

SPEECH

by the

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on

THE ROYAL COMMISSION ON ESPIONAGE

delivered in the

HOUSE OF REPRESENTATIVES

on

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ROYAL COMMISSION ON ESPIONAGE

When a Royal Commission sits for months to investigate matters of national security, it is not common to have the tabling of the report followed by the making of charges relating to the very matters enquired into. But on this occasion, Dr. Evatt has indulged himself in the luxury of once more becoming the advocate in this House of causes of which he was the professional advocate before the Royal Commission; professionally but unsuccessfully. In short, he is asking this Parliament, which has not heard the witnesses, to sit as a Court of appeal from three judges who heard every word of the evidence, who read every word of all the documents, who listened to all the cross examination and who, for some weeks, not two hours, listened to Dr. Evatt himself. This is a state of affairs so astonishing that, if it were not for the office held by Dr. Evatt and his leadership in this Parliament of a great Party, I would invite the House and the people to treat the whole of his submissions as being either frivolous or offensive. After all, the whole purpose of appointing a Royal Commission (and this one was appointed by the unanimous vote of this Parliament, and with terms of reference unanimously agreed upon by this Parliament) is to transfer the business of investigation from Parliament, which is not equipped for such matters, to a trained body of investigators whose findings will carry weight with both Parliament and people.

But Dr. Evatt is nothing if not persistent. Before he ever appeared professionally before the Royal Commission, he had clearly made up his mind to attack it, to lower its reputation in the public mind and, if possible, to destroy its findings in advance. These tactics are not unknown in the world, though they are not normal in democratic countries. He went through the motions of appearing before the Commission as a lawyer. In reality, as the judges subsequently had to point out to him, he seemed to be appearing for himself, and to find it impossible to distinguish between his somewhat nominal functions as Counsel for a couple of members of his staff, and his real function as the political exponent of points of view which, before the Royal Commission, made him the instant ally of Lockwood and Hill and all the other Communists involved in the enquiry. He has now thought fit, no doubt with the approval of those who sit behind him, to develop a series of charges, all of which he made directly or indirectly before the Royal Commission, and on all of which the Commission has found against him. I would exceed the boundaries of time and trench upon eternity if I were to endeavour to follow point by point the erratic course of his arguments. Believing as I do that the patience of Honourable Members is already sufficiently strained, I will content myself by dealing with what I might loosely describe as the substance

of his main charges.

I will summarise them.

Against the Judges he makes the charge that they were incompetent, that they acted without proper evidence, that they culpably failed to discover a great conspiracy, and that they have made a false report.

Against the A.S.I.O., which I will refer to as the Security Service - the Service set up by the late Mr. Chifley in 1949 after there had been serious leakages from the External Affairs Department between 1945 and 1948 - Dr. Evatt unleashes a volume of hatred which I have not seen surpassed. He concentrates his venom upon Brigadier Spry, the head of that Service but, through him, he charges the Service with being corrupt, oppressive, conspiratorial and actuated by Party political motives. He even goes so far as to say that for people like Brigadier Spry, peace is a dangerous word; a strange allegation to be made against a man who has been decorated in the service of his country, and who was wounded in the service of his country on the Kokoda Trail.

Against Mr. Victor Windeyer, Q.C., who appeared to assist the Royal Commission, he makes the charge (which would be damaging if it came from any other quarter) that he lent himself to a conspiracy with me and with others, designed to inflict damage upon the Labour Party when an election was pending, and that he did this by accepting instructions from me, and even the phraseology which I am alleged to have submitted to him.

Against myself as Prime Minister of the country, he makes a bewildering variety of charges. First, he says that I 'saved up' the Petrov matter for election purposes until April, 1954 though, as he alleges, I knew all about it as far back as 1953. His witness on this matter is a book published in the name of one, Bialoguski; Bialoguski being, on his own view, a man of no credit except when he speaks against me. Second, he says that I suppressed public knowledge of the payment of £5,000 to Petrov until after polling day. Third, he says that I encouraged or directed Mr. Windeyer to exaggerate and deceive in his opening address and, if I understand his speech, that I drafted some of Mr. Windeyer's opening speech. Fourth, he says that I grossly betrayed my trust by giving wide publicity to allegations without first finding evidence in support of them and fifth he says, with a singular and imaginative effort, that I conspired against Madame Ollier, 'spirited' her out of the country, and had her held incommunicado so that the investigation of episodes concerning her

could be unfairly conducted. There may be other charges against me, the chief of which is that I am Prime Minister, but I have not been able either to isolate or define them.

