

**A RESPONSE TO PROFESSOR ROBERT MANNE, 2015
BY JENNY HAINES FOR LABOR FOR REFUGEES**

Recently Professor Robert Manne spoke in Melbourne at a Forum titled *Progressive Reform Ideas for Labor's 2015 National Conference* organised by the Victorian Fabians where he surprised many with his views on refugees and asylum seekers. Manne now accepts that offshore processing and even tow backs should be maintained, stripped of all military paraphernalia, but that conditions in the camps should be improved. Tow backs he sees as ending all boat arrivals. Those who have followed Robert Manne for a while would not have been so surprised. Once the great warrior against the cruelties of the Howard Government towards refugees and asylum seekers through the Pacific Solution, Manne now advocates (in a statement of his views published in *The Guardian* on the 12th March 2014) the maintenance of offshore processing, but not indefinite mandatory detention, especially for those who arrived after August 2012. Manne in this statement of his views says that the 30,000 asylum seekers in detention at the commencement of the Abbott Government should be fairly processed and if recognised as a refugee brought to Australia.

Professor Robert Manne positions himself in the debate as the enlightened professor analysing the positions held by the Right and the Left and criticises both, although the Majority in the Federal Parliamentary Caucus of the ALP will no doubt find much comfort in his views. The Federal Parliamentary Caucus of the ALP, transfixed as they are to the position that Kevin Rudd left them in when he left government, welcome anyone who tells them that maintaining offshore processing is a good thing, because it fits nicely with their prejudices, and their wish to be re-elected by their western suburbs voters. The Federal Caucus Majority criticise Abbott, Morrison and Dutton, not for maintaining offshore processing, but for not doing it nicely, and that they when they return to government will be nicer to refugees and asylum seekers so detained on Nauru and Manus Island. How that is to be achieved is not explained by the Majority, as they will have the same operators, the same offshore governments, the same unwelcoming populations in these countries, the same refugees and asylum seekers who just want to come to Australia, not languish on Nauru or PNG. But Manne's views tie in nicely with the views of the Majority in the Federal Caucus except that Manne does say that the people held offshore should be processed fairly as expeditiously as possible.

What Manne and many commentators miss is that it should never have been necessary for refugees and asylum seekers to get on boats in the first place. If there was a system of regional processing in Indonesia that employed sufficient UNHCR officers to process the now over 10,000 people banking up in Indonesia and get them recognition as refugees, they should then be brought to Australia by safe boat or plane. They are refugees. They have the right to protection. They should not have to wait up to 20 years in Indonesia to get to Australia the right way. The current government policy is to take 450 people a year from Indonesia, "the right way." The UNHCR advises people that even once they get recognition as a refugee in Indonesia they may wait up to 20 years to get here "the right way." No wonder they get on boats! 20 years is all of the years of your children's health care and education. Those who argue against this proposal say that Indonesia doesn't want it. Not true. The Indonesian Government are very interested in the idea. They also argue Indonesia would act as a honey pot for people if they knew they could get to Australia safely after recognition as a refugee. That argument doesn't take into account that those on the refugee trail have to get to Indonesia at their own cost, not

easy for any asylum seeker to arrange. The cost of getting to Indonesia for asylum seekers is prohibitive and it is not going to get any cheaper because Australia starts to recognise its obligations under international law and conventions. If there was a more internationalist approach to resettlement of refugees with each country stepping up to its responsibilities by regional and world agreements, the onus would not just be on Australia to take asylum seekers, but each country taking its fair share, as the countries of the EU are currently being asked to do.

Despite the deluded Scott Morrison and Peter Dutton's assertions, the boats have not stopped. We know boats are still coming. Occasionally there is a break in the military secrecy surrounding Operation Sovereign Borders and we hear about another boat being turned around, paid to turn around, or ending up on a remote island without food and water. At the time of writing this reply to Robert Manne, there is a report on the ABC News about a new people smuggling route opening up to Australia from PNG <http://www.abc.net.au/news/2015-06-26/police-concerns-people-smuggling-route-between-png-australia/6574188>. The people smugglers have not gone out of business, just shifted their business model.

