

MR FRASER ON '4 CORNERS' SATURDAY, 15 NOVEMBER 1975.

QUESTION: Mr Fraser if Senator Milliner had been replaced by a Whitlam supporter would you be Caretaker Prime Minister today?

MR FRASER: They would have had to then reject the Budget instead of just deferring it. Having one more number than the Labor Party could muster left us with an advantage because we could defer the Budget, and the reason we took that choice was because I was fearful that if it had been rejected Mr Whitlam would have left it rejected until after an election was over. And that would have caused a lot of hardship to a lot of individuals.

QUESTION: At the risk of going through some boring mathematics, the figures would have been in the Senate - 28 Labor-if Senator Milliner had been replaced with a Whitlam supporter, it would have been 28 Labor, 2 independents and 30 Opposition Senators. It would have been deadlocked. Now would you've been able to reject Supply or defer Supply given those numbers?

MR FRASER: With 30, which is half, we could reject it because a tied vote that way rejects it.

QUESTION: But it was quite clear a number of your Senators, of Opposition Senators weren't prepared to take that step of rejection.

MR FRASER: Well, we never discussed it. Because it was a much preferable choice to defer it.

QUESTION: But Senator Bessell, for example, made it quite clear he would never reject Supply. He felt that it was wrong in principle.

MR FRASER: Oh, well a statement was made; he made another statement later the same day or the next day. Now we never discussed it. What Senator Bessell was seeking to do was say he supported the decision that we had taken. And that's what he said. The decision was to defer and it was a better decision because it left it in our hands to reinstate the Appropriation Bills once we knew there would be a House of Representatives election.

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QUESTION: To pursue the point though. If you had been unable to reject Supply because of splits within your own ranks, then it is true to say that Senator Milliner's death has given rise to you being Caretaker Prime Minister?

MR FRASER: Oh, but there's a great, great big 'if' there. Now one of the things that the Labor Party was banking on, over the last 3 or 4 weeks, there'd be a split from this person, a split from that person; they were busy feeding out rumors out of Mr Whitlam's office. Now, there was never anything in it; we were rock solid from start to finish.

QUESTION: In March of this year, you said that democracy rests much more on adherence to convention than to the rigid application of rules and laws. Now I wonder how you regard the Convention of replacing a dead Labor Senator with a man of the same political complexion?

MR FRASER: Oh look, I've made my view on that quite plain. There's no secret about it. I believe that if somebody dies or retires from ill health he ought to be replaced by somebody from the same political Party.

QUESTION: He wasn't in this case, was he?

MR FRASER: If there is an appointment made of political purposes to an Ambassadorship or a High Court, then I think it might be a different matter. Look, I made my view about that known at the time, there's no secret of that.

QUESTION: Could we take another issue then of Convention. It seems to me that it's a fairly well known Convention that a Prime Minister resigns when he no longer has the confidence of the House of Representatives. Why didn't you resign on Tuesday?

MR FRASER: Well that's precisely what happened, because I recommended to the Governor-General, a double dissolution of the Parliament, and a double dissolution on the most favourable terms possible to the Australian Labor Party. Because I don't think that it is generally noted that the 21 Bills that were in a double dissolution position, most of which are anathema to us, we hate the thought of nearly all of them,

are cited in the double dissolution document and if by some mischance Labor happens to win on December 13, all those Bills would be in a position to be put through, either if they controlled both Houses, or through a Joint Sitting. And I think that was having a dissolution of the Parliament on the most favourable terms to the Labor Party.

QUESTION: Could we go back to the timing of the events though.

Mr Whitlam was dismissed; you were appointed Caretaker Prime Minister, a matter of minutes later there was a vote of no confidence in you in the House of Representatives. Wasn't it then your duty to go to the Governor-General and say, "I must resign, I no longer have the confidence of the House." ?

