

THE PRIME MINISTER'S PRESS CONFERENCE

PARLIAMENT HOUSE, CANBERRA

TUESDAY 26 FEBRUARY 1974

PRIME MINISTER: Welcome back ladies and gentlemen. There are a couple of things that I can announce to you because the telegrams to the Premiers concerned will have been received by now.

Today Cabinet considered the Universities Commission's Report on the Victorian Government's proposal for a multi-campus university at Geelong, Ballarat and Bendigo. We decided that we were not prepared to support the Victorian Government's proposal, but we will establish a university at Geelong. The Geelong University will incorporate the existing College of Advanced Education and the Teachers College in that city. This is in line with the proposal by the Universities Commission in its report to the Government. I advised the Premier of Victoria of our decision and I suggested to him that in Ballarat and Bendigo the existing College of Advanced Education and the Teachers College in each city should be merged to form a major College of Advanced Education in each city. With respect to the provision of opportunities to university study in Ballarat and Bendigo, I believe that this could be met by the establishment of regional study centres in association with such institutions as may be recommended by the committee for an open university. Mr. Beazley, the Minister for Education, will be providing further details of the Government's decision. The report of the Universities Commission on the multi-campus university at Geelong, Ballarat and Bendigo and its recommendations for Geelong were sent to Mr. Hamer a few days ago.

Also, I have told the Premier of New South Wales that we shall be happy for Blue Poles to be displayed in the art galleries of New South Wales. It will arrive in Australia at the end of March and it ought to be available for exhibition there in the Art Gallery of New South Wales, to coincide with the opening there of the exhibition of recent American art. The Government of New South Wales would, of course, be responsible for indemnifying us against any damage to the painting during the time it is on exhibition and in the custody of the Art Gallery of New South Wales. Provided this poses no problem, details of the exhibition of the painting and security arrangements can be kept to be settled between the Director of that gallery Mr. Laverty, and the Director of the Australian National Gallery, Mr. Mollison. Afterwards, we would be willing to have Blue Poles exhibited in Melbourne and Adelaide which have air-conditioned galleries. Are there any questions?

QUESTION: Was it your wish, Sir, that Mr. Charles Perkins should not be charged under the Public Service Act?

PRIME MINISTER: Whether it is my wish is irrelevant because the Head of the Department in which Perkins serves, the Department of Aboriginal Affairs, Mr. Dexter, the Secretary of the Department, has the jurisdiction and, in some circumstances, the duty to charge Mr. Perkins or some other person, any other person in his Department, who he believes has contravened the provisions of the Public Service Act.

Now that is something which is the statutory function of the Permanent Head of the Department. Neither the Minister nor the Cabinet can direct a Permanent Head as to the discharge of his duties in this respect. If the Permanent Head believes that a charge should be made against an employee of his department he suspends that employee, he reports the suspension to the Public Service Board and the Public Service Board can then appoint a Board of Inquiry to try the matter. That Board makes findings which then go to the Governor-General who acts on the advice of the Government at that stage in implementing or rejecting or varying any recommendation - finding - that the Board of Inquiry makes. I have a copy of the charge against Mr. Perkins. I could say that if I was a Permanent Head I would not have laid the charge. The charge is that Mr. Perkins was guilty of improper conduct in criticising certain political parties represented in the Parliament. I don't know what evidence Mr. Dexter, the Permanent Head, would have of the nature of Mr. Perkins criticism other than the evidence that all of us have reading the newspapers. All that I can say for myself is that no leader or in fact member of any of the political parties criticised - mine has been among them - has complained to me or to anybody in my hearing of those criticisms. In particular, I gather, the basis of the improper conduct in Mr. Dexter's view, I assume this, I have not discussed this with Mr. Dexter directly or indirectly. The basis of his view is that Mr. Perkins was guilty of improper conduct in criticising the Liberal and Country Parties. If I was a Permanent Head I would wait for the leader or some persons acting on behalf of those parties to complain of the criticism and to state the nature of the evidence that he would give or call. If a Leader of a political party made such a complaint and was willing to give or call evidence in support of the complaint then I can well understand that a Permanent Head would suspend the person. After all, the Act says - Section 56 - that any person can charge a Public Servant - any person - and that would include Sir Charles Court or anybody else who may feel himself aggrieved but whose own manner of political comment on other political parties might well have inspired Mr. Perkins.

QUESTION: Would you say Sir, that the implementation of the Labor Party's Aboriginal policy has been a disaster?

PRIME MINISTER: No, but it has been suggested by my colleague, I gather, that that is the headline that members of the National Press Club might like to use.

