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DEPUTY LEADER OF THE AUSTRALIAN LABOR PARTY
SHADOW MINISTER FOR DEFENCE
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**E&OE TRANSCRIPT
TELEVISION INTERVIEW
TODAY SHOW
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SUBJECTS: Biloela Family; Iraqi born Security Guard; Fathers Day

DEBORAH KNIGHT: Home Affairs Minister, Peter Dutton joins us now, along with Deputy Labor Leader, Richard Marles in Melbourne. Good morning to you both.

PETER DUTTON: Morning Deb.

RICHARD MARLES, DEPUTY LEADER OF THE AUSTRALIAN LABOR PARTY: Morning Deb.

KNIGHT: Peter the family is said to be deeply distressed by this. Are you happy with the way this has been handled?

PETER DUTTON: This case has gone on for a long time. So, it's been through decision makers at the Department. It's been to the tribunal, it's been on review to the magistrate's court. It's been on review to the Federal Court- to the Full Federal Court, to the High Court. All of those are found that these people aren't refugees. Now we've brought more people in last year through the refugee and humanitarian program than almost any year in the last 30. And in this case they've been found not to be refugees.

KNIGHT: But the process, in which this has taken place overnight bundled onto the flight- they weren't given prior warning that they were set to be deported. While they were on the flight, then to be told no, you can stay. They've got two

young daughters here. I mean this would be distressing for anyone.

DUTTON: Deb, it would be distressing but the parents have made a number of decisions over a long period of time. This doesn't come as a surprise to anyone. The deportation has been explained to them over many years.

KNIGHT: So what happens now? If these federal judge has intervened.

DUTTON: When they and the activist supporters place these injunctions or seek relief from the court; that goes through a process. Let it go through the process. But there were other people on the plane who have gone back to Sri Lanka, voluntarily. There are 1,500 people in the same circumstance-

KNIGHT: So you are happy with the way this has been handled? You are happy with this?

DUTTON: I would like the family to accept that they are not refugees, they're not owed protection by our country. They came here by boat. And we've been very clear that they wouldn't stay. At the same time, we've been very compassionate about the number of people that we've brought in, including many families. But in this case they've been found- right to the High Court- not to be refugees. There is something like 68 million people in the world who are not refugees and will work with this family to help them resettle in Sri Lanka as 1,500 people before them have done so.

KNIGHT: Now the community in Biloela in Queensland where they've been living and working, they have rallied behind them. And a lot of the people in that community have been saying that they are upstanding citizens, they're prime examples of the refugees we need to have here. Richard what's your view on this? Are they the sort of family that needs to be kicked out?

MARLES: Well the community obviously are welcoming of this family and they've made a contribution to the community and Biloela. Their two children have been born in Australia. They've now been here, I think since 2011/2012, so they've been here for a long time. Peter has rights here as the Minister, and I think it's a real question as to why those rights aren't being exercised in relation to this case irrespective of where the legal proceedings are up to. He has ministerial discretion.

KNIGHT: So you think that Peter should intervene here?

MARLES: Well, this is a family who are making a contribution to their community and that community has made it plain in their actions. Their two daughters are born here in Australia. This is a question where Peter needs to

explain why he is or he is not using his discretion.

KNIGHT: And you can use it but discretion. Is there any scope for that here?

DUTTON: Deb, this case has been really, you know, pored over for years. Before the family had children, they were told under no circumstance would they settle in Australia. The authorities have been very clear both under a Labor Government and under our Government; we've been very clear and consistent in the messaging, that we aren't going to allow people to settle by boat. And I understand the passion and the support within the Biloela community. And there are some cases where we can intervene, where there might be uncertainty, where there might be health issues. Many cases where the Immigration Minister, David Coleman will intervene each week and that's reasonable. But in this circumstance, this family has been found- as I say all the way to the High Court- not to be owed protection. They've been told before they had children they were never going to settle here. No court or tribunal has ever said, 'Ah well look there might be an opportunity for you to stay. You may be eligible.' Nobody's ever said that. Nobody's held out false hope. And we want to work with the family as we've done with others because remember out of the 50,000 people who came on the 800 boats when 1,200 people drowned at sea, all of those kids went into detention. We've got all of those kids out of detention and we're in a position now where we've had 1,500 from Sri Lanka- given that the civil war is now finished- who have gone back to Sri Lanka. And there are others in a similar situation who would be looking at this case and saying 'well, why can't I stay?'