On the other side, Dr. Evatt has devoted no small amount of the two hours which the House granted him to defending certain people. Who are they?

First he has defended Dr. Burton, whose published political views cannot sensibly be regarded as finding favour, except with the Communists. Why he thought it necessary to defend Dr. Burton in a discussion on the Royal Commission report I do not understand, for the fact is that these incompetent and gullible Royal Commissioners (as I understand him to say) made no finding adverse to Dr. Burton at all.

Second, he has gone to some pains to defend Mr. Sharkey, the leading Australian Communist, against the well-founded charge that he received from Moscow 25,000 dollars as some recompense for the costs incurred in his campaign, conducted in the closest collaboration with Dr. Evatt, against the Communist Party Dissolution Act.

Third, he has come to the rescue of Mr. Clayton, found by the Royal Commission, on the clearest possible evidence, to be the chief member of the Communist spy ring in Australia.

Confronted by a report which, in the view of 95% of the Australian people, is a careful but magnificent tribute to Australian judicial procedures, he has sought to destroy the authenticity of the Moscow papers found by the Judges, after many months of investigation, to be completely authentic, by calling as his somewhat remote witness, Mr. Molotov who, we are told, says that the papers are not genuine, and that the whole matter represented an attempt to create bad blood between this country and the Soviet Union. In brief, Dr. Evatt would have us believe that months of investigation on oath, scores of thousands of questions and answers, and the meticulous examination of documents should all be brushed aside because the nation found guilty of espionage says 'We are not guilty'.

What I have already said will, without any verbal decorations, satisfy all sane and sensible people that Dr. Evatt, suffering from persecution delusions, is introducing us into a world of sheer fantasy. But it is necessary I think, if only for the historical record, that I should say more about matters which could otherwise quite adequately be dismissed by the hearty laughter of a nation which possesses both good sense and humour. I therefore propose to remind the House and

the people of some of the facts which relate to those who stand indicted by Dr. Evatt. This I think necessary because a very natural query in the minds of any of us when people are charged with serious offences is 'What kind of people are these?' I start with the Judges themselves.

Mr. Justice Owen, who derives from one of the most celebrated judicial families in New South Wales, was, as a private soldier, a member of the A.I.F. from 1915 to 1919. He subsequently went to the Bar. He was appointed a Supreme Court Judge in 1937. His capacity and integrity are household words with every lawyer in New South Wales except, apparently, Dr. Evatt. The odd thing is that he was profoundly trusted both by Mr. Curtin and Mr. Chifley. It was on their appointment that he was Chairman of the Central Wool Committee during the War from 1942 to 1945. In 1945 Mr. Chifley sent him to London on a most important mission regarding surplus wool disposals. To challenge him as Dr. Evatt has, in his desperation, challenged him in this case, is to challenge a man who represents in his own person the highest qualities of mind and character, and the finest judicial traditions in this country. But, so that a couple of Communist agents can be brought off, and Mr. Molotov may be justified, Dr. Evatt is prepared to impeach Mr. Justice Owen's competence, judicial perception, and objective honesty.

The second Judge was Mr. Justice Philp, a member of the Supreme Court Bench of Queensland since 1939. Himself a member of the First A.I.F., and with a grievous family loss in this last war, this learned Judge has waited all these years to be attacked in the same way, and in the same contemptible interests. His character and work need no eulogy of mine, for his professional and personal standing are alike beyond criticism.

The third Judge, Mr. Justice Ligertwood, also a member of the A.I.F. in the first world war, has been a Justice of the Supreme Court of South Australia since 1945. I had thought that this lofty and splendid man might have escaped the torrent of abuse. How Dr. Evatt attacks either his competence or his judicial attributes, I do not know; for it was Dr. Evatt himself who appointed him as a single Royal Commissioner to investigate charges made against, among others, Mr. Ward. His findings exonerated Mr. Ward. At that time I heard no complaint by Dr. Evatt against Mr. Justice Ligertwood. But, today, when he is a party to a unanimous report on the Petrov matters, he is exposed to condemnation which is not based upon reason, but upon a sheer passion of hatred against people who have made findings against the Communists.

And then there is Mr. Windeyer - Mr. Victor Windeyer, Q.C. who appeared to assist the Royal Commission and who was, quite

properly, so convinced that he must be free of any influence that, from first to last with the exceptions that I will refer to, said he did not wish to be 'instructed' by the Commonwealth Law Department as Counsel are normally instructed by solicitors. Who is Mr. Windeyer? He is a lawyer, a former distinguished lecturer in law, and a great soldier. A Major General, a military C.B.E., the holder of a D.S.O. and Bar, and three times mentioned in despatches; a veteran of Tobruk, of Alamein, of the capture of Finschhafen; for some years from 1950 the Citizen Forces member of the Military Board. Any New South Wales lawyer must know that the name of Windeyer, like the name of Owen, represents all that is best in New South Wales legal tradition.

