

**MIGRATION LEGISLATION AMENDMENT (INFORMATION AND  
OTHER MEASURES) BILL 2007**  
**Second Reading**

[Mr TANNER](#) (Melbourne) (6.02 p.m.)—We are dealing with a number of amendments to the Migration Act this evening in the [Migration Legislation Amendment \(Information and Other Measures\) Bill 2007](#), which the opposition broadly supports. These amendments relate to the requirement for people who are seeking to enter Australia's migration zone unlawfully to provide identifying information upon apprehension. These identifying requirements refer to things such as photographs, fingerprints and the like. There are also some technical changes proposed to the rules governing records of individual movements and some changes with respect to offences relating to illegal fishing.

The immediate backdrop to the provisions that are put before the parliament this evening is the ongoing debate about asylum seekers and people smuggling, the requirements of border protection in this country, and section 457 visas and the introduction of temporary skilled—and, in some cases, not that skilled—workers into Australia for the purposes of filling positions in areas of skill shortage. These issues that I have identified as the wider backdrop are highly charged. There has been vigorous debate both inside and outside the parliament over a number of years about precisely how the government ought to deal with these questions of asylum seekers, border protection, illegal fishing, immigration arrangements and skilled workers.

I would like to deal with a matter this evening that is part of the wider backdrop to these debates from a more historical perspective. It is an important element in the wider picture of debate about the rules for immigration in this country and our attitude towards multiculturalism, race and immigration. Some of these issues were canvassed by my friend the member for Scullin; they are all part of the same wider picture. I speak this evening without any intention to criticise the government on some of its positions on these matters—not that I am uncritical of the government on a number of aspects of its policy in this areas, but that is for another time.

This evening, I want to place on the record some observations with respect to a very important historical event that occurred yesterday: the 200th anniversary of the abolition of the slave trade throughout the British Empire. Legislation was passed by the House of Commons and the House of Lords in 1807, and that decision really set an underlying foundation for a whole lot of debates—both in Britain and in countries that are derived from Britain, such as ours—over the ensuing 200 years. It has echoed throughout those debates on race, immigration and racial discrimination for 200 years. It is very important that we in this parliament acknowledge the crucial nature of that decision and its importance to the evolution of attitudes in our nation, particularly as it occurred at a very early stage of Australia's history and reflected the role of a number of people, including those who were crucial to the establishment of Australia. It is an important thing for the Australian parliament to acknowledge.

Britain was not the first nation to abolish the slave trade. It is probably true to say that there were some societies and communities in that era where slavery was unknown. It is important to recognise that the first substantial nation to abolish slavery was France, in 1794. On 4 February 1794, the Jacobin regime, after having already seriously restricted the slave trade, voted to abolish slavery completely throughout the French Empire. Sadly, that decision was one that was ultimately reversed by Napoleon, and it was not until 1848 that the French

Empire finally returned to its position of 1794 of complete abolition of slavery. It is also important to note that several of the British colonies, as they then were, in the United States—they were in the process of moving from being British colonies to being part of the United States—had abolished slavery prior to the British decision. They included New Jersey and Delaware, which abolished slavery outright, and Massachusetts, Connecticut, New York and Rhode Island, which abolished the slave trade. Also, apparently, Denmark abolished slavery in March 1792, with respect to both its own territory and its colonies, although it is probably true to say that Denmark was not exactly a major imperial power at that time and there were probably not very many slaves within Danish jurisdiction. Nonetheless, it should be acknowledged that the Danes were early movers on this very important front.

Given the British heritage that is still proudly at the heart of the Australian nation and certainly something that I hold very dear, and given the ongoing debates in this country about race, multiculturalism and the nature of immigration, I think that the 200th anniversary of the abolition of slavery is a very important milestone and one that the Australian parliament should acknowledge. It is worth noting that slavery was made illegal in the United Kingdom itself in 1102—a very long time ago—and the practice of villeinage, as it was called, endured until the early 17th century, but the formal institute of slavery was abolished at a very early stage in Britain. In 1562 Sir John Hawkins led the first British slave voyage, which kidnapped people from what is now Senegal and Sierra Leone and took them to British colonies in the Caribbean. By the early 18th century, slaves were being brought to the UK to serve as domestic servants in cities like London and Edinburgh, and there were thought to be somewhere between 10,000 and 14,000 slaves—overwhelmingly black Africans—in Britain at that time. But in 1772 Lord Chief Justice Mansfield ruled in *Somerset's case* that an slave who had been in the United Kingdom and had escaped could not be returned to his erstwhile owners because British law did not recognise slavery and there was no legal entitlement on the part of the slave's owners to reclaim his person. That was an important landmark in British law in the process of the abolition of slavery.