KNIGHT: Richard you are shaking your head.

MARLES: Well, Deb, this isn't about trotting out lines of what stats have happened or not happened over the last few years- which is the sort of government mantra. This is about the lives of real people. This is a real family that's being affected here. And the Government has rights. As Peter has said, the Minister has a discretion here, which can be used. The Community and Biloela have clearly made it evident as to how they would like to see this discretion used. Two daughters were born here, they know no other country but Australia and it's not about stats from the past. It's about this family right now.

KNIGHT: Okay. Now there was no issue at all though with the Prime Minister's decision yesterday moving to deport the Iraqi born security guard who lured this three year old from a play centre in a shopping centre in Western Sydney and indecently assaulted her. Lots of support for the Prime Minister's move here, Peter. But isn't this just the system working? Did it need to be singled out, this case by the Prime Minister? Because effectively these laws were put in place, he would have been deported anyway.

DUTTON: Well look it's demonstrating to people that the Government is very serious about making sure that if people are coming here, whether it's as a tourist if they're working on family visa, you need to abide by Australian laws and particularly where children are involved and they're the victims of what is a heinous act. So no, I think it's right to point it out and it's right to send a very clear message that if you are here as a noncitizen you're expected to abide by the conditions of your visa and if not, then you'll be deported. And Scott Morrison, when he was the Immigration Minister tightened the laws in this area. We've cancelled the visas of over 4,000 people. But as I say, at the same time we welcome 99 per cent of people would do the right thing, abide by our laws and I think there'd be overwhelming support for the fact that we want to get this guy out of our country as quickly as possible.

KNIGHT: Scott Morrison though, did take a shot at Labor, saying the party opened the floodgates for boat arrivals when you were in office. Richard did you make mistakes in terms of who was allowed in?

MARLES: Well mistakes, I think, have been made by both sides of politics over a long period of time. But I've been very clear about admitting to Labor's mistakes when we were in Government. But this is not a case which should be politicised. Let's be really clear: what this person did was absolutely appalling. And this is a case where the Minister's discretion to punt this guy out of the country is exactly the discretion that should be exercised- and exactly what should be occurring. But along the way, the fact that the Prime Minister wants to take a shot at Labor, I don't get that at all. I mean this is trying to politicise what is an appalling set of circumstances. The system should be allowed to run. We've supported the Government in tightening up laws, although they would have been able to be punted under the laws that have been in place for decades. This is a case where there is bipartisanship going on here and that ought to be recognised by the Government.

KNIGHT: All right. Well Richard and Peter, I hope you both have a wonderful Father's Day as well on Sunday and get to spend some time with your families. I know that your work drags you away from your kids many, many a day so I hope you get spoiled rotten.

DUTTON: Socks and undies.

KNIGHT: Socks and undies.

MARLES: Taking kids to footy and netball.

DUTTON: It's pretty hard to go down to Myer's and buy socks and undies

discreetly, right, so I am happy to receive them from the kids. You don't want a selfie at the undie section of Myer's or David Jones.

MARLES: It would be more than that Peter, surely.

KNIGHT: 'Peter Dutton buys socks and jocks.'

DUTTON: Not a great look. It's not an image people want to conjure up. And I am speaking for Richard as well.

KNIGHT: I think that's across the board. Enjoy the day fellas and happy Father's Day to you both.

DUTTON: Thank you.

MARLES: Thank you.

ENDS

Authorised by Paul Erickson, ALP, Canberra.