

**THE HON RICHARD MARLES MP
SHADOW MINISTER FOR DEFENCE
MEMBER FOR CORIO**

**E&OE TRANSCRIPT
SKY NEWS LIVE
SUNDAY AGENDA
SUNDAY, 12 NOVEMBER 2012**

SUBJECTS: Citizenship crisis; TPP; quadrilateral; President Trump's visit to Asia; Manus Island

HOST: Joining us now is Shadow Defence Minister Richard Marles from our Geelong studio. Richard, thanks very much for joining us.

Now, Christopher Pyne, you may have heard or not, but the Government is very much intending to refer some Labor MPs to the High Court over this dual citizenship crisis. What's your response?

RICHARD MARLES, SHADOW MINISTER FOR DEFENCE: Well, I think it's a little concerning that the Government is proposing to use its numbers in parliament to take action of that kind. I heard the interview that Christopher gave. We need to be clear: there's not an equivalence here between the situation that's being faced by Justine Keay and Susan Lamb with those that we've seen with John Alexander, Barnaby Joyce, Fiona Nash, and the rest.

On the one hand, you've got Justine and Susan who, seeking election for public office, looked at their situation, realised they needed to take action, engaged in all the action that they needed to take prior to nominate for public office, and that action has subsequently led to the revocation of their citizenship by the United Kingdom. So, that's their steps.

In the case of John Alexander, Stephen Parry-

HOST: -But just a minute: when they actually nominated, Richard Marles, when they actually nominated Justine Keay was still a British, she had dual citizenship with the UK.

MARLES: But as I've made clear, she went through a process, looked at what needed to be done and done took every step that she needed to take prior to nominating.

Now, compare that to John Alexander, to Barnaby Joyce, to Stephen Parry, Fiona Nash: all of them, they didn't even look at their circumstances until they'd been

sprung. At that point they found out that they are dual citizens and we've seen the circumstances play out as a result since.

There's no equivalence here.

HOST: But Richard Marles, I can appreciate your point that these are different circumstances, but I guess the question is would Labor continue to oppose the referral of these MPs to the High Court, even after a disclosure mechanism was applied to all MPs?

MARLES: We need to firstly get that disclosure mechanism in place, Paul, and Bill Shorten has been arguing for this for some time. I've heard Christopher talk about Labor playing politics. I don't think anyone who was listening to Christopher's interview could hear that as anything other than an interview which is about playing politics.

Bill Shorten, from very early on in the piece, has been arguing for such a process to be put in place which comprehensively looks at all members of parliament. Now, we actually need to see an agreement between the Government and Opposition about what that process looks like, and I think that does mean the Government does need to face up to the circumstances that they are facing, and then we take events from there.

In respect of the Labor MPs, we're confident that they took every step they needed to take prior to nominating. We go through a process. If there are issues, we deal with them-

HOST: Richard Marles, I know you're confident. I know you're confident. I know Labor's confident, but at the end of the day only the High Court can decide this, so after a disclosure resolution is passed through the parliament, will Labor operate in good faith and be prepared to refer those MPs where there are question marks about their citizenship to the High Court?

MARLES: There are two propositions which are being conflated there, Paul. Firstly, as I said, we're confident about the Labor MPs that have been named in the media. We need to be negotiating a process that applies to every member of parliament, and if that's done and if that becomes the way in which the parliament operates, of course we'll follow any process in good faith. That will absolutely be the case. That's what actually needs to now occur, and we need the Government to come to the party on this. Our concern about what the Government's actually been doing so far-

HOST: -Richard Marles, excuse me, with respect, but the Government did put out, Malcolm Turnbull did put out his disclosure regime, and Labor did not agree with it, so you have stopped it in its tracks.

MARLES: I don't think that's a fair characterisation at all, Helen. It was Labor that was out in front on this issue, whereas it should have been the Government leading, but it was actually Labor out in front on this issue arguing that a process exist. We actually need to reach an agreement on what that process looks like, and a process which kicks this off into next year, which was the kind of timeframes that the Government was initially proposing, that's not an acceptable process at all.

