



PRIME MINISTER

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TRANSCRIPT: "THE MIKE WALSH SHOW", TCN CHANNEL NINE, SYDNEY.
INTERVIEW WITH THE PRIME MINISTER,
THE HON. R.J.L. HAWKE, AC, MP. =
DATE: WEDNESDAY, 26TH SEPTEMBER 1984

WALSH: Welcome Mr. Prime Minister, and Bob may I say that I don't want to dwell on the family thing at all and I don't think we'll discuss it here today except to say, on behalf of all of the Mike Walsh Show viewers and myself, that we're very proud of the way Hazel handled it the other night and so must you be, and we feel for your as a family. OK? That's all we wanted to say.

PRIME MINISTER: Thank you very much.

WALSH: So Okay Bob, let's get back into the ring and it's politics, right?

PRIME MINISTER: Okay.

WALSH: We had Andrew Peacock on the show yesterday and his main line of, shall we say, approach seemed to be the Costigan Report and he is playing along with that and he says that's the big issue at the moment - organised crime in this country - and he quoted Costigan himself and the quote was: "Inconsistent and disastrous to your Government's oft-expressed desire to attack sophisticated crime". So that's what Costigan apparently said to you when he heard that you were winding up the Costigan Report.

PRIME MINISTER: Well that's not an accurate way of putting it, of course, There have been discussions which went on between Commissioner Costigan and the previous Government.

WALSH: Yes exactly, we pointed that out yesterday.

PRIME MINISTER: And with this Government. And it's been common to both Governments that here was a Royal Commission which is not a normal instrument for a continuing fight against organised crime. Let me make it clear in saying that: that that involves no explicit or implicit condemnation of Commissioner Costigan. I mean I'm on the public record, in the Parliament and outside, of saying he has done a tremendous job for Australia. But what the Fraser Government and this Government have had in common is that we always intended that that short term Royal Commission would be subsumed into a permanent National Crimes Authority. Now it's quite clear that there are differences of emphasis, not only on the part of Mr. Commissioner Costigan but of other people, as to what is the appropriate time and form of transition. So we have been through all that and what we

have done now is to get a position where we think that you have got an institution which meets the three requirements that Australian society needs in having a permanent authority to fight crime. That is, it must be an effective instrument to fight crime,

WALSH: Well that's what he was concerned with yesterday. He said it's a toothless tiger.

PRIME MINISTER: No well let me make these points about that and I think this is - I mean I don't want to get into talking about Mr. Peacock for fairly obvious reasons - but I think the great disservice that is being done to this community in its fight against organised crime - and I think it goes without saying there is no one more dedicated to getting the criminals of this country behind bars, and particularly in regard to the major area of what we know is involved in organised crime, than I am. I want to get every one of them behind bars so that we can eliminate these abominations. Now you've got to do that in a way which is effective. Now what do you do to ensure effectiveness? Firstly, you have got to ensure that all the material, the valuable material, that has been got together by Mr. Commissioner Costigan is made available - handed over - to the National Crimes Authority. And that is being done - all of it - not only the material and his 42 lines of investigation but his staff, his analysts, his accountants, his solicitors - all the investigation techniques are being handed over. Now what I was saying is that what I find so disturbing about what is being done by Mr. Peacock and others is that they are undermining the integrity and the authority of the National Crimes Authority.

WALSH: Well they are implying that it's toothless, yes.

PRIME MINISTER: Well you see that means that you are saying that Mr. Justice Stewart - I mean, than whom there is no more highly respected crime fighter in Australia - that he would accept the Chairmanship of a National Crimes Authority which is a toothless tiger; that Mr. Bingham, a Liberal Minister from the State Government of Tasmania, and Mr. Dwyer from Victoria who, let me remind you, were unanimously endorsed by all the State Governments and the Northern Territory. Now are all the State Governments, Liberal and Labor, going to give their endorsement to an authority under Mr. Justice Stewart and with a former Liberal Minister, Mr. Bingham, are they going to give their authority to a toothless tiger? It is one which carries on all the material from Mr. Commissioner Costigan. We are not closing down the work of Mr. Commissioner Costigan. We are doing what the previous Government and this Government has said - that you've got to set up a permanent authority which will fight crime and importantly, Mike, will take account of the rights and the civil liberties of individuals.