The antislavery campaign in the UK originated with the Quakers, interestingly enough, in the American colonies in the 1740s and 1750, and then spread from the American colonies into Britain itself. In 1783 the Society of Friends, or the Quakers, as they were called, petitioned parliament against the slave trade, established a campaign committee and began to distribute leaflets and undertake lobbying against slavery. In 1787 the Society for Effecting the Abolition of the Slave Trade was established. Other groups such as the evangelical or Clapham Sect wing of the Anglican Church and the Wesleyan Methodists began to be drawn into the campaign during this period in the mid-1780s.

In 1787 Lord and Lady Middleton, who had been drawn into the campaign by their own priest, persuaded William Wilberforce, who was a Tory, to move in parliament for the abolition of slavery and the slave trade. He was also influenced by a number of other key figures who had become very prominent in the campaign, such as Thomas Clarkson, who in many respects deserves recognition as perhaps the great unknown hero of the campaign to abolish slavery. Wilberforce, rightly, is revered around the world for his role—and there is no challenge to that on my part—but many others were involved in the campaign and often received little serious acknowledgement for their contribution. I will refer to Clarkson again in a little while.

Wilberforce moved his motion, and in 1788 parliament voted on it. Because Wilberforce was ill at the time, William Pitt the Younger took over as the mover of the motion. The motion was supported by such luminaries as Edmund Burke and Charles James Fox—so some of the great figures of the day in the British political scene supported the motion. It passed the House of Commons but failed in the House of Lords, which was a fate that would meet subsequent attempts to abolish the slave trade on a number of occasions. The campaign continued and attracted support from other very prominent figures in British society, such as Josiah Wedgwood and John Wesley. It is interesting that Wilberforce was a Tory—he was a conservative—but largely relied for his support on the Whigs, including many of the most prominent figures of the day: Henry Brougham, who went on to be a major education reformer, Richard Sheridan and William Grenville. Several attempts were made, particularly around 1804-05, to pass the legislation, but, again, the Commons passed the legislation but it was lost in the Lords. Finally, after an extended period of Tory government and notwithstanding Wilberforce being a Tory—Wilberforce was unable to persuade enough of his own party to support his position—there was a brief interlude from 1806-07 of Whig government under Lord Grenville and finally the legislation that had been so long promoted by Wilberforce and others passed the House of Commons and then the House of Lords.

The campaign continued in that this legislation was merely to abolish the slave trade, so it did not actually remove the status of 'slave' from individuals who were legally in the British Empire as slaves. What it did was to abolish the capacity for people to trade—to buy and sell. It was not until 1833 that, finally, the legislation was passed to abolish slavery altogether throughout the British Empire. Sadly, in that year William Wilberforce died. Several years later, in 1839, the British and Foreign Anti-Slavery Society was established, and it continued the battle to oppose and eradicate slavery throughout the British Empire, because the mere passage of legislation by itself was not necessarily a guarantee of what would occur on the ground, particularly given the far-flung and disparate nature of the British Empire at that time and, subsequently, in the latter part of the 19th century.

To conclude on this point, there are a number of points that I think are worth noting. The first is the enormous role played by slaves themselves in their own liberation, the most famous of which is of course the slave revolt in 1791 on the French island of Saint-Domingue, now Haiti, led by one of the most amazing early revolutionary leaders, Toussaint L'Ouverture. That revolt in effect established Haiti as the first independent nation in the Caribbean and was perhaps the trigger for that 1794 decision by the French regime, the Jacobins, to abolish slavery altogether.

It is also important to note that, sadly, as well as black Africans playing a major role in opposing the slave trade, fighting against it and resisting it, many were of course involved in the trade. We need to acknowledge that it was not just Westerners, it was not just imperialists, but there was a very substantial involvement in the institution of slavery, in the trade of slavery, on the part of people in places like Ghana, Senegal and the like. Also, slavery and the slave trade did persist in many parts of the British Empire after these decisions, in some cases with the active connivance of the British authorities. For example, in Mauritius, which was captured from the French in 1810 and which had a slave based economy, there was active looking the other way with respect to the continuation of the slave trade for some time. It is also important to note that, sadly, slavery can be found in many guises in many parts of the world today.