MR FRASER: I went to the Governor-General and recommended a double dissolution because the Appropriation Bills were through and that was the appropriate course. Look, when a Prime Minister loses the confidence of the Parliament, or when a Prime Minister can't get a Money Bill, his Appropriation through the Parliament, the tradition of all of our Parliamentary practice, and of hundreds of years in the United Kingdom, is that that Prime Minister then immediately goes and recommends an election. He fights that election as Prime Minister. If Mr Whitlam had done what he ought to have done as soon as the Appropriation Bills were deferred, he would have been fighting this election as Prime Minister. But he chose to take a course.

QUESTION: Mr Whitlam claims that he was never told that he would be dismissed. Sir John Kerr never made it clear to him that he would be dismissed.

MR FRASER: Oh look, Mr Whitlam had said in public, I don't know how many times; he'd said it in private to me in that meeting we'd had on Tuesday morning and if you read the substance of the letter that Sir John Kerr wrote to Mr Whitlam, he must have said it to Sir John Kerr on a number of occasions.

QUESTION: He must have said to Mr Whitlam on a number of occasions?

MR FRASER: No, Mr Whitlam must have said it to Sir John Kerr. If you read the letter, that Sir John Kerr wrote to Mr Whitlam he must have

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said on a number..., but he'd done it in public. He'd done it to me in private. But no matter what happened in the Parliament he would never recommend an election for the House of Representatives. Now that's leaving the Governor-General with no choice except to do what Sir John Kerr did.

QUESTION: When Sir John Kerr sacked Mr Whitlam did he know that you would accept a commission to become Prime Minister?

MR FRASER: Um, The normal course for a Queen or for the Queen's representatives is to go to somebody else and see, you know, can you form a Government. In this case, could you get the Appropriation Bills through the Parliament?

QUESTION: What I'm trying to get at is, when did he ask you whether in fact you could form a Government? After he'd dismissed Mr Whitlam?

MR FRASER: After he'd seen Mr Whitlam.

QUESTION: So at that stage Australia was without a Prime Minister and he wasn't sure whether you would accept the commission?

MR FRASER: Well I imagine he would have thought that I would. I could get the Appropriation Bills through the Parliament, but I would also imagine that he would have thought I would do as I did do and that's to recommend immediately a double dissolution, an election, so that the people of Australia could decide. Because our whole fight right from the very beginning was not power for ourselves, it was to give the people of Australia the right to decide; the right to vote. And democracy is only under threat when you have a political leader determined to deny that right to the average people in the community.

QUESTION: Was that not though, Mr Fraser, a vice-regal punt? There was a serious risk that you may not have accepted the new commission and that Australia would have been without a Prime Minister?

MR FRASER: He had a duty to do and I would have thought that he'd regard it as my duty to do what in fact I did. I wouldn't have thought that was a punt at all.

QUESTION: But he didn't discuss it with you in advance as to whether you would accept the commission under those circumstances, until you actually went into his office after he dismissed Mr Whitlam?

MR FRASER: Well he didn't know what Mr Whitlam was going to do.

QUESTION: Do you think that you have gained an electoral advantage, perhaps an unfair electoral advantage, by being Prime Minister with the election coming up?

MR FRASER: Maybe there is an advantage, but if there is it's Mr Whitlam's fault because if he'd done what he ought to have done he would have been fighting this election as Prime Minister.

QUESTION: If you are then conscious that it is an advantage, are you taking steps to make sure you don't abuse that advantage?

MR FRASER: Most certainly. And when we were in Government in the past we always did that.

QUESTION: What do you make then of the complaint by senior Treasury men yesterday, that Mr Lynch is asking them for information which they think is most unfair that they should supply to a Caretaker Government?

MR FRASER: Let's just look at this. Senior Treasury men are not too sure how senior, because a union official earlier today...

QUESTION: There were 68 of them according to press reports.

MR FRASER: I know: 68 out of 2 or 3 thousand in the Treasury.

QUESTION: They were senior men apparently.

