

PRIME MINISTER

TUESDAY, 16 OCTOBER 1979

From the Press Office

SUMMARY OF ABC'S "P.M."

"PM" found itself in the middle of a heated debate today in Federal Parliament over the Government's controversial proposals to change the Conciliation and Arbitration Act. Last Thursday they were first to reveal the details of a letter which had been written by Mr. Justice Staples to his fellow Commissioners criticising the amendments. The crucial issue in the debate now seems to be who actually leaked the details of the letter. The Leader of the Opposition, Mr. Hayden, accused the Minister for Industrial Relations, Mr. Tony Street, of leaking the letter to the press. However, Mr. Street, while admitting that members of his staff distributed copies of the letter to members of the Canberra Press Gallery said it was only done after the "PM" broadcast on the grounds that it had now become a matter of public record. Mr. Street and the Opposition Spokesman on Industrial Relations, Mr. Mick Young, in Canberra studio:

Question

Mr. Street, how do you respond to allegations that your office leaked that document?

Mr. Street

Well they didn't. My office checked with "PM" to ensure that the document had in fact become public before I did anything about it at all. It had been sent to me without comment, incidentally, by Mr. Justice Staples, a couple of days before.

Question

Mr. Street, if I can just put the record straight. "PM" did cite a copy of that letter, but as you would no doubt would be aware, we didn't use any specific quotes. We simply wanted to mention that the letter existed.

Mr. Street

Yes I know. We checked with "PM" to find whether they had in fact got the letter and they had.

Question

But do you think in your office releasing copies of this letter later to the press that you perhaps acted improperly?

Mr. Street

No I don't. I think that charge could have been laid if I had been the first to make any comment or release of the document, but I wasn't.

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Question

But you do agree that your office did distribute copies of the letter?

Mr. Street

After we checked that "PM" had had it, yes.

Question

Well, Mr. Young, what is wrong with that?

Mr. Young

I think if you look at the whole episode both of the Minister releasing a document sent to him by Deputy President Staples, and added to that that a senior officer of the Minister's Department actually briefed a journalist from the Press Gallery, I think it is absolutely outrageous behaviour by the Office of the Minister, both by the Senior Officer who did it and by the Minister's decision to release that document. I don't think there could be any excuse for it. As you said in your introduction, "PM" admitted to citing the document. If you look at the transcript of "PM" of last Thursday night, there are now quotes from the letter and the Minister was bulldozed into making a very, very bad decision, and it brings into question anybody in future who wants to sent correspondence to this Minister, or to other Ministers. Because recently we had the example of Mr. Viner getting hold of a personal letter that was sent from Dr. Everingham, the Shadow Minister for Aboriginal Affairs, to Gulluwruy Yunupingu, and Mr. Viner produced that letter in Parliament under privilege, which was a personal letter.

Question

But Mr. Street has said of course that once it was revealed on "PM" that the letter existed it was therefore a matter of public record. Isn't that fair enough?

Mr. Young

If someone leaked the document to "PM", and they hadn't done that - "PM" said they had cited it, but didn't quote it, that doesn't relieve the Minister or release the Minister to any unethical conduct, which is as I believe that's what it was in the end, because the document had been sent to Mr. Street and the originator of the document didn't have in mind that the Minister was going to sit down and give it out to all the press and then have a Senior Officer of his Department actually brief someone.

Question

Mr. Street, how do you respond to that?

Mr. Street

Well, as I say, I never intended or thought of releasing it to the press until it became a public document.

Question

Mr. Young, if Mr. Street's actions are improper, what do you want him to do. Should he resign?

Mr. Young

It's not so much Mr. Street, it's the whole Government. If you have a look at all the scandals we have had in this Government - and they usually throw their hands up in the air and say "look, we didn't know". The whole excuse for this Government when they make a mess of anything, and at the moment the Government is making a mess of industrial relations, is to plead ignorance. Well nobody in Australia believes any longer that this Government can plead ignorance when they make these mistakes. The fact is Mr. Fraser has taken over industrial relations in this country and he intends to make an unholy mess of it.

Question

If I could just come in there. Mr. Young, you mentioned earlier, I don't think Mr. Street knows, that Mr. Young, just, before he came to air, put out a statement in which he said that it was understood, Mr. Street, that a senior Officer of your Department gave a detailed briefing on the Staples letter to a newspaper journalist. Is that true?

Mr. Street

I wasn't aware of it. But as I say, if the document had by then become a public one, I can see nothing wrong in that. And as I say --

Question

There would be nothing (inaudible)

Mr. Street

Not if it was a public document at the time.