I heard Christopher saying he wants all of this put to bed by Christmas, which I think is absolute fantasy, but we should actually be trying to deal with this as quickly as possible. What we've got is a process being put forward by the Government which extends this dramatically.

We're arguing for a shortening of timelines, and it's utterly reasonable that we have a position and seek to negotiate that with the Government, but we do need to reach an outcome here, and there does need to be a process so that this issue can be dealt with, because ultimately-

HOST: -Wouldn't the quickest, sorry, wouldn't the quickest way to deal with it is for you to refer your own members to the High Court just to be sure?

MARLES: I've the point we're confident about our own members. They went through a process-

HOST: -But that's what the Government said: they were confident about their own members and the High Court thought differently.

MARLES: The Government had members of parliament who were dual citizens and had done nothing to seek to revoke their citizenship more than a year after they were elected. I mean, their no equivalence in this at all-

HOST: -So you're saying that's why-

MARLES: -I get why- and that's quite an important point here. I get why Christopher would be trying to create an equivalence, but there just isn't one. I mean, these are worlds apart.

We have a rigorous process within the Labor Party where we're required to declare whether our grandparents, parents or ourselves have been born overseas, and if any of those are the case then there's research done and if steps are required to be taken, we take them. That's what Justine Keay did, and she took all of those steps prior to nominating. That's the process. She went through it-

HOST: -She didn't get renunciation. Is it important that she should have waited and got renunciation before she nominated? That's what the form says to become a candidate.

MARLES: What matters is that all reasonable steps are taken prior to nominating, and that the steps that were taken were reasonable is borne out by the fact that those steps ultimately resulted in the revocation of her UK citizenship, but she took all of those steps prior to nominating.

That is an entirely different world from the one that Barnaby Joyce had, where only until other members of parliament had citizenship issues raised about them did he realise he had a problem and actually declared to the parliament that not only was a he a dual citizen, he'd actually done nothing about it until more than a year after being elected for however many times he's been elected.

I mean, that is a very, very different set of circumstances to the ones that the Labor MPs find themselves in, which is why we're ultimately confident, even in the context of the recent High Court decision, that their circumstances are fine.

Let's get back to what needs to happen here. We need to have a process and we need to have a government which shows some leadership here. I don't think any of us saw this citizenship issue coming, but if we had a prime minister who had authority, if we had a government party which actually had some stability in the way in which it was running the country, this is an issue which they really ought to have been able to deal with in their stride. You would have had a process upfront and anyone that had a problem would have gone onto the bench, and then after the High Court or by elections we would have seen that play out. That's what should have occurred from the outset and this thing should have been done and dusted by Christmas. As it is, the notion that Stephen Parry and John Alexander, notwithstanding a High Court decision on foot don't actually put their hand up until after that High Court decision is made is breathtaking, and that's why this issue is going to kick into the next year and into the autumn of next year. An awkward issue has been turned into a crisis because of an inept government and a prime minister who has no authority.

HOST: If I could just take you to some of the foreign policy issues last week, Richard Marles, we saw extraordinary events at the summit meeting in relation to the Trans-Pacific Partnership. Now, can I just ask you about Labor's position here? Does Labor believe there's any prospect of keeping the Trans-Pacific Partnership alive, and does it support Malcolm Turnbull's efforts, along with those of the Japanese Prime Minister, Abe, to achieve this outcome?

MARLES: Paul, you know that we are a party which supports trade, and has been seeking to bring about greater free trade relationships with the world, and particularly within our region. The TPP was something that was initiated and pursued vigorously by the Rudd-Gillard Government, including when I was Trade Minister myself.