So far I have mentioned the four lawyers who have been accused, but I must say something about the head of the Security Service, Brigadier Charles Spry, against whom a most venomous attack has been made, an attack, I do not doubt, calculated in the interests of the Communists to weaken the authority of the Security Service, to discourage good men from going into it to make its officers fearful of political victimisation, and, therefore, to give aid and comfort to our enemies. Charles Spry is a graduate of Duntroon and of the Staff College in the United Kingdom. He saw active service in India in 1936. He was with the Seventh Australian Division in the Owen Stanleys and on the Kokoda Trail. He was wounded there. He was decorated with the D.S.O. He was Director of Military Intelligence in Australia from 1946 to 1950, a period, for the bulk of which Dr. Evatt, as Attorney General and Minister for External Affairs, had the benefit of his notable services.

And finally, of course, there is myself. I am not here to defend myself against fantastic charges, though I will say a few temperate words about them before I finish. But I must permit myself to say that I have, for over a quarter of a century, served the Australian people in the very heat of political controversy, that for almost fifteen years those who are closest to me have unanimously maintained me as their leader, and that I am, therefore, not entirely unknown, either in character or act, to the Australian people. Yet, according to Dr. Evatt, I, last year or the year before, made myself a party to a swindle and was able to secure the collaboration of those distinguished men whom I have named in order to make that swindle effective.

Having said so much about the persons in the drama, I will now turn first to a consideration of what the Royal Commission has found, and second to a consideration of the Evatt/Molotov charges.

First, the Royal Commission found that the Petrovs left the Russian service and sought asylum in this country of their own choice, and without pressure. Second, it found that the Petrovs are witnesses of truth, with accuracy of a high order. It arrived at this conclusion after Petrov had been in the witness box on thirty-seven days for approximately seventyfour hours in all (somewhat longer, it will be agreed, than Mr. Molotov) and Mrs. Petrov on twentyone days for approximately thirty hours in all. Third, it has found that during the period which has elapsed since their defection they have been questioned on behalf of the counter espionage service of other countries with results which have been of the greatest value to those countries. This finding is confirmed by subsequent experiences to which I will refer later on. Fourth, the Royal Commission found that the Petrov papers were genuine. Dr. Evatt has adduced here, as he was indeed busy in adducing for a long time before the Royal Commission in his other capacity, arguments to show that the papers were forgeries. I was not required to listen to his arguments before the Judges, but I heard his arguments here. All I need say is that his attempt to overthrow months of investigation both internal and external by the Judges has been pathetic and ineffective. Fifth, the Commission has found that 'for many years, the Government of the U.S.S.R. had been using its Embassy at Canberra as a cloak under which to control and operate espionage organisations in Australia.' Sixth, it found that the only Australians who knowingly assisted this espionage were Communists. Seventh, it found that without Communism, Soviet espionage could have no hope of success in Australia and that the existence here of Communists was the fundamental cause of the formation of our Security Service by Mr. Chifley, and necessitates its retention as being essential to the security and defence of Australia.

The Commission made some particular findings about individuals, though it found that the evidence stopped short of justifying a prosecution under the existing Australian law.

It also made some observations about the case of one, Madame Ollier, as supporting its finding that the Soviet Embassy was engaged in espionage. It is only in this context that the case of Madame Ollier achieves any importance but, having regard to the fact that Dr. Evatt's delusions of grandeur have led him to take the unprecedented step of offering his views by correspondence to the French Court which tried Madame Ollier, I will say a few words about that matter before I conclude.

Dr. Evatt's 'case' against the Commissioners and their Report is completely disposed of by the Report itself. His 'case' against me is also, in one respect, the case against Mr. Windeyer. Dr. Evatt said that the opening by Mr. Wingdyer was melodramatic - 'Never was there such a sensational opening'. I am a little handicapped on this point because I was, at the time, in Perth and certainly found nothing exciting

in the press reports. But Dr. Evatt has, in his speech, not only criticized Mr. Windeyer's language but has pointedly suggested that I was its draftsman. Indeed, he said that I 'must take personal responsibility for all the exaggeration and deception'.