Question

Specifically, though, Mr. Young, what do you think should be --

Mr. Young

I mean the Minister must obviously be joking. Firstly he says he doesn't know whether the Senior Officer did this. But I mean no-one can do anything in his Department surely, without the Minister knowing and getting approval. I mean what are we running here. We are not running a cakeshop. You can't have senior Ministers of the Department running around saying "look, the Minister doesn't know, but I think I will hop up to the Press Gallery and give someone a briefing about a confidential document". I mean who else is going to write to the Minister

Mr. Young (continued)

for Industrial Relations. What happens if Sir John Moore, the President of the Bench, writes to Mr. Street. Does a senior officer go running up to the Press Gallery and say I will give a further explanation of this because it is for the benefit of the Government that I do it. I mean obviously there has got to be confidence, and there has got to be ethical conduct between the parties.

Question

Do you concede that, Mr. Street though, that there does have to be confidence between - well, particularly in this case - senior Judges and a Minister like yourself.

Mr. Street

Of course, but this document was not prepared for me. It was, as I understand it, prepared by Mr. Justice Staples for his Conciliation and Arbitration Commission colleagues. It was distributed to them and a copy came to me with a "with compliments" slip. As I say, I wouldn't have intended to make it public had it not become so by some other means.

Question

Mr. Street, if I could just look at the whole substance of this legislation which has created, as you know, somewhat of a storm. Last night on our programme, Mr. Hawke said that the legislation itself is now opposed by the ACTU, the Labor Party, senior Judges, a former President of the Commission, and indeed, some Senators within your own Party. Are you still going to persist with the legislation?

Mr. Street

Yes we will, because - for four reasons really: there is a need to get the greatest degree of consistency internally in the Commission in its wages decisions and the requirement for Commissioners to consult - it doesn't take away their right to make an ultimate decision, but is designed to get greater consistency; there is a need for the President to be able to take over a dispute at any time, or any of the parties or the Minister to seek a Full Bench-- that need has been demonstrated in recent days-- not having it made a great deal of industrial disruption; and there is finally, a need to protect the public interest where the safety, health and welfare of the community is involved. So, yes, we intend to go ahead with it for all those reasons.

Question

But given the resistance that has grown just in the last few days for the legislation, does it now mean that there going to be open warfare between you and the Commission?

Mr. Street

No I wouldn't think so.

Question

Could it be avoided?

Mr. Street

Yes, of course it can, because the institutions which are set up by the Parliament and the legislation that they operate under are required to operate in accordance with the law, and that applies to a range of institutions, including this one, so long as the constitutional requirements are met and our advice is that they have been.

Question

Mr. Young, a final word from you. You, the Opposition, have said much about the legislation. But do you see that it is going to go through, that there is nothing that can be done?

Mr. Young

Well, the Opposition would have said a lot more except the Government steamrolled the legislation through the House of Reps. The gag was used continuously for two days so we couldn't explain our point of view fully and we didn't get an explanation or an interpretation from the Government. What Mr. Street says on behalf of the Government is absolutely nonsense. We've got 25 Commissioners for the first time in the history of the Commission have got together and said: "look, we are concerned about the operation of this Bill once the laws are implemented. We don't know how it is going to interfere with the traditional relationship between ourselves and the Government, the parties that come before us, ourselves and the Presidential members." There is a new de-registration order which can only be described as Draconian, and it is just another example of a wholesale mess as far as legislation is concerned and a desire by the Prime Minister of Australia to bring about a wholesale confrontation with the trade union movement in order to win some political advantage.. Everybody in Australia should understand that now we have the most unpopular Prime Minister in the history of Australia and that's the way he hopes to get out of the mess that he has created for himself.

Mr. Street

It is important to recognise that what the Government proposes is to protect the public interest and the welfare of the Australian community. If other parties care to oppose it, well that is their business. We don't intend to abdicate our responsibility of the Australian community.

(END INTERVIEWS)

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In Western Australia the State Minister for Labour and Industry foreshadowed tough new legislation to deal with the trade unions in Western Australia. The Bill will be introduced into the West Australian Parliament tonight. Little was known about the Western Australian Government's intentions until a rally was held outside Parliament this afternoon. About 350 people attended the demonstration in support of the Government organised by a group called "People Against Union Dictatorship".

The Australian Opera Company is under criticism at the moment for being too expensive, too elitist and plagued with managerial infighting. It was reported at the weekend that the Australia Council is preparing an inquiry into opera in Australia, particularly into the Board of the Australian Opera Company. Interview with George Dreyfus..

After several months of speculation, N.S.W. finally has a new Police Commissioner. The Premier announced today that Acting Commissioner Lees has been appointed: interviewed.

Queensland Parliament came down to earth today from the more spectacular heights of allegations of bribery and corruption to the lowly and serious question of whether a lavatory door should swing inwards or outwards. Interview with Mr. Lester, Member for Pink Downs (?).

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