WALSH: Well that's what's worrying me about it because there is a bit of a McCarthyism thing about the thing isn't there?

PRIME MINISTER: Of course, look with all the depth of feeling that I have on this issue I still recognise that the rights and civil liberties of individuals cannot be swept aside. We are not going to have in this society, in our unshakeable commitment to fight organised crime and to get those people behind bars that should be behind bars, we are not going to eliminate our concern for the rights of individuals. We are not going to have trial by

headlines. We are not going to have trial by smear and innuendo. People are going to have the rights to be tried by their peers after proper investigation. So we are going to have an effective crime authority, we are going to protect the rights of individuals, and importantly, we are going to have the cooperation of the States. And that is why, Mike, we have got the situation that Special Prosecutor Redlich has said: at page 48 of his report he said the community has debated this issue, they have taken these three things into account; that is, having an effective instrument to fight crime, the protection of the rights of individuals, and the cooperation of the States. He said now those things have been properly taken into account with the setting up of this Authority. He said what's required is now to have the community allow that to work. I think it's a tragedy that the authority and capacity of this National Crimes Authority is being questioned.

WALSH: Bob if I just may make a point.

PRIME MINISTER: Yes.

WALSH: I think we have all seen these Commissions come and go and you hear names bandied about - I agree with you, let's not bandy them about publicly, it's just absolutely irresponsible - but there is obviously a group of people running all these rackets in the country - heroin being one of them - and you hear all this thing about we're going to get them - we're going to get them - we're going to get them - another commission - another commission - nothing every happens. I mean, could you say to me in 12 months time we'll have got them?

PRIME MINISTER: I can say this, that we're very much more likely in 12 months to have them than we would have been before because we will have all the work - every part of the work of Commissioner Costigan - which, without any disrespect to Mr. Costigan, and he has said this himself, contains evidence which will be admissable and a lot of evidence which will not be admissable.

WALSH: Hearsay.

PRIME MINISTER: Now what you have got to do therefore is to have an authority which will concentrate on obtaining - sifting out all the admissable evidence - which will then go to prosecution because that's what we've got to get under way. Now let me just make the point about the commitment to this question and the attitude on the National Crimes Authority: Mr. Commissioner Costigan brought down his most damning report in December of 1981 where he said his investigations had led him to organised crime which he described as the fastest growing industry in Australia. Now this was December 1981, Mike, and he said that this was the fastest growing industry in Australia, particularly in the last five years. That is, from 1976 to 1981. Now you know who was in power then, and that's when it grew. Now the next Budget that our opponents had when they were then in Government came in 1982 and they allocated \$2.9 million for resources of the Costigan Commission. In my first Budget the next year I more than doubled the resources - the financial resources. We had doubled the resources available to the Costigan crime commission because of our commitment and we are going to make sure that all those resources go across to the National Crimes Authority. And may I make this point: Mr. Peacock is now talking about what he feels about the National Crimes Authority - it being a toothless tiger - I just want to make

this point to you and to the people of Australia - when this Bill establishing the National Crimes Authority was in the Parliament in the Second Reading Speech - that is when you put your position, your view. I spoke in that debate in the Parliament. Mr. Peacock did not speak in the debate - that's how much he was interested in and concerned with the structure of the National Crimes Authority. He did not speak in the debate. There was not a division on the Second Reading. They did not seek to divide the House. The Bill went through in those circumstances - without Mr. Peacock speaking against it. So that's the judgement you can make.

WALSH: Alright. Well we'll leave that just as it is. Now we're going to do the interview in two parts. In the second part there's a lot of other points we want to cover but just before I get off the Costigan report - and you explained quite a lot - we contacted Senator Fred Chaney, the Leader of the Liberals in the Senate, right?

PRIME MINISTER: Yes.

WALSH: Because Don Chipp had said that he was going to have Mr. Costigan brought before the Senate. The comment from him was that their main concern is that the Costigan Report come into Parliament rather than Mr. Costigan himself and that there is a chance for debate on that report before Mr. Hawke dissolves Parliament and goes into an election. You haven't announced the election yet have you?

PRIME MINISTER: No.

WALSH: We'll get to that after - in ten years time. (laughs)

PRIME MINISTER: That'll be after the third Hawke Government.

WALSH: Now Senator Fred Chaney said he had had some discussions with Senator Chipp and they are looking at the proposal but have not yet decided whether this step should be taken. What would your feelings be - would you be worried about Costigan going before the Senate?