The facts are that Mr. Windeyer made an opening characterized by great moderation and restraint. He made no reference that might damage one political side or the other except that he mentioned that there were names of Members of Parliament on both sides included in the documents. I am indeed reluctant to invoke the observations of Counsel on a matter of this kind but I think that I should tell the House -- since these charges have been made -- the relevant substance of a recent communication from Mr. Windeyer in London. I had written to him thanking him for his work on the Council of the Australian National University and had expressed my regret that he had felt unable to continue it. He replied appropriately. He then, quite voluntarily, went on to give me his recollection of the one meeting I had with him, which was before the enquiry began, on the Saturday or Sunday in Sydney, the others present being the Solicitor General, Professor Bailey, Mr. A.S. Brown, the Secretary to the Prime Minister's Department and Mr. Spry. He confirms that I gave no directions except on four points, but said that the conduct of the enquiry should be left to the Commissioners and Counsel. Four matters were then discussed. They were:--

- (a) Whether there should be a press interview of the Petrovs. I decided that there should not.
- (b) The references in the documents to Madame Ollier, under the name 'Olga'. I said that the French Ambassador should be informed through the proper channels that her name was mentioned.
- (c) The payment to Petrov of £5,000. I did not know of this before. Mr. Windeyer said that to him the amount seemed small in the circumstances. I said that it was a matter to be proved and proved publicly, and that this should be done later in its proper setting when Petrov was examined.
- (d) The fourth matter was about an interpreter. Having heard of Mr. Birse's qualifications and his complete independence, I directed that a signal be sent to Winston Churchill asking whether Birse could come. I further said that I felt that, in the long run, it was probably advisable to take evidence in public rather than in private as had been done in Canada, but that no individual's name should be mentioned by Mr. Windeyer in opening the matter. I expressed the view with which Counsel agreed that it would not be proper to mention any names until after the Election.

This common recollection of Mr. Windeyer and myself is of course, a complete refutation of a suggestion of political malpractice. To have opened the £5,000 payment except in direct association with the surrounding circumstances would have been most misleading, and would have invited gross misrepresentation. But, in any event, the political allegation is manifestly absurd. Dr. Evatt's theory is that the whole of this matter from beginning to end was cooked up to defeat him at an election. Apropos of this I well remember the cynical but wise remark of a former Supreme Court Judge in my own State who said to a young Advocate, 'You may think that it is permissible to regard your opponent as a crook; but it is an elementary blunder to treat him as a fool'. Now Dr. Evatt says, putting it in homely terms, that in these matters I was a crook! But why should he also charge me with being a fool? After all, every Honorable Member will realize that when I made my announcement to the House about Petrov and a Royal Commission I would have been in the ordinary course well entitled to quote a specimen of the documents Petrov had brought with him. If I had done this the names of O'Sullivan, Grundeman, and others, directly or indirectly associated with Dr. Evatt would have become public property. The political reaction would have been tremendous. But I did not do so. On the contrary, I gave a direction in an entirely contrary sense. I went further than this. Early in the campaign it appeared that some reference to the Petrov matter had been made on the public platform. I at once communicated with every Government candidate in Australia and said that as this matter would receive judicial investigation I wanted it kept out of a political campaign. I have every reason to believe that this request of mine was scrupulously observed. Why it should be thought that, having cunningly schemed to produce Petrov on the eve of an election, I should then go to all sorts of trouble to defeat my own scheming, I am at a loss to understand. At an equal loss will be all Australians whose minds are not unbalanced by delusions or obsessions.

It will be remembered that my announcement of a Royal Commission was unanimously approved by the House. It will also be remembered that the Bill which I introduced on August 11th, 1954, to put beyond doubt the authority and powers of the Royal Commission and the protection of its proceedings, a Bill which included the names of the Royal Commissioners and the Terms of Reference, was unanimously approved by the House. In other words, the House, including Dr. Evatt, specifically authorized the three Judges to conduct their investigation into the matters assigned to them. But Dr. Evatt, for reasons of his own, was gravely disturbed by what might appear. He, therefore, on the pretext of appearing for two people, went as Counsel before the Royal Commission. It was clear, from the outset to everybody, including the Communists, that his object was to destroy the authority and reputation of a Royal Commission whose creation

he had voted for. Before he had ever studied the documents in court he set out to suggest conspiracy, fraud and forgery. He was listened to with exemplary patience. He created an atmosphere entirely delightful to the Australian Communist Party. The Royal Commission therefore very properly, though expensively, devoted a great deal of time to listening to allegations, most, or all, of which he repeated last week. All I need do is to remind the House that when it made an interim report on these matters the Royal Commission said:

'Appendix No. 2.

'36. Apparently, in these circumstances, Dr. Evatt conceived the theory that he and the political party which he leads had been made the victims of a political conspiracy and he proceeded to cross-examine the witnesses before us with that in mind. After the withdrawal of his permission to appear, his juniors continued in the same line.

