

# COMMONWEALTH OF AUSTRALIA

## SPEECH

BY

Rt Hon. J. G. GORTON, M.P.

ON

## INTERROGATION IN VIETNAM

### Ministerial Statement

*[From the 'Parliamentary Debates', 14 March 1968]*

**Mr GORTON** (Higgins—Prime Minister) [8.35]—Mr Speaker, at the conclusion of the speech which he has just made the Leader of the Opposition (Mr Whitlam) quoted some words which he attributed to me, and I think attributed rightly, to the effect that it was proper that information should not be suppressed and that facts should not be withheld from the public of Australia. I suggest, Mr Speaker, that the statement which has been made by the Minister for the Army (Mr Lynch) tonight ears out completely that the Government believes in that and is acting in accordance with that because the facts of this incident have been presented by the Minister for the Army to this chamber.

**Mr Clyde Cameron**—What about son's report. Let us have a look at that.

**Mr SPEAKER**—Order! I have already warned the honourable member for Hindmarsh earlier in the debate. If he persists in interjecting I will have to deal with him.

**Mr GORTON**—The honourable member for Hindmarsh is quite eager, Mr Speaker, no doubt. But what is it that the Minister for the Army's statement has presented to this House as to what has happened? Let me recapitulate the situation that has been presented by the Minister for the Army—a situation which has not been denigrated or attacked at all by the Leader of the Opposition. That situation was that Australian troops in Vietnam, having just been engaged in one of the greatest engagements

fought by Australian troops in that area, were being harassed. Their patrols were being reported upon. They were being endangered by an enemy agent with a radio set who was reporting on their movements and reporting on what was happening in their base camp. Is it not clear that this would endanger the lives of Australian soldiers? Is that not perfectly evident? That was disclosed and so far has not been rebutted. Then, Mr Speaker, what happened? What happened was that the agent so engaged was captured along with the transceiver and the radio set which she was using as an enemy agent to endanger Australian troops. Then she was taken to an interrogation tent and, Mr Speaker, at this stage I must say that it is perfectly true that having been taken to an interrogation tent the spirit of the Geneva Agreement, which probably did not apply to this civilian anyway.—

**Opposition members**—Oh!

**Mr GORTON**—All right. The Opposition wants to apply it. Apply it. I am speaking in my own way.

**Mr SPEAKER**—Order! The honourable member for Stirling will cease interjecting. I have already warned him already in the debate.

**Mr Webb**—Oh!

**Mr SPEAKER**—If I have not warned him then I am warning him now. I suggest he should not continue to interrupt.

**Mr GORTON**—To repeat what I was saying, whether members of the Opposition like it or not—and perhaps they do not—the Geneva Agreement, as I understand it, applies to prisoners of war, not to civilian franc tireurs, but the Australian Government applies, and seeks to apply, the spirit of the Geneva Agreement even to these civilian agents and franc tireurs. But it is nevertheless true no matter what brouhaha comes from the other side of the House that the Geneva Agreement itself in these circumstances is most unlikely to apply. But the agent was taken and the spirit of the Geneva Agreement, I am bound to say, was exceeded. To what extent? It was exceeded to the extent that the interrogating officer raised his voice and this is not allowed under the Geneva Agreement. Honourable members opposite should read it if they do not believe this. Prisoners may only be asked questions as to their name, their rank and their number. The interrogator is not even allowed to ask for that information in a loud voice. But this interrogating officer did. He raised his voice. He shouted. Do you know what he did, Mr Speaker? He even banged on the table when he was talking to this spy who was engaged in activities endangering Australian forces. He even smashed his fist on the table. This is not allowed by the Geneva Agreement, but this is what he did. He went further. He sought by threats and by intimidation, which are not allowed by the Geneva Agreement, to discover information. I do not know what that information was, but could it not have been—and if it were would it not have been important—‘What were the last messages you sent out as to where Australian patrols were and where they were going?’, so that ambushes could be laid for them? I do not know. But he banged his fist on the table when he was seeking this information. He raised his voice. He went further. He threatened and he intimidated. This is all in the report of the Minister for the Army. He went further than that. He went much further than that because he not only threatened that he would use the water treatment—or water torture as the Opposition would call it—but he began to pour water down the throat of this woman.