QUESTION: How would you describe it?

PRIME MINISTER: It is making progress in a very difficult field. We have the first Australian Government in Office now which has ever tried to do anything directly in the Aboriginal field. It is the first Australian Government which has tried to exercise the Constitutional powers which were conferred on the Parliament by the overwhelming vote of the people at the referendum in 1967.

QUESTION: Both Sir Charles Court and Senator Withers have complained about Mr. Perkins statement in Perth - there was a press statement issued by Senator Withers.

PRIME MINISTER: In that case Sir Charles Court could write to me and Senator Withers could. Senator Withers has on many matters concerning his own perks, at least he could about the people. I do want to make the point that any person can charge a Public Servant, any person, including Senator Withers or Sir Charles Court.

If, furthermore, Senator Withers or Sir Charles Court were to state the nature of the evidence that he would give or call, I would think it would be a reasonable proper thing for the departmental head concerned to suspend the Public Servant concerned.

QUESTION: Senator Cavanagh has been under frequent attack ever since, for Aborigines that he is supposed to be helping ...

PRIME MINISTER: Who he is helping.

QUESTION: ... ever since you appointed him to the position. I wonder whether you think that any other Minister would also be under attack, and if you don't think that, do you think that your appointment was a mistake?

PRIME MINISTER: I think that anybody who holds this portfolio will be subject to attack; it goes with the job. I believe Senator Cavanagh is doing a very good job, he has my complete support.

QUESTION: Prime Minister, is Section 56 of the Public Service Act one which you would repeal if the Freedom of Information Act ever gets off the ground? Do you feel yourself, that is is not in accordance with the policy of your Government that Public Servants should be prohibited from speaking out when complaints are made against them by private citizens, politicians or anybody else in this sort of area?

PRIME MINISTER: The Freedom of Information Bill will be introduced by us. There is a very great deal of legislation, as you know, to which we are committed. We are committed to this legislation. Already I can say, it is clear that there will be more Bills introduced this year than last year. Section 56 and similar cognate sections of the Public Service Act are being reviewed by the Public Service Board in consultation with the various Public Service unions. I have thought for a long time, and I still think, that Section 56 is too vague. I think that like so many of the provisions of the Commonwealth Criminal Law, for instance, the amendments of the Crimes Act in 1960 it is aimed to be a deterrent, it's so vague that it's not a proper law. The Public Servants don't know where they stand, in fact I suppose it could be said that the Sections and the previous one, Section 55, are so wide that I wouldn't be at all surprised if a Board of Inquiry were to find the charge not proven and I would be surprised if the Governor-General would be advised by the Government to implement any adverse finding against a Public Servant charged. I don't know what the evidence is, but if the evidence which is to be brought against Mr. Perkins consists of no more than his remarks about and reports to Sir Charles Court I would regard it as fantastic for an adverse finding to be made by any Board of Inquiry appointed by the Public Service Board.

QUESTION: Despite everything that you have said tonight, have you taken any steps whatsoever in the last twenty-four hours to influence a NO decision on the Perkins affair?

PRIME MINISTER: No, no. I told you I have not spoken directly or indirectly to the Permanent Head. I have also told you that the Permanent Head has jurisdiction and maybe the duty under the Act to lay charges - to make suspensions.

QUESTION: What about the Minister, did you discuss that particular point with him?

PRIME MINISTER: No. He takes the same attitude, the last time I spoke to him, which was some weeks ago on this matter. It is the Permanent Head who suspends, the Minister can charge but the Minister has not charged. No other Minister has charged, no political leader has charged, any of them, or in fact, any person - that's what the Act says, any person can make a charge.

QUESTION: But the Minister told us at lunch time that he had spoken to you about this this morning, and that whether your attitude was right or wrong, as he said, he thought it would be wrong of him to reveal it because it might influence what he insists on referring to as the trial of Mr. Perkins. Have you any comment on that?

PRIME MINISTER: No. As I have said, I haven't heard what was said so I am not going to comment.

QUESTION: But you did speak to him about this this morning?

PRIME MINISTER: I take the attitude, and he knows I take the attitude that it's the Permanent Head's job. Now look, can I be clearer than that?

QUESTION: Did you speak to Senator Cavanagh about this this morning?

PRIME MINISTER: I spoke to him about this matter in general terms, but not about any charge.

QUESTION: What view did you express then to him?

PRIME MINISTER: You don't expect me to talk about conversations of this character, do you. We have conversations sometimes, and I don't reveal them.