'37. Charge followed charge with bewildering variations. Suggestions were made of blackmail, forgery, uttering, fabrication, fraud and conspiracy and - upon the repeated assurances of Dr. Evatt that his examination of witnesses was directed to these matters and would prove them - we felt constrained to permit him great latitude in his questioning. This we felt bound to do, since an exhaustive inquiry by us into the authenticity of Exhibit J was part of our duty.

'38. Lockwood was very willing to follow and exploit the line taken on behalf of Grundeman and Dalziel.

'39. As day followed day and all that we heard was constant reiteration of vague charges of infamy, we demanded of counsel, on 1st September, that they formulate with some exactitude their allegations. Dr. Evatt then charged that Exhibit J had been fabricated by the Petrovs as part of a political conspiracy with the enforced aid of O'Sullivan who, he alleged, has been blackmailed into collaborating in the fabrication of the document and into inserting therein as sources the names of himself, Grundeman and Dalziel. The political conspiracy was alleged to be one to injure Dr. Evatt and the Australian Labour Party by procuring the false insertion in Exhibit J of the names of three of his secretaries as sources with the intention that the Petrovs should so nicely time their actions that Exhibit J could be produced and published on the eve of the Federal elections in 1954. He further charged that at least one senior officer of the Australian Security Intelligence Organization, Richards, had been guilty of serious derelictions of duty in that, without proper care and inquiry, he had accepted from Petrov fabricated documents, had paid him large sums of public money for them, and had 'uttered' these documents, presumably to the Prime Minister of Australia.

'42. Although, in the result, all the charges turned out to be fantastic and wholly unsupported by any credible evidence, they were grave and necessitated patient judicial inquiry by us.

'57. We heard the evidence of all persons who, so far as we could see, would be able to throw any light on these allegations, and there were placed in our custody and examined by us the contemporaneous Security reports and records, including wire recordings of certain significant conversations relating to Petrov's decision to leave the Soviet service and to the receipt of the documents handed by him to Richards. The evidence of these persons, supported as it is by the contemporaneous records, entirely disposes of all suggestions of improper or negligent conduct on the part of Richards or any other officer of the Security Service. Indeed, we think that these officers acted with high intelligence and complete propriety in difficult and delicate circumstances.'

But I must concede that Dr. Evatt is not easily cast down. He has indeed performed the astonishing feat, backed by Mr. Molotov's letter, of asking that an International Commission be set up to investigate the work of these three Australian Judges though he has himself said, as I understand him, that the results of their enquiry were insignificant and fruitless. I will leave it to the Australian people to decide whether they have so little faith in their own judiciary as to wish to have its work reviewed by an international body including, among others, the very people against whom the findings of the Royal Commission are directed. At the risk of repeating myself I point out to the House that Dr. Evatt's passions, which he has with careful preparation exposed to the House, are against the Prime Minister of his own country and for the Foreign Secretary of the Soviet Union; against three Australian Judges of impeccable reputation and for some nebulous and hypothetical international commission; against the Australian Security Service headed by a distinguished and patriotic Australian and for people like Sharkey and Clayton. The truth is, of course, that the one passion animating his mind here, as before the Royal Commission, is for himself. So far as it pretends to be a passion for justice it is demonstrably false.

His defence of Clayton is indeed noteworthy. One of the things that proved Clayton's activities was Frances Bernie's evidence. She was a Communist employed in Dr. Evatt's own office, and deposed that she had given to Clayton documents taken from Dr. Evatt's office!

He says that I knew all about Petrov in 1953.

All I need to say on this matter is that I had never heard of Petrov before his defection in April of 1954. Dr. Evatt's case to the contrary is, on analysis, quite laughable. When one looks at it one sees that it is entirely based upon what he has read in a book published under the name of Bialoguski. It is perhaps worthy of note that he spoke with contempt about this man and accepted his evidence in his book only when he thought it told against me. It appears that Bialoguski did call at my office at Canberra, as I have ascertained from my then Private Secretary, on October 7th, 1953.

My then Private Secretary, Mr. Yeend, who though relatively junior has a high reputation in the Civil Service, saw him and disposed of his problem, as he thought, to Bialoguski's satisfaction. There was no need for Yeend to mention the matter to me and he did not do so.

After Bialoguski published an account of the episode in the newspaper in June of this year Mr. Yeend gave me his recollection of it.