PRIME MINISTER: Not only not worried about it.

WALSH: Would it serve any purpose?

PRIME MINISTER: Well, you talked about Senator Chipp, let me, I think the way we can get to the point about Senator Chipp's view on this is just to quote Senator Chipp for whom, as you know, I have great respect in these matters. I'll just make two quotes about it. This is from the 24th of September. He said: "It was always the intention even of Mr. Fraser's Government to hand over Mr. Costigan's work to the National Crime Authority" so he says "So I'm surprised at questions journalists are still asking - will the National Crime Authority be able to do what Mr. Costigan did? It will presuming it has the ability to do, it's certainly got the capacity, and I've got enormous faith in the three members of it headed by Mr. Justice Stewart". And just again, he said this, I think it's very pertinent because you were talking about him, he said - and this is Senator Chipp - "My second information is, and I had a courtesy call from the three members of the National Crime Authority - Mr. Justice Stewart and his two colleagues, one of whom I must remind you is a former Liberal leader in Tasmania, Mr. Max Bingham - a man of undoubted integrity, - and they assured me without any equivocation that they were happy with the takeover,

WALSH: In other words you telegraph the information for guys to get out of the country or whatever.

PRIME MINISTER: Yes sure. So what I'm saying is Mr. Peacock - if he is still then Leader of the Opposition - will have the full report. The Leader of the Opposition will have everything. We won't try and hide it, they'll have it, and the only non-publication of names will be to satisfy the requirements of the investigating authorities so their capacity won't be diminished and the rights of individuals.

WALSH: Okay, well we'll take a break there.

COMMERCIAL BREAK

WALSH: I keep bringing up Andrew's name but I did ask him yesterday would he like to ask you a question because Parliament isn't sitting at the moment.

PRIME MINISTER: He hasn't asked me one when they are sitting so he may as well do it when it's not.

WALSH: Alright, well I've got the tape here so Andrew can ask it himself.

GRAB OF TAPE OF YESTERDAY'S INTERVIEW

WALSH: Well now Mr. Hawke will be on the program tomorrow, is there any question you'd like me to ask him for you?

PEACOCK: Yes, a whole schedule of them Michael.

WALSH: No, you've got one. I'll ask the others.

PEACOCK: I've got one?

WALSH: Yes.

PEACOCK: Why does he want an early election?

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PRIME MINISTER: Well the answer is very, very simple; because I want to save the Australian people from the insanities which were inflicted upon them by his Government. What happened is that by calling that early election in March.

WALSH: But Malcolm Fraser did.

PRIME MINISTER: Well Mr. Peacock was part of the Government. One assumes he was told occasionally what his Government did. There the whole question of elections of the Senate and the House of Representatives were put out of kilter.

WALSH: Oh right.

PRIME MINISTER: Now it means under the Constitution of Australia there must be an election for half the Senate by, as we're told by the Electoral Commission, by about April of next year. So there

with the changeover, they had no problems, and in fact they were looking forward with great anticipation to the massive job ahead of them". So the point I'm making is that here are these three men of integrity saying - and I had them in my office - I said to Mr. Justice Stewart - is there any more, anything else, you want my Government to do for the National Crimes Authority to equip you to do your task. I said "You are satisfied you can do the task?". He said "Yes". Now why, therefore, do I have any concern about Mr. Costigan, or the National Crimes Authority? Let them all say here is the National Crimes Authority saying it's equipped to do the task. Would I set up a body that couldn't do the job?

WALSH: No. That's really the question, isn't it? What about this - are you going to allow for debate on the Report in Parliament before it goes into recess?

PRIME MINISTER: Well I have said - I have answered this in the Parliament - I have said that if we get it - and Mr. Costigan has asked for another extension which I have given him 'til the end of October - now I have said if the Parliament is not sitting I have said I will make the full report available to Mr. Peacock. There will not be any part of that report not fully made available to the Opposition and I will seek then to make - if the Parliament is not sitting - to make it publicly releasable under the techniques that are available if the Parliament is not sitting. It may be that we can get it via the Speaker. But there will be no attempt on our part to bottle up the Costigan Report.