That is something that we ought to keep in our minds when we are considering this very important 200th anniversary.

I mentioned Thomas Clarkson before. It is important that we acknowledge that, although Wilberforce has ended up being the person who has received the credit for this decision and for the campaign, and he clearly deserves all the credit he has received, there are many others who also deserve credit and who have largely lacked it. Thomas Clarkson is perhaps the most outstanding example—a man who literally spent years hanging around the docks in Liverpool and in Bristol, gathering evidence of the appalling nature of the slave trade, the appalling denial of human dignity, the appalling denial of human rights. He gave hundreds of public lectures. He put together enormous dossiers of factual material, exhibits of things like leg-irons, and diagrams of slave vessels and the extent to which individuals were crammed together in circumstances that are almost beyond belief. Clarkson also organised what is possibly the first known consumer boycott, where somewhere in the vicinity of 300,000 Britons signed up to a campaign to refuse to buy and use slave-produced sugar. So he is a really crucial figure in this history and is very little known. I think it is important that we acknowledge the contribution of both him and others.

It is also important to acknowledge that—as came out in an article by Keith Windschuttle in the *Australian* on the weekend—numerous key figures in early Australian history had a significant position on these issues. Prior to the settlement of Australia, Governor Arthur Phillip—who of course led the establishment of the colony at Sydney Cove in 1788—set out very clearly in a memo to Lord Sydney, the Colonial Secretary, that he would vigorously oppose any slavery in Australia. That is not as silly as it sounds, because at that time slavery was a widespread element in British colonies in many parts of the world, particularly in the Caribbean. So that position on the part of Governor Phillip is important to acknowledge.

Equally, there was Governor Lachlan Macquarie, whose second wife, I think, inherited some slaves. Macquarie and his wife took the decision to free those slaves. Other governors of early New South Wales also took a strong position in opposition to slavery. It is important to keep in mind that, at that stage, the governors of New South Wales were part of a military establishment and, in a sense, moving backwards and forwards between Britain itself, other posts and New South Wales, so they were part of a wider debate that was going on within the British Empire about the institution of slavery. We can be proud that the people who were the early leaders of what became the Australian nation actually played a role in opposing slavery and contributing to the public debate that ultimately led to its abolition within the British Empire.

I think this debate is a very important part of our history both as a nation and as part of the wider British Empire for an extended period of time. It also reminds us how important it is that we take action on issues of slavery in the modern era. It reminds us of how insidious, how appalling, how vicious the notion of racial inferiority is and what appalling human consequences it has led to both in recent times and also, more particularly, in that awful era from the mid-16th century through to the 19th century. In that era, thousands upon thousands upon thousands of human beings from Africa were kidnapped, treated with the most unbelievable brutality, torn apart from their families, in many cases killed or starved, and mistreated beyond belief—all as the basis to establish an economic advantage in the New World; all as the basis to build a plantation economy in many parts of the Caribbean and other parts of the New World. It was all based on values of greed and brutality and total contempt and disdain for the lives, the

communities and the families of others because they were different, because they were not industrialised, because they lived in a different social context, because they did not have the same military technology and were susceptible to being conquered, brutalised and mistreated.

So it is very important for us today to acknowledge this part of our history, to acknowledge the great courage and the great dedication, commitment and persistence of the William Wilberforces and the Thomas Clarksons of 200-odd years ago. Their dedication has helped to shape the modern era and helped to make us realise just how crucial these issues are, how awful racial discrimination is and where ultimately it can lead.

I just wanted to acknowledge the importance of these sentiments, as we debate the intricacies and the details of issues like asylum seekers and immigration, and acknowledge that people of goodwill on both sides of the parliament consider them. We must commit ourselves always to eliminating all forms of racial discrimination; to ensuring that nobody, anywhere in the world, suffers from slavery; to ensuring that we treat people of different races who come to this country with compassion and decency; and to ensuring that our children are free of the kinds of racist mentalities that, in years, decades and centuries gone by, have led to the kinds of barbarities of which slavery is perhaps the most extreme.