



PRIME MINISTER

131/95

STATEMENT BY THE PRIME MINISTER, THE HON PJ KEATING MP

MARKS ROYAL COMMISSION

The Marks Royal Commission was unable to rise above its poisoned origins.

It was conceived in political malice. It was constituted with extravagance and partiality. Consequently, it will be remembered, if at all, for the disrepute into which it has brought Royal Commissions as a proper and relevant institution in Australian public life. And its findings will be rejected by all fair minded people.

Because the Royal Commission was conceived as an act of political malevolence by the Court Government, aided and abetted by John Howard and the Federal Coalition, basic principles of natural justice were ignored at the very outset.

The terms of reference were deliberately narrow. They were drawn up to put Dr Lawrence and the Labor Party on trial, while excluding from scrutiny the actions of Premier Court and his colleagues, who were the first to make a public issue of the private affairs of Penny Easton and her husband. This set the tone for what followed.

In Perth, the Court Government was prepared to spend millions of dollars of Western Australian taxpayers' money and to array the full force of the executive power of the state against one decent woman.

In Canberra, John Howard and the Federal Opposition, having connived in the establishment of the Royal Commission, launched a vicious political onslaught against Carmen Lawrence. Long before it was over, they clamoured for her resignation and dismissal.

They defamed her in Parliament in the most disgraceful manner. With the sly encouragement of John Howard, Messrs Wooldridge and Tuckey and Mrs Bishop accused her of causing Penny Easton's death.

In one ten day period in August, 31 of 37 Opposition questions without notice to the Government in the House of Representatives concerned the Easton affair.

In this period, John Howard asked 13 questions about it and did not ask a single question about anything else. When I and the government defended Dr Lawrence, the Opposition tried to silence us with bogus appeals to the *sub judice* principle.

When the government was obliged to safeguard the fundamental principles involved and to enable Dr Lawrence to defend herself before the Royal Commission, the Opposition sought, and is still seeking, to prevent this elementary expression of natural justice.

Their behaviour throughout has been contemptible.

Premier Court continues to claim that the Commission was set up "to establish the truth in relation to these serious matters". But the narrow terms of reference meant this was not possible.

The fatal flaws and irrelevance of this Royal Commission are confirmed out of the Royal Commissioner's own mouth. He pointed to the restrictive nature of its terms of reference. He said that the sooner it came to an end the better. He said that its results would probably be open to doubt.

In this he is absolutely right.

Mr Marks even said that the experience had demonstrated that the usefulness of Royal Commissions was fast receding.

While the Government agrees with the Royal Commissioner's implicit judgment of the value of his own Royal Commission, we continue to believe that there is a proper role for Royal Commissions, where they deal with appropriate matters of public importance, are constituted properly and have relevant terms of reference.

In this regard, the establishment of this Royal Commission was unique and uniquely disreputable. It will stand as an example of the lack of principle, propriety and decency of the Court Government and John Howard's Liberal Party.

I continue to have complete confidence in Carmen Lawrence and look forward to her continued role as a senior and valued member of the Government.

CANBERRA
14 November 1995