QUESTION: In view of what happened tonight?

PRIME MINISTER: My own attitude is pretty clear from what I have said, I would have thought. If I was Permanent Head you know what I would be doing, but the fact is, this is the Permanent Head's job and it is not my right to influence him. I don't come into it unless there is a recommendation by a Board of Inquiry to the Governor-General. Then if the only evidence that comes up is what I have seen hitherto in the papers, you've got a fair indication of what my attitude would be.

QUESTION: Did you seek to make known your views to Mr. Dexter through a senior Public Servant?

PRIME MINISTER: No. Gentlemen, I have already stated that I have not been in touch with Mr. Dexter directly or indirectly. Now I don't have to answer each of you individually and repeat that.

QUESTION: Was the Perkins matter raised in Cabinet?

PRIME MINISTER: No. not at all.

QUESTION: Do you support Mr. Perkins comments which have now lead to this charge?

PRIME MINISTER: I regret that Mr. Perkins speaks as strongly as he does. But I do understand the situation that nobody in Mr. Perkins position, the most important position that an Aboriginal Australian has had for nearly two centuries could be expected to remain silent on subjects about which he must know, to have views, and experience and responsibilities. I make allowance for the fact that he has responsibilities in an area where there have been very great wrongs and shortcomings and his own effectiveness in doing his job is reduced if he is mute, when other people speak or who are reported as speaking on some of these matters where he is involved.

QUESTION: In view of what you have said, will you be taking any steps to make your views known directly to a Board of Inquiry other than as it may be reported in the Press Conference here today?

PRIME MINISTER: The only think that I would think that I could have anything to do with the Board of Inquiry is whether legal representation is to be made available for the person charged, obviously I think it should be.

QUESTION: On a point that Mungo raised, on the Freedom of Information Act, Mr. Perkins has drawn a distinction between Public Servants speaking on issues involving social change and issues of defence and foreign policy. Do you accept that there is a distinction and that Public Servants ought to be able to speak on questions involving social issues?

PRIME MINISTER: In general terms I accept that. Mind you, in answering your question, I don't want to endorse your summary of what Mr. Perkins may have said. I haven't got in front of me a report, let alone all the reports, of what he said on this subject. I think that there must be limitations on what a First or Second Division Public Servant says about matters of policy where he is or could be involved himself. But I would regard it as quite wrong and quite apart from that, quite futile to silence Public Servants in respect of matters where they don't have an official responsibility themselves. Everybody knows that Public Servants have political views; it would be extraordinary if they were the only political muters in the community.

QUESTION: In view of your comments about what you wouldn't have done if you had been Mr. Dexter, do you have confidence in Mr. Dexter's administration as Permanent Head of the Department, and do you plan to keep him on as Permanent Head of the Department?

PRIME MINISTER: I know of no moves - I, myself, wouldn't contemplate any move to transfer Mr. Dexter elsewhere. I believe Mr. Dexter is a dedicated person. I agree with what Senator Cavanagh, his Minister, said about him.

QUESTION: Could you tell me whether the Government has received applications from the Allwest and the BHP organisations waiving the exchange control requirements, and if you have, could you tell me what state they are at at the moment? Do you expect the Government to hand down a decision before the West Australian elections?

PRIME MINISTER: The parties to the Allwest project sent submissions on the 11th of this month, they were received in the Department on the 14th of this month, and there was a submission before Cabinet today and before the Economic Committee of Cabinet yesterday concerning those applications. We have referred it to the Inter-departmental Committee on Foreign Takeovers for examination and report to the Cabinet by 14 March. The Minister for the Environment and Conservation has been requested to report to the Cabinet by the same date on the environmental aspects of the proposal and the Minister for Urban and Regional Development has been requested to report to the Cabinet by 14 March also, on the implications of the proposal for the Bunbury Collie region. I would therefore expect that Cabinet could consider the matter on Monday 18 March, but couldn't consider it before.

QUESTION: Could I ask you about the BHP Jumbo Plant - any proposal from them?

PRIME MINISTER: Yes, BHP wrote to the Minister for Secondary Industry Mr. Enderby, or maybe to his Department, I think on 7 February. But in all events, it was not until this month. We decided in the Economic Committee yesterday and in Cabinet today the form of the reply to the letter. Mr. Enderby, Mr. Crean and I are settling it. I hope we do it today but otherwise I expect we would do it tomorrow.

QUESTION: From what you have just said the Department of the Environment and Conservation is to report on the environmental aspect of the Allwest program by 14 March. Do you think that a period of 16 days is adequate for a full environmental study of the consequences for the introduction of the scheme, and what will you do if the Department says that it can't give you such a report in that time?