MR FRASER: No, I think that's doubtful. But my Department, my Department, not me-drafted a minute in accordance with the undertaking given to the Governor-General. I made one or two very minor alterations to that minute which had the full agreement of the Department that went to all other Departments. I issued a public statement, also drafted by the Department, one or two minor alterations to that, agreed by the Department as being fully in accordance with the guidelines,

the commitment to the Governor-General. Now if any Permanent Head has any doubt about any instruction or request from a Minister they'll try and sort it out between them. If there's a doubt it should go to the Chairman of the Public Service Board, or to Mr Menadue or to myself and I would be interpreting those guidelines, that commitment very very strictly indeed, scrupulously and absolutely.

QUESTION: In view of that protest though by Treasury men, do you think you'll be asking for less advice, less detailed advice, than you have over recent days?

MR FRASER: No, no not at all because I'm quite certain that Mr Lynch has not asked for advice that he ought not to have. Now look, the commitment is not to make statutory appointments or dismissals, things that involve the Executive Council; not to change Labor policy; not to initiate new policies; but obviously in administering Australia, which we must do as a Caretaker Government for a month at least, and what happens after that depends on a great many other people— to be able to do that administering job properly we do need the advice, we do need the information that is available from the Public Service. And that advice and information will be available to us.

QUESTION: You could be, of course, in a difficult position in that administrative capacity couldn't you? For example, say Britain devalued, what sort of decisions would you have to make? If you had to make quick decisions as Prime Minister, how limited are your powers?

MR FRASER: Well if there was a major decision of that kind, one of the first things that I'd do would be to consult the most senior people in the Public Service and if a very serious decision was required urgently on Australia's behalf I'd also consult with the Governor-General. But I would not go outside the guidelines, the commitment I gave to the Governor-General at all.

QUESTION: You said also though that you would continue the policies of the previous Government in the caretaker role.

MR FRASER: Well, that's part of the commitment up til 13 December.

e will be obviously over the election period, advocating different policies, the sorts of policies that we believe are necessary to get Australia out of the economic mismanagement and decay which we find about us at the moment.

QUESTION: It's a small point, I know. But at the UN fairly soon there's going to be a decision taken about the role of South Korea. Now in the past Australian's have abstained on that vote, a Soviet sponsored motion. You'll have to make a decision, I think, by Tuesday of this week how Australia's going to vote. How will we vote?

MR FRASER: Well that's going to be very easy. Because Mr Harry, one of our representatives, ambassadors, announced Australia's vote in opposition to that particular resolution. I understand that unilaterally Mr Whitlam reversed that and made it an abstension. And I think it would be perfectly appropriate for us to stick with the earlier announced decision, announced on behalf of the former Government, by Mr Harry, which was to oppose that particular resolution.

QUESTION: What about more frightening events perhaps, events say in Timor, if there was any blow-up there of military trouble, what sort of decisions would you have to make there? Who would you consult? Would you ever consult Mr Whitlam?

MR FRASER: Well I don't think that Mr Whitlam is a very consultative mood at the moment. But if a matter of major crisis occurred which required consultation with the Opposition I'd do it; of course I would. But I don't see a major blow-up in that area and what I'm saying is, that in a Caretaker capacity Australia will be well administered until December 13. And I hope very much it will be well governed after that.

QUESTION: In the forthcoming election campaign, how important do you think the issue will be of whether Mr Whitlam was improperly dismissed?

MR FRASER: I think the major issues will be the economic issues, the decay, the disenchantment of three years, of three dark years of Labor. Because..

QUESTION: It wouldn't be unfair to suggest that you'd like the issues to be that, but perhaps, do you think, the body politic will take very

seriously the issue of whether in fact Mr Whitlam was improperly dismissed?

MR FRASER: Well some might but we'll see that when the time comes. I believe that most people are going to be looking to the economic issues that nearly a quarter of a million school leavers are going to find it hard to get jobs. People from universities finding it hard to get jobs, small businesses going bankrupt, retired people being destroyed. These are the real issues before Australia; and these are the real issues. The scandals were other things, but it was the economic issues that really led us to take the decision we did and that decision was a decision only to allow every Australian, over 18 obviously, to put a piece of ballot paper in a ballot box.
