

## **Labor softens border policy in political ploy**

Simon Benson, National Affairs Editor, Ben Packham, Political Reporter,  
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Bill Shorten has softened Labor's border-protection policy ahead of the party's national conference, after a failed attempt last night to hold national security laws as a ransom in exchange for watered-down immigration rules that would hand doctors the power to relocate refugees to Australia.

In an 11th-hour capitulation, Labor voted in the Senate last night to support the government's encryption laws, which intelligence agencies had said were needed to keep Australians safe over Christmas, despite the Opposition Leader claiming they were unsatisfactory.

Mr Shorten's backdown followed threats to scuttle the encryption laws, which target terrorists, paedophiles and crime gangs, through a series of last-minute amendments in the Senate and by linking them to an unrelated bill to fast-track the medical transfer of refugees and their families from Nauru and Manus Island.

The government's tactical victory sets up another showdown on asylum-seekers when parliament returns in February, three months before an expected May election, with the "medivac" bill destined to pass the lower house with crossbench support.

Scott Morrison, writing in *The Australian* today, says the decision by Labor and the Greens to obstruct the government's encryption legislation was "shameful". "They think obstructing good government helps them get 'a win' on the nightly news by showing loud and noisy parliamentary chambers. Instead, it's weakening Australia's capacity to respond to criminal and terrorist threats," the Prime Minister writes.

"Alongside their games with encryption, Labor is pushing the independents and crossbenchers to incrementally dismantle the government's successful borderprotection policies. "They want to destroy the building blocks of border protection that keep Australians safe. Last time Labor dismantled Coalition policies on borders, 50,000 people illegally entered Australia on 800 boats and over 1000 people died at sea."

The Labor-backed changes to immigration laws, which are likely to pass the parliament in February with support of crossbenchers, would not only get refugee children out of detention. The proposed Labor-Greens-crossbench laws would hand doctors the ability to evacuate refugees and asylum-seekers from Nauru and Manus Island for medical reasons, a change the Prime Minister declared would dismantle offshore processing.

Under the changes, based on those proposed by independent MP Kerryyn Phelps, those in offshore processing could be transferred to Australia with their families on the advice of two doctors. The advice would be reviewable by an independent medical panel, and could only be overridden by the immigration minister on national security grounds.

Mr Shorten accused the government of forcing the Senate to wave through “rushed” encryption laws that still required major changes, “because it didn’t want to vote for getting kids off Nauru”. “We want to see the kids off Nauru, kids who need medical treatment where the treating medicos say they should be done,” Mr Shorten said. “We simply say, they should get that treatment and the decision-making should be transparent and accountable.”

He denied Labor’s position was a softening, saying the opposition still believed “anyone who comes here via people smugglers should be resettled in a third-party nation, yes”. And Labor would “support boat turnbacks where it’s safe to do so”, Mr Shorten told ABC’s 7.30 last night. But Mr Shorten added: “Labor does not accept that the corollary between discouraging the people-smuggling trade and keeping people in detention for five plus years. That’s shameful.”

He accused the government of sending a signal to people smugglers to “try again” if Labor won government. “The thing giving people smugglers the best encouragement in 2018 is the constant billboard which the government do when they say, ‘oh if Labor gets elected’, which is possible at the next election, they are egging the people smugglers on to try their hand again,” he said.

The Opposition Leader is expected to come under pressure from the Left over asylum-seekers when he fronts the three-day ALP national conference from - December 16. Mr Shorten, who narrowly escaped defeat on the floor of the 2015 ALP conference when he sought backing for Labor to have an official policy replicating the Coalition’s boat turn-backs, is expected to fend off calls for a reversal of the policy.

In a day of chaos, Labor blindsided the government yesterday by pulling its unqualified support for the encryption bill, threatening amendments that would have stalled progress of the legislation. The opposition, in a major shift in policy, linked the national-security measures to the plight of refugees on Nauru and Manus.

The government used delaying tactics in the Senate to prevent the Nauru and Manus medical transfer bill coming to the lower house yesterday, where it would have passed with crossbench support.

Manager of opposition business Tony Burke, in a tweet at 3.52pm, revealed Labor had put the encryption laws on the line in a bid to force the government into a humiliating legislative defeat.

The standoff on the last sitting day of parliament this year had put the government at risk of being the first to lose a legislative vote in the house in almost 80 years. But it exposed Labor to accusations it was putting national security at risk by holding up anti-terror laws that ASIO claimed were vital to protect Australians over Christmas.

Mr Morrison seized the opportunity for a pre-election fight on national security, warning that weakening of the government's border-protection laws would restart the people-smuggling trade. In another blow to Labor tactics, opposition legal affairs spokesman Mark Drefyus failed to win support from crossbenchers to refer Home Affairs Minister Peter Dutton and Victorian Liberal MP Chris Crewther to the High Court before Christmas.