Now, a TPP without the United States is a very different entity, as it is now without Canada, so I guess the answer to that question is: at the end of the day a trade agreement is a deal, and there needs to be some independent analysis of what that deal would look like in the circumstances where those countries are not participants of it, and we would expect to see that before arriving at a position, but our disposition, our bias, our preference, if you like, is that we reach trade agreements. That's what we would be seeking to do and they need to be good agreements that you can happily sign up to, and that's a rule that needs to be run over whatever comes out of this process now, but we were and have always been a party which seeks to pursue these agreements.

HOST: OK, I think that the line running through that answer is that Labor is pretty dubious about Turnbull's approach here and that Labor may well feel that the Trans-Pacific Partnership deal, in fact, is dead in the water.

MARLES: What I've said is that I think that you need to run an independent economic analysis over whatever is the outcome of this process, and prior to that, I guess, where it looks like it's going, and that's just the prudent, sensible answer to a question about whether or not you support any given trade deal, but actually the point I'm really trying to make, Paul, is that we are a party which supports free trade

and has been active throughout our life as a party seeing to have free trade. The TPP-

HOST: -Do you think the TPP can be restored and revitalised? It seems that the Canadian Prime Minister is perhaps sort of equivocating.

MARLES: Well, the Canadian Prime Minister is clearly equivocating, and that is deeply disappointing. There's no doubt about that, as is, of course, the position that the United States took under President Trump, but was also a position that was being taken by candidate Clinton, and I think it was one of the really concerning aspects of the most recent presidential campaign.

Perhaps the way to answer it is this: APEC was a hallmark of the Hawke-Keating years. It very much is a part of Labor DNA. The TPP was an attempt to give, in a practical sense, a contemporary trade expression to the original aspirations of APEC. We seek to still do that. We would want APEC and the countries within it to give rise to a freer trading environment in the Asia Pacific region. The TPP, which was those countries which had a more ambitious relation to free trade, it was about them getting together to try and reach an agreement of some kind.

None of those principle have changed. If a TPP involving lesser countries, including the United States and Canada, gives rise to that: so be it. But we would want there to be an independent economic analysis to verify that.

We are still the Party which is pursuing free trade, Paul.

HOST: If we can switch to China and America, one of the issues which is now on the diplomatic agenda, and been given encouragement by the Australian Government, is the revived idea of a quadrilateral engagement involving America, Japan, India and Australia. What's Labor's current view towards that idea?

MARLES: The short answer to that question is we need to have some more discussion on our side about this before coming to a view. That's the honest answer to that question, Paul, and I guess I say that against the backdrop of the fact that when Kevin Rudd was the Prime Minister obviously we pulled out of the quadrilateral at that point in time.

We, Penny Wong and myself, had a briefing from the Government on Thursday of last week. We'll go through a process of talking this through and coming to a position, but let me say this: I do think that there is a strategic opportunity for Australia right now to be comparing notes with, to be working with, countries that share the same strategic circumstances that we share. I get all of that, and that is very much part of how the Government would argue its participation in the quadrilateral. Obviously, though, of course if this is to have meaning then it's a serious piece of regional architecture and you need to think carefully about the way in which it will be received by others and how there will be reactions to that. We want to think about that as well.

With those sorts of considerations in mind, we'll go through a process and talk this through and come to a position.

HOST: Now, we know that China is very opposed to this arrangement. China in the past has expressed its displeasure and this would apply particularly to Australia if Australia was to be involved in any such arrangement. Is that in itself grounds for Australia absenting itself and opposing any such arrangement – that is, that we would not wish to incur China’s displeasure, or should we use different criteria in making this assessment?

MARLES: I think a different criteria is the answer to the question. As you put that question, it can’t be the basis upon which we act, obviously. If we’re going to conduct ourselves on the basis of whether China is happy about our actions that’s an extremely big call for us to make as a nation. Ultimately we need to act in our own national interest, not in the interest that’s perceived by any other nation.