PRIME MINISTER: There has already been, I am told - the Premier of West Australia Mr. Tonkin has emphasised to me - that there has already been an environmental impact statement by the State Authority concerned and the West Australian Government, Mr. Tonkin's Government, has had experience in other development projects of this nature - other bauxite and alumina projects. Nevertheless, we feel that as an Australian Government which can, in due course, have responsibilities to grant export licences, we must also check the environmental aspects ourselves. From that fact it might be appropriate to mention to you that I have written to the Premiers sometime ago, I haven't had any replies, I think, on two general matters in the environmental field. The Lake Pedder situation shows that the Australian Government can be held responsible for public works, government works, carried out with funds raised by the Australian Government pursuant to decisions of the Loan Council. Accordingly, I have suggested to the Premiers that the Australian Government and the State Government concerned should have a joint environmental survey of any Government work, loan program, which might have environmental aspects. In that case we know, all of us on the Loan Council know in advance what the implications will be. There can not be the allegations later on that the people have had second thoughts or that they come in too late. The other thing concerns private developmental projects which may have an export factor. My Government has taken the attitude that we must consider environmental ownership, foreign ownership, industrial aspects of projects from which exports will flow. It can be said, and it has been said, that when we want to be satisfied on those aspects it's somewhat late in the day, the projects are under way. So, therefore, I have suggested to all the Premiers that in respect to those private projects for which they are asked to give their permission, exploration, exploitation, then we would also join in an environmental impact statement with them. Then, everybody knows from not only the State Governments which has some responsibilities,

but from the Australian Government which has the export responsibility, at least, whether the project will meet acceptable criteria.

QUESTION: Is the question of the continuation of subsidies on nitrogenous fertiliser and superphosphate now both before the Industries Assistance Commission. Have you asked the Commission to expedite the inquiry into this. Is it feasible for these subsidies to be selective in their application for farmers or small farmers, or farmers in certain areas to receive this superphosphate bounty but not large pastoral companies?

PRIME MINISTER: On the last one I would think that the approach that would be preferable and might be constitutional, I doubt if the other one distinguishing between big and small farmers would be constitutional, but the one which would be more likely to be constitutional and which would also be a more rational one, I think, would be to choose between particular industries which use some substance for which a bounty is sought. The Government has considered the question of the superphosphate fertilizers bounty; it has not considered the question of the nitrogenous fertilizer bounty. The Industries Assistance Commission has before it a reference concerning nitrogenous fertilizers from the people who make them. They are seeking a tariff against nitrogenous fertilizers which are imported. The question of referring the overall question of an overall bounty on superphosphate fertilizers was considered but we were assured by the AIC that it would be impossible for them to make a report this year. In those circumstances the Cabinet decided not to recommend that the present Act, which expires at the end of this calendar year, be renewed.

QUESTION: Prime Minister, you stated in your announcement of 15 February that you were giving primary producers plenty of time to make adjustments. When can we expect a decision on the nitrogenous bounty?

PRIME MINISTER: I don't know. I think it is a few months.

QUESTION: The Hungarian public has been watching with great interest how rapidly you began to implement Australia's new independent foreign policy. What do you regard as the major achievement in this area?

PRIME MINISTER: My Government has emphasised the responsibility that it has to develop direct relations with all countries in its region - the East Asian and South-East Asian, South Pacific and Indian Ocean area irrespective of ideology. We want to have normal relations with all the Governments in this region. Accordingly, we have also wanted to have direct relations, not merely relations which are subsidiary to those arranged on either side of the north Atlantic. I was told you might ask some questions, but I didn't realise it would be quite as wide, but perhaps I might take this opportunity to say that late last year, following negotiations in Budapest, between Hungarian officials and Australian officials, a text for a revised and updated Trade Agreement with Hungary has been agreed on at official level, and this followed Hungary's recent accession to the General Agreement on Tariffs and Trade. So I can give this as an illustration to where an opportunity arises for us to have new relations or augmented relations with some countries we swiftly take that opportunity.

QUESTION: Prime Minister, last week you intervened in the Northern Territory Legislative Council and sought the postponement of consideration of legislation related to mining in national parks in the Northern Territory. I understand you had discussions on this matter. Could you tell me the outcome of the discussions?

PRIME MINISTER: The relevant Ministers are discussing this question. The Minister for the Northern Territory, the Minister for Minerals and Energy, and the Minister for the Environment and Conservation.
