



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

PROOF

MOTIONS

Attorney-General

Censure

SPEECH

Monday, 2 March 2015

BY AUTHORITY OF THE SENATE

SPEECH

<p>Date Monday, 2 March 2015 Page 18 Questioner Speaker Lambie, Sen Jacqui</p>	<p>Source Senate Proof Yes Responder Question No.</p>
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Senator LAMBIE (Tasmania) (11:47): It is a pleasure to offer my support to this censure motion and vote of no confidence against the Liberal Party's Attorney-General, Senator Brandis, for:

- (1) failing to defend the President of the Australian Human Rights Commission, Professor Gillian Triggs, from malicious attacks;
- (2) seeking to obtain the resignation of Professor Triggs by facilitating the offer of an alternative role that would have required her to relinquish her position as President;
- (3) refusing to fully account for his conduct when appearing before a committee of the Senate;
- (4) undermining Australia's commitment to upholding human rights; and
- (5) being unfit to hold the office of Attorney-General.

You cannot support Professor Triggs and not support this censure motion. It is either one position or the other. You cannot have your cake and eat it too. The attack by Prime Minister Abbott and the Attorney-General is so vicious and extraordinary; there are no shades of grey in this debate. If you support Professor Triggs, you will support this censure motion against Attorney-General Brandis.

Today, I call on all members of the Senate to vote according to their conscience; against the Attorney-General and for Professor Triggs. In particular, I direct those comments about a conscience vote to members of the National Party—some of whom I know to be honourable. I know that there are many Nationals who are outraged by the disgraceful personal attacks which have been launched by Liberal Party members, including Prime Minister Abbott and the Attorney-General, Senator Brandis. I call on those senators to cross the floor of this place and vote—to show confidence in a distinguished and honourable Australian public servant who has only made the mistake of telling the truth and doing her job.

The Prime Minister, the Attorney-General and other Liberals must stop their unbalanced personal attacks on the Australian Human Rights Commissioner Gillian Triggs, and get on with the job of ensuring that children are released from detention centres—all the children, not just the children they released before Christmas time; all of them. Stop doing half the job and get the job done properly.

When it comes to securing our borders, I have to give praise to the Abbott government. They did what they promised. They put the corrupt overseas officials, people smugglers and their boats out of business. I am, like many Australians, am grateful for that. They stopped rich foreigners from bribing and rorting their way through Asia into Australia. They stopped the regular, mass drowning of men, women and children at sea. They proved that Labor's and the Greens' immigration policies were dangerously flawed and poorly administered. They increased the chances of legitimate refugees being granted asylum in Australia by legitimate means.

However, the good that the Liberals did for Australia's border protection and national security, is overshadowed by the vindictive, personal attacks that Attorney-General Brandis and the Prime Minister have launched on Human Rights Commissioner Gillian Triggs. Why is the Attorney-General and the Abbott government so scared of a royal commission, as recommended by Professor Triggs? That is the question I would like answered.

When it comes to prioritising human rights abuses, surely the systemic abuse of hundreds of children in our government's care goes to the top of the list. And public servants tasked with their protection, whose job it is to speak out on children's behalf, should be given a medal, instead of having muck thrown at them by desperate and disconnected politicians.

Most Australians would agree that keeping children locked up in immigration detention camps is a deplorable situation. We all share a great shame because of the dreadful harm, which has occurred to these innocent little humans. A royal commission will help us properly learn the lessons. It will help stop, not only the illegal boats in the future, but also the mistakes we made in dealing with these children. Every one of Australia's major political parties should come in for criticism for the role they played in this humanitarian tragedy.

Mr Abbott promised Australia after the Liberal's party room meeting on that Monday to do things differently. Attacking a respected Australian dedicated to protecting the human rights of innocent children is not only pathetic stupid politics, which will further damage the Liberal brand; it is more evidence that Mr Abbott has not changed. It shows Mr Abbott is incapable of change and is doomed to endlessly repeat the same silly political mistakes which caused his near-death political experience.

Many respected members of academia and the Australian community feel the same way as I do. The ABC reported that Australia's first federal human rights commissioner, Brian Burdekin, slammed 'disgraceful' attacks by Tony Abbott and George Brandis on Human Rights Commissioner Gillian Triggs. Brian Burdekin said both Tony Abbott and George Brandis have made a grave political disgraceful error in maintaining their attack on Gillian Triggs. He further stated:

I think from the feedback I've been getting - and I still obviously am in touch with a lot of people in the human rights arena: a lot of people in legal circles, a lot of people in non-government organisations who care for the most vulnerable and the most disadvantaged - the feedback has been universally, as far as I can perceive it, hostile to what the Prime Minister and the Attorney-General were trying to do. And to that extent I think it's politically quite unwise. I honestly don't understand why the Prime Minister and the Attorney-General felt it appropriate to do it.

Professor Burdekin also said Senator Brandis did not appear to have a clear understanding of what his role of Attorney-General entailed.

Professor Burdekin also told the ABC:

To be honest, I am deeply concerned that the Attorney-General we have at the minute simply doesn't understand what the remit of the Human Rights Commission is.

I mean, he's actually talked about the fact that we really just need to rely on the Magna Carta. Well, the role of the Human Rights Commission, as Gillian Triggs has pointed out recently and as I pointed out many years ago, is to stand up for the most vulnerable and disadvantaged groups in our community: the homeless, the mentally ill, Indigenous people, people with disabilities, children in detention: whatever. You won't find any of that in the Magna Carta, I can guarantee you.

The things that the Human Rights Commission is obliged to do by law are directly related to those very vulnerable groups and its highest priorities have to be those who are least able to defend themselves.

It has become very clear that the majority of average Australians, including those from Tasmania, are disgusted by the politically motivated, personal attacks on Professor Triggs. We are all sick and tired of this sort of politics going on. We all know that the political attack on Professor Triggs was supposed to somehow appeal to the base of the Liberal Party—and was really designed to boost Tony Abbott's leadership stocks.

Well the genius who put this plan together failed miserably. The attacks on Professor Triggs damaged the office of the Prime Minister and significantly harmed the office of the Attorney-General. Meanwhile there are still well over 200 children who are in detention.

A successful censure motion against the Attorney-General today will have the benefit for the nation of advancing a leadership and policy change for this government. My hope, like many other Australians, is that the leadership of Australia changes and a group of people with a kind hearts who focus on the welfare of those children is given the privilege of leading our great nation and that an Australian Attorney-General who has the respect of his or her legal peers is appointed to the position of our nation's first law officer.

For someone who has high regard, as he has just said, for Gillian Triggs, he sure has one hell of a way of showing it. If I was doing a report card on the Attorney-General, he would get a big tick in the box that says 'poor performance' and a recommendation, like his mate when it came to the canoes, for demotion. I do not believe

there is any other way of dealing with this. He has gone way over the line. He is out of order—and for that he must wear the punishment. Let see how big the Liberal government is in dealing with this one.