He states - that he did not receive a 'sealed envelope' from Bialoguski, that Bialoguski's chief complaint was that he was asking for higher pay and that Yeend referred this matter to Mr. Spry and that - at no stage was the name of Petrov mentioned nor was mention made of the possibility of any diplomat's defection. Mr. Yeend has said to me that it could be inferred from Bialoguski's book that in October 1953 I knew of the work he was doing and knew of his visit to Canberra. Mr. Yeend confirms that he certainly made no mention to me of either Bialoguski's complaint or even his existence. It was not until after Bialoguski's appearance before the Royal Commission that Mr. Yeend placed him as the man he had interviewed. A few days later he mentioned to me, for the first time, that the man (Bialoguski) who had just given evidence had called and seen him in 1953.

But Dr. Evatt's charges do not rest there. Driven on by his strange obsession he says that a plan for Petrov's reception was communicated to the Heads of Commonwealth Departments on the 17th February, 1954. The fact is that no plan was communicated to any department. Early in February, 1954 I now learn that the Solicitor-General and the Secretary of the Department of External Affairs as individuals were warned of the possibility of a defection. This warning was given orally by the Director-General and was given to no other people except the Attorney-General and the Minister for External Affairs. I was myself told that there was the possibility of a defection but the identity of the subject was not disclosed, nor did I ask for it. The head of my Department was not informed at any stage prior to the actual defection. I repeat that I had not heard of Petrov before his actual defection in April of 1954.

Dr. Evatt, posing as the universal defender of liberty, has made the case of Madame Ollier his own. Not only has he broken all records as an Opposition Leader by communicating with the Foreign Secretary of another country in order to get a distant and uncross-examined denial of charges found to be true by an Australian tribunal but he has, so he boasts, performed the remarkable act of writing to a French Court presumably to tell that court how it ought to conduct its business. Under these circumstances it is desirable that the Ollier matter which incidentally, was publicly unknown until September 4th, 1954, should be seen quite clearly.

The Royal Commission was not concerned to find Madame Ollier guilty or innocent of an offence against French law. It has stated its attitude very plainly in Chapter 11 of its Report. What it said was that the Soviet M.V.D. had a basic design to obtain through Madame Ollier, who was an officer of the French Embassy in Canberra, the cypher and cyphering techniques used by the French Embassy and such other secret information as might be useful to the Soviet. The Commissioner's said: (paragraph 610) 'It appears also from the evidence that some time prior to Pakhomov's departure from Australia in June, 1952, he had, on behalf of the M.V.D., given Madame Ollier a watch costing £35. Mrs. Petrov and Pakhomov selected the watch at a shop in Canberra; Pakhomov took the watch and later reported that he had given it to Madame Ollier. Mrs. Petrov paid the £35 purchase price from the M.V.D. funds and accounted for it to the Moscow Centre, which did not question the payment. Neither of the Petrovs could fix the date of the purchase of the watch, nor could they swear whether or when Pakhomov had in fact handed it to Madame Ollier.' It also quoted the Moscow letter of January 2nd, 1952, relating to Madame Ollier confirming the object of the enquiries and suggesting that meetings should occur at places located at a distance of 40 to 70 miles from Canberra. The Commission went on to find that Madame Ollier had met Petrov at Cooma and also that to encourage her she had been presented with an expensive watch. The Commission went on to find that the results of what it called 'these laborious and persistent efforts of the M.V.D. were almost negligible.' It concluded by saying that: 'The evidence clearly establishes that in respect of Madame Ollier espionage was conducted by two members of the Soviet Embassy in Australia, namely Sadovnikov and Petrov, and a Tass representative, namely Pakhomov, all acting as espionage agents under the specific direction of the Soviet Government.'

These findings excite the passionate indignation of Dr. Evatt. Yet, in fact in the recent proceedings in France I understand Madame Ollier admitted the Cooma contact and the receipt of the watch. No doubt the French Court felt that her 'indiscretions', shall I say, had been adequately punished by the fact that she had been imprisoned for some two months before the trial. But all this is of little significance in the Petrov Enquiry. What is the charge? It will not be thought very convincing by most people that Dr. Evatt should be quite passionate about the Ollier affair being investigated in Australia in the absence of evidence by Madame Ollier, when he is so obviously pleased that Madame Ollier should

be set free in France in the absence of evidence of the Petrovs. The truth is that the real charge is, I fear, against me. To use his own picturesque language, I am supposed to have 'spirited' Madame Ollier out of Australia and arranged to have her held incommunicado in another country. The Royal Commission has stated the facts quite accurately. I do not share Dr. Evatt's devotion to instructing other countries as to how they should conduct their business. As I have already indicated, all I did was to say that the French Ambassador in Canberra should be told in advance that Madame Ollier's name was going to be mentioned and that he would no doubt seek instructions from his own people. What happened then? I merely read the Royal Commission's Report:

'599. In view of these circumstances, shortly after the defection and before our first sittings the Department of External Affairs confidentially notified the French Ambassador of the reference to Madame Ollier contained in the Moscow Letters, and she was sent by her Ambassador to Noumea, where she would be cut off not only from access to secret communications and ciphers but also from any dangerous associations she might possibly have formed.