**Mr Daly**—What a scandalous thing.

**Mr GORTON**—Yes, a shocking thing. But let me say this in response to something the Leader of the Opposition said.

He said that we would have little chance to complain if Australian soldiers were captured by the Vietcong or the North Vietnamese. If the worst that happened to Australian soldiers was that somebody banged on the table, raised his voice and poured one cup of water down their throats then we would not have very much to complain of. There are people in this House and there are people in this country who know what a water treatment or a water torture really is. There are people in this House who have been prisoners of war and who had the real water torture, not this matter applied to them. Those in this House and those throughout this country know this. Nobody walks away from that; no one walks out of a tent under his own power, is photographed, poses and is driven away.

What has been disclosed on this? Let us be clear that the spirit of the Geneva Agreement has been transgressed but it has not been transgressed to the extent to which it is sought to be presented that it has been transgressed. It has not been transgressed to the point that any real torture has been applied. Even so, in compliance with the approach of the Australian Military Forces, in compliance with the instructions issued to the Australian Military Forces, because this went beyond the bounds that were laid down, therefore in spite of what I have said the interrogator was removed from the future interrogating any other prisoners. That I suggest clearly indicates the approach of the Australian Military Forces in this matter. It clearly indicates that even in this kind of circumstance the Australians are operating not only in an honourable but in a way which in effect is dangerous to them—far more dangerous to them than what the Leader of the Opposition has suggested that something which could come out of this incident could be dangerous to them. Let me ask all members of the House a question. We are—perhaps the Opposition is not but the rest of us are and the majority of the people of this country are—responsible for believing that we should be serving in Vietnam and for sending troops to serve in Vietnam. Having done that, even members of the Opposition, I would have thought, would want to see that the safety of those troops was safeguarded.

**Mr Bryant**—Turn it up.

**Mr GORTON**—All right. Let me ask them this and see what answer I get to this question: If they were in charge of a military camp in Vietnam and they discovered, any one of them—

**Mr Hayden**—What about Archbishop Strong's attitude?

**Mr GORTON**—You, if you like. You are a policeman. If you discovered—

**Mr Hayden**—What are Archbishop Strong's views?

**Mr SPEAKER**—Order! The honourable member for Oxley is continually interjecting. I ask him to restrain himself.

**Mr GORTON**—What I was asking the honourable member for Oxley before he ceased to restrain himself was whether, if he were in charge of a military camp in Vietnam and he discovered in that camp a civilian who he knew had set booby traps throughout that camp, he would regard it as such a terrible thing to raise his voice when he asked that person where those booby traps were, or to bash his fist on the table when he said: 'Did you put them in these tents or those tents?' Or would he—perhaps he would—say: 'Well, this is just too bad. We will let the Australian troops find out where the booby traps are by falling over them.'

**Mr SPEAKER**—Order! I warn the honourable member for Mitchell, who is interjecting.

**Mr GORTON**—Would he only say to this civilian: 'What is your name? What is your rank? What is your number?' and let things go. It is not to be assumed for one minute from what I am saying that the Australian Army does not apply the Geneva conventions because it does. It is not to be assumed for one minute—and the actions of the Army authorities underline this—that they believe even the departure which this interrogator made should be condoned. But we do need, I think, as a House of Parliament and as a nation, to realise this: We are engaged in armed combat. There is talk of bringing people out—flying them out. After all, people spoke about what was attributed to me and it was not attributed to me in my name and I can do the same. This talk, which I have no doubt is well based, of flying out this enemy agent to put her in a box somewhere in Australia,

under safe conduct, to be examined by a Judge, to say anything she liked, to make any kind of propaganda she liked, to make any kind of lying story she liked, is an impossible approach to a situation in which we in Australia find ourselves today. Let us draw the lines perfectly clearly here. We are not going to be put into a situation where the morale of our armed forces is going to be attacked by this kind of imputation. We are not going to be put into a situation where our intelligence techniques are laid open to an enemy by some open inquiry such as is suggested by the Opposition. We will not do it. If they want to do it, let them say so. We say we will not. Let us fight it out on that line, if it takes all summer.