That said, I want to make clear that we’re not about the containment of China. We see the rise of China as a good thing. It’s obviously something that we’ve benefitted from enormously in economic terms, and I think that China has a completely legitimate aspiration to be a regional power and ultimately, of course, a global power.

What we hope, and what we need to be working on is to see that the China that takes up that position is a China that is a participant in and a contributor to a global, rules-based order. That’s the kind of behaviour we should seek to the extent that we can to shape on the part of China, and a rise of China in that context is something to be welcomed.

So, we’re not about containment, and it’s important that we make that point.

HOST: Can I just ask you about Donald Trump’s visit so far to the region. Do you take heart from the way it’s gone so far? Are we seeing, if you like, to a certain extent the normalisation of Trump in terms of being a foreign policy practitioner. What’s your take on the visit?

MARLES: Well, I do take heart. I think that proposition is right.

There’s nothing normal about Donald Trump and I don’t think he wants to be seen as normal, so I’m not sure we can proclaim the normalisation of Donald Trump at any point and I suspect if we did he would be offended.

I guess one of the points I would make is that when I look at the images of Donald Trump in China and the very positive way in which he went about his relations with President Xi it stands in such contrast to what we see in the virtual world of the twittersphere, and it says to me that diplomacy is very much done better in the flesh than in the twittersphere, and that’s what comes across very plainly to me.

I guess the other point I’d make is this, and it comes from the kind of questions you’ve been asking: our strategic circumstances through this century are going to be dominated by our relationship with the United States, our relationship with China, and the relationship between China and the United States. There’s uncertainty about all of those questions, there are judgement calls to be made about it, but one thing you can say for certain is that our world looks safer and much more prosperous when China and America are getting on with each other and [AUDIO BREAK] and when you see a repore and a warmth between their leaders. So, I definitely took

heart from the images that I saw this week of Donald Trump in the region and I think in that respect on this trip he's done well.

HOST: Alright, Richard Marles, just briefly: you are for offshore processing of asylum seekers. You are for offshore detention, so you can hardly be critical of the mess that is now unfolding on Manus Island where the Government has withdrawn basic services. I think it's now nine or ten days, but what should be done now? I mean, there is no solution other than to have these refugees, people who have been deemed to be refugees, moved to Lorengau, which is in the same village, same island. There is no third-party country solution.

MARLES: That last point, Helen, is the critical one which is ultimately why I'm very critical of the Government. You're dead right: there is no third-party, third-country solution other than the United States-

HOST: -I'm sorry, apart from a few going to the United States, but the Prime Minister has rejected the New Zealand offer.

MARLES: The United States doesn't cover the field, and that's the issue. You're right, I'm for offshore processing, but I guess there are two points to make.

What should have been done up until now is the Government should have had its skates on from the very moment it was elected back in 2013 to start working on third country options, and had they done that back then we wouldn't be in the situation we are in now. It took them forever and a day to arrange the situation with the United States. It's ultimately goo that they did, of course, but it took a long time and one of the points I made from the outset is that it seemed to me all their eggs were in that basket and that basket is not big enough to deal with all the cases on both Manus and Nauru.

So, firstly, it needs to go out and find other third-country options, and if they were active about it it is not beyond their wit to find them. I mean, it really isn't, and I say that with the experience of having been in this area of policy for three of the last four years, and there are definiltey options out there. They actually just need to go and find them.

Can I just say the particular date that's been coming up in Manus, again, that hasn't crept up on them either. That's been a known date for a long time. If I was the Minister I'd be in PNG right now trying to work out this situation with the PNG Government. There needs to be a whole lot more activism on the part of our government in respect of the particular circumstances, and the fact that people have been left in this situation, with such an appalling sense of uncertainty for year and years is an absolute disgrace and the Government should be condemned for that.

HOST: Alright, we will have to leave it there, Labor Defence spokesperson, there's so many other issues around, but Richard Marles, thank you.

MARLES: Thank you.