'600. The evidence concerning Madame Ollier was heard by us in private session in Melbourne on 20th July 1954. Because of diplomatic immunity and later her absence from Australia, she could not be subpoenaed to attend and she did not attend the session. Opportunity was afforded the French Ambassador to be represented at the session, but this was not availed of. We agreed to supply him with the transcript of the proceedings and to withhold its immediate publication in order to give the French Government an opportunity of studying it and of making such arrangements as it considered appropriate. Later, the French Ambassador having agreed to the date of publication, the transcript was published - on 4th September 1954.

'601. We assume that the transfer of Madame Ollier to Noumea and the abstention of the French Government from availing itself of the opportunity afforded it to be represented at our Inquiry were partly because of its desire that any proceedings in connection with her should take place on French soil and in accordance with French legal procedure, and partly because it would not be in accordance with diplomatic practice for her Government to waive its immunity and rights under international law and permit her to give evidence. We were, of course, willing to hear her if her Government had waived its immunity, and this we made known.

'602. In fact the French Government, after receiving the transcript made its own interrogation of her in Noumea, and in consequence Madame Ollier was arrested there and sent to France for further interrogation.'

In my 27 years in Parliament I do not remember any debate so astonishing as this. I would have thought that when a democratically elected Parliament unanimously approved of a Royal Commission and by Statute unanimously approved of the names of the Judicial Commissioners, a discussion upon their Report would have concerned itself with whether dangers to the country had been revealed and whether any, and if so what, steps ought to be taken to prevent repetition of those dangers. I would certainly not have supposed that a Member of Parliament professionally employed on behalf of some of the Parties would have taken the occasion to challenge the character and capacity of the Royal Commission and to seek to invalidate its findings by the very simple expedient of selecting one or two facts out of thousands, and one or two questions and answers out of scores of thousands in order to discredit the Judges and the Counsel who appeared to assist them. Nor would I have thought it likely that Parliament should be invited to re-open and pursue charges already described by the Judges as fantastic and unfounded. But this is not all! It has been clearly found that there were leakages from the Department of External Affairs from 1945 to 1948 when Dr. Evatt himself was the Minister. So serious were these regarded that the Security Organization was set up by Mr. Chifley himself. That Organization was placed under the direction of a South Australian Supreme Court Judge, Mr. Justice Reed, who was on loan from the State of South Australia. When his term ran out my own Government appointed Mr. Spry. The effective maintenance of the Service was obviously a desirable thing. A.S.I.O. is not a police force (nor, incidentally, has it ever proposed to take over any Commonwealth Police Force). It is an Intelligence Organization. It must be obvious to a child that in the Intelligence field there should be the closest collaboration between the civil and military arms. Is there something wicked about having an Intelligence Organization - a Counter Espionage Organization? Are we to leave it to the spies to do their work unchecked? Do spies of other countries operate for our good, or our security, or our future? The business of counter espionage is a business which requires great character, great courage, great skill and considerable freedom of action. Honest Australians will be more easy in their minds to learn from this Royal Commission Report that our security organization has been so effective that in the last six years practically no information has been secured by Communist agencies. All this is so elementary and so clear that one is at a loss to understand why the Leader of the Opposition, the alternative Prime Minister of this country, should be at such patient pains to destroy the reputation and the efficacy of the Security Service. On behalf of that Service I reject and condemn the allegations that have been made that it has acted in a political way. The men who constitute it are patriotic, skilful, and industrious men. It will be a poor thing indeed if men in such a Service are given to understand that if their investigations are not agreeable to the Leader of the Opposition they may expect to encounter dismissal and infamy if a change of Government occurs.

At the risk of straining the patience of the House, I add this. In the United Kingdom, Canada and the United States, the reputation of A.S.I.O. is very high. Its handling of the Petrov case has been the subject of commendation and congratulation. This is important, for, without mutual trust and confidence between the Security Services of those countries and ourselves, information will be withheld from Australia, as indeed it frequently was before 1949 and the establishment of the Security Service.