WALSH: The thing is we're getting back to this defamation - not defamation - innuendo and the slanders that are running around at the moment. If you release a Report like that in its full a lot of people who may not deserve it will get their names dragged in the mud. I mean I was watching the Petrov thing the other night on Nationwide where they did the very excellent coverage of it, and you got that Document J that came out and it was just a load of rubbish - absolute rubbish - but it did mention a lot of people's names and besmirch them.

PRIME MINISTER: Pretty shabby document. It did.

WALSH: Well is that likely with the Costigan Report?

PRIME MINISTER: No you see what's happened with previous Reports, and I would think it would be the case with Mr. Commissioner Costigan, that he would recommend to the Government that names not be published. Because you see this has happened before.

WALSH: Yes but everyone is filling in the blanks as it is, aren't they?

PRIME MINISTER: Well, yes, and that technique I believe is McCarthyist. I mean however deep one's feelings are, and no one has deeper feelings on this matter than I do, you still have to give to people - individuals - the rights of fair trial, and that's why where previous reports have been given to governments actual names are excluded. This is not only the protection of the individual but it's the protection of the authority that's going to subsequently pursue the investigations because their capacity to pursue their investigations is limited if names are put out in advance.

has got to be an election in Australia by April of next year for half the Senate. Then if we didn't have the House of Representatives with the half Senate you'd have to have an election for the House of Representatives about the end of next year. So what I'm going to do is to have an election early for both the House of Representatives and the half Senate, and at the same time I'll be putting a referendum to the people of Australia saying now change the Constitution so that in future the elections must be simultaneous so we can't have this business of unnecessary elections being imposed by the Parliament. So that if we have this election now early for the House of Representatives and the half Senate and then we won't have to have another unnecessary election and I believe the people will support the simultaneous election and then never again will a Prime Minister be able to play around with this election timetable.

WALSH: Do you want to take the opportunity today to announce the election date? I'll extend you this unique and rare privilege.

PRIME MINISTER: (laughs) Mike I love you dearly, I'd love to give you a scoop.

WALSH: Yes?

PRIME MINISTER: No.

WALSH: (laughs) Still it was a good old Irish try though, wasn't it? Now there is one thing I'd like you to explain your position on because it is one that concerns me and that's the assets test. Now Andrew yesterday - I'm sorry that name comes up again but he is Leader of the Opposition - he said that this assets test is going to cost the Government \$55 million and in fact, you know, if you just gave \$55 million away to each pensioner they'd get 35¢ a week. Now you know, what is the point of the assets test? Is it to save money?

PRIME MINISTER: The point of the assets test is this, and I have explained it very carefully and I had long discussions with pensioner groups and I think overwhelmingly they understand it, it is that.

WALSH: Well with all due respect I don't think they do. I think it's been - it's a bit too complicated.

PRIME MINISTER: Well of course there are people who don't understand all the fine details but the essential point is this: this Australian population is aging and any Government is going to have an increasing burden upon it - that means the taxpayers - to sustain the elderly who have made their contribution to the society and who deserve the support of the people in their latter years. Now what has been recognised is that it makes sense not to pay a pension to everyone - to the multimillionaire with assets. It is just stupid. Take a person like myself: by the time I retire I would be in a pension, and I would be covered by a Parliamentary pension, but I'm saying someone like myself.

WALSH: If you were a businessmen earning that sort of money, yes.

PRIME MINISTER: The asset rich and income rich - now it's not right that people like that, and very, very wealthy people, should be paid out pensions which mean that the great majority who are in need will have less available to them. Now that's not just my view. It was a view that was put by this gentleman you talk about, Mr. Peacock, in September '81 when he was on the Backbench in Opposition. He made a speech and then one at the Press Club in which he made exactly the same point. He said that social welfare payments should be means tested. Now he said it. John Howard, the Shadow Treasurer, completely supports the concept of an assets test. Senator Chaney, when he was the shadow spokesman in the Senate. Mr. John Eliot, one of the pretenders to the Peacock throne, if I could put it that way, outside the Parliament and a leading figure of the Liberal Party, has made it quite clear that he supports it. Mr. Alexander Downer who is a speechwriter and an assistant to Mr. Peacock and an endorsed Liberal candidate recently came out and congratulated the Government for its decision. In other words there is an understanding right across the political spectrum that if we're going to help the great majority who need help then don't let's waste resources on the very wealthy minority. Now, what are the statistics? