has disclosed no relevant affiliations beyond their academic appointment.

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