Under all these circumstances, it is a wicked thing that such a consistent campaign should have been conducted by the Communist Party outside this House, and by Dr. Evatt inside it, for the express purpose of weakening confidence in A.S.I.O., and therefore rendering it less effective for its purposes of counter espionage. I do not hesitate to say that this is one of Dr. Evatt's principal purposes in this matter. He has not concealed his violent hatred of that Service and of the people who make it up. It will be, I hope and repeat, abundantly clear that, should he become the head of the Government of this country, the present senior personnel of the Service will be dismissed and the possibility of getting adequate recruits utterly, and perhaps permanently, destroyed. This is a dreadful manoeuvre. All I can do to counter it is to state, on behalf of the Government and, I believe, on behalf of the overwhelming majority of Members, that we regard these Security Officers as men of capacity and integrity and patriotism. So far as my Government is concerned, we will do everything in our power to protect them.

It is, of course, the very fury of Dr. Evatt's obsessions against the Security Service which has led him to turn away from his consistent battle on behalf of Australian communists to make his now celebrated appeal to Mr. Molotov. This appeal would be childish if it were made by an obscure nonentity. It becomes atrocious when it is made by a leader who is an aspirant for the Prime Ministership. Could anybody have believed that a Royal Commission, sitting for many months with patient care and making findings as a result of its investigations, should have those findings curtly rejected by the very Government whose activities those findings have exposed, a government which in fact closed its Embassy here and destroyed its records. A new procedure has been invented by Dr. Evatt himself on behalf of communist espionage. It is as if, after the person in the dock has been convicted by the jury, Dr. Evatt springs up and says to the convicted person, 'Were you guilty?' and the person replies 'I was not.' Dr. Evatt then turns, denounces the Judge, denounces the jury, denounces counsel, and denounces all the witnesses who have given evidence for the Crown. Such conduct may be novel and arresting in an ordinary court. It would be regarded as some evidence of eccentricity, and would certainly lead to a process of contempt of court. Internationally, it represents a studied insult to Australian Judges, Australian judicial procedures, and an Australian report.

Altogether too little attention has been paid to the valuable results which have proceeded from the defection and disclosures of the Petrovs. To deal with local matters first, it must be obvious to Honourable Members that, but for the disclosures and the investigations of the Royal Commission, it is reasonable to assume that Mr. O'Sullivan and Mr. Grundeman would still be with Dr. Evatt in this building, and, but for the last election result, attached to the Prime Minister, and that the espionage of the Soviet Embassy would still be both operating and unknown. But even more important is that the information provided by the Petrovs, only some of which came within the scope of the Royal Commission, has proved invaluable to other democratic countries. Petrov himself, as we know from the United Kingdom authorities is the most senior defector from any of the Soviet intelligence services since 1937. As such he has been able to supply more information than any previous single defector regarding the espionage activities of the M.V.D. Both of the Petrovs have, in fact since April 1954, been continuously supplying information, some affecting the security of Australia and, possibly more importantly, some providing general intelligence of great assistance to the Western democracies, which intelligence has not, and of course cannot, be made public.

I want to inform the House that communications with the United Kingdom Security authorities show specifically that the information obtained from Petrov is in many cases confirmed by information held abroad and, in other cases, has enabled a material addition to their information. In point of fact scores and scores of Soviet Intelligence operatives working in democratic countries have been identified as a result of the disclosures of the Petrovs. In addition to all this, they have, of course, supplied invaluable information regarding Soviet Intelligence methods of operation and techniques of espionage.

I will not need to remind the House that the recent events regarding Maclean and Burgess, and the case in Sweden, were striking confirmation of the accuracy of what the Petrovs have had to say.

I think I should add that, under all these circumstances, Honourable Members will agree that it would indeed be astonishing if no money had been paid to the Petrovs for their protection and their maintenance. The whole idea is farcical. The Royal Commission fully investigated this matter and found it completely proper.

And so I come to the end of what I have to say. I have referred to those who are charged by Dr. Evatt. But Honourable public opinion will acquit them, beyond question. But the same honorable public opinion will not acquit the man who made these reckless and villanous charges; nor will it acquit those who have, in this House, authorized those charges and by

their presence and support countenanced them. If there is a charge to be made it is this. Dr. Evatt has, from first to last in this matter, for his own purposes, in his own interests and with the enthusiastic support of every Communist in Australia, sought to discredit the judiciary, to subvert the authority of the Security Organization of Australia, to cry down decent and patriotic Australians and build up the Fifth Column of our enemies. I am therefore, compelled to say that, in the name of all these good and honorable men, in the name of public decency, in the name of the safety of Australia, the man on trial in this debate is Dr. Evatt himself.