That having been said, I now go on to this, Mr. Speaker: There has been some attack upon the Minister for the Army, some suggestion that he has been improper in what he has done. He has not been improper in any way at all and the statement which he presented to this House makes this abundantly clear. He was under the impression and given the information that there had been an investigation in Vietnam which had said there had been no ill-treatment. Because he felt that needed further investigation he said that he would set up a court of inquiry. Subsequently, because he then discovered—not having been told before—that there had been an investigation in Vietnam which in fact had discovered this degree of ill-treatment, it became perfectly abundantly clear, surely, that there was no point in setting up a court of inquiry to discover whether the facts about an incident should be investigated when in fact the facts about that incident had already, by the first investigation, been made clear and been presented to this House. In relation to this incident there can be no requirement for any further action. The facts have been presented. There has been some ill-treatment of a degree which the Australian people in their own commonsense and their own judgment will judge. It has gone beyond the strict letter of the Geneva Convention. It has gone beyond it in circumstances of not calm legal discussion—not an atmosphere of courts of law—but beyond it in a situation of fighting and of strife and of violence and of life and of death. I would like to say, Mr Speaker, that this kind of thing

will never happen again, because we do not believe it should. But it would be a wrong and stupid thing for me to say that this kind of thing could never happen again. Men are engaged in war. Their lives are forfeit. It is an astonishing thing to me—perhaps not so astonishing considering some of the experiences we have all had—that in this kind of circumstances there have not been allegations of real substance made about mistreatment, not of prisoners-of-war, because that does not happen, but of civilian spies—that there have not been real allegations of substantive mistreatment, that there have not been more instances of this. I think it says a great deal for the Australian Military Forces and for the instructions which they are given and to which they adhere, that in this kind of warfare, that in the circumstances of espionage and reporting to which they are exposed, there has come out of this conflict merely this one incident which we deplore, which we hope will not be repeated but which, when it is all boiled down, relates to threats, to intimidation, to a loud voice, to bluff about water torture and to the beginning—and this we do not condone—of such torture. At the end of it—

**Mr Uren**—Does the Prime Minister support thuggery?

**Mr SPEAKER**—Order!

**Mr GORTON**—I cannot pick up a word the honourable member is saying.

**Mr Uren**—I said—

**Mr SPEAKER**—Order! The House will come to order.

**Mr Uren**—I said: Do you support thuggery? Thuggery is a—

**Mr GORTON**—I can assure the honourable member that I do not support thuggery. Indeed, I thought it was abolished in India some 50 years ago by imperial decree. If it has not been abolished then I would be glad to help to abolish it. What I was saying before I became intermittently interrupted was that out of this incident has emerged this: There was somebody endangering Australian troops. That somebody was interrogated. That interrogation did go beyond the bounds of the Geneva Convention. At the end—perhaps this has something to do with thuggery—of that interrogation the subject was able to walk out of the tent to be photographed, to pose for photographs. Then—

**Mr Cross**—A bit wet perhaps.

**Mr GORTON**—Yes, a little wet, I agree. Perhaps, Mr Speaker, we could conclude on that interjection. At the end of the interrogation she was able to walk out. She was able to be photographed. She was able to be flown out in a United States aircraft. But it must be admitted, she was a little wet. Let me say this: This sort of interrogation should not happen. But to put it in perspective, how far did it go? Was there real torture of the kind that people in this House know? In the stress and strain of fighting this may happen again; but if it does it will be as it was on this occasion. It will be because of an individual acting against the instructions given by the Army and against the instructions given by the Government, and who, because he acted in that way, was removed from the position previously held.