Professor Robert Manne asserts that over the past 15 years, virtually every survey taken in Australia has revealed that public opinion is on balance clearly hostile to the reception or generous treatment of asylum seekers who arrive by boat. Recent surveys commissioned by Labor for Refugees say otherwise. Labor for Refugees commissioned this research because it wanted to test voter response if Labor adopted a more humane policy as advocated by Labor for Refugees, end mandatory detention, end offshore processing, fair processing in Australia with access to legal advice and children and families out of detention.

UMR Research, commissioned by Labor for Refugees surveyed marginal seats in Queensland. In the seat of Bonner in Queensland there is a major swing to Labor and the seat would fall comfortably to Labor at the next election. The UMR strategic insights on the seat of Bonner say:

"The results indicate that asylum seeker policy is not high on the issue agenda for winnable voters. Just 2% of these voters mentioned anything to do with refugees, asylum seekers or boat people when given three opportunities to mention the issues that would determine their vote (an open-ended question).....

When forced to choose between Labor's (2013) approach of processing offshore and processing asylum seekers who arrive by boat in Australia, 57% favour processing them in Australia while 34% say they should be processed in Manus Island and Nauru. Moreover, target voters overwhelmingly believe that if found to be genuine refugees, asylum seekers who arrive by boat should be allowed to settle in Australia."

UMR also researched the seat of Longman in Queensland. Compared with Bonner, the swing in Longman shown by the survey is smaller than in Bonner. It is important to note that the surveys in Bonner and Longman were conducted when the anti Abbott mood in the electorate was at different stages. The strategic insights for Longman can be summarised as

"Refugees and asylum seekers are not high on the agenda in Longman. Only 8% nominate it as one of their top three issues, as in Bonner placing it well behind health and the economy..."

Despite the relatively negative attitude towards the idea of processing asylum seekers in Australia, this survey suggests that the likely impact on Labor's vote of the proposed policy would be limited. While only 6% of winnable voters say that this policy makes them much more likely to vote Labor (versus 22% in Bonner), just 5% say it would make them much less likely to vote Labor (versus 20% in Bonner.....

Applying the same principle as in the Bonner survey that the key numbers to consider are those with strong views, in both seats the proportion who say they would be much more likely to vote Labor is effectively the same as the proportion who say they would be much less likely to."

So the assumptions of politicians and commentators that voters are obsessed with the need for cruelty to deter asylum seekers especially for those arriving by boat, on these UMR results, are wrong. Voters are far more interested in education, health environment, jobs, leadership, pensions, cost of living, infrastructure and taxes and their attitudes to asylums seekers are pretty much neutral. Only 2% of voters in Bonner and 8% of voters in Longman identified asylum seekers as an important matter in relation to their voting intention if Labor adopted a more humane policy.

Professor Robert Manne concludes that 2014 statement of his views with ...*"For all this to happen, however, the camps of both left and right, government and opposition will need to reject on the one side policies that will never be adopted but which if they were would lead to various harms and on the other the hardening of hearts to the wilful and purposeless infliction of suffering on thousands of innocent human beings.*

Both camps will need to display intellectual honesty, humility and the capacity for political compromise –precisely the qualities that almost altogether deserted discussions of the asylum seeker issue in this country some 15 years ago."

Presumably the compromise sought by Robert Manne leaves us with tow backs and all of its illegalities, cruelties and possible brutalities (we don't know, we aren't told). We are left with offshore detention that Robert Manne and Labor want to make "nicer", but anyone following the current Senate Hearings on Nauru would know how far the current offshore detention arrangements are from that, and the impossibility of achieving a "nicer " regime in these camps. We are left with the ending of mandatory detention, but how do people get access to lawyers to get fair processing of their claims in Robert Manne's model?

What is clearly needed now is no tow backs, a properly negotiated regional arrangement for processing in Indonesia, travel to Australia by refugees recognised in Indonesia as refugees by safe boat or plane, the expeditious closure of offshore detention by allowing lawyers into the camps to advocate for refugee and asylum seeker claims in the Australian legal system, and the offer of a place in Australia to all those who are now living in fear in the community on Nauru and PNG. All of this could be done in the first 100 days of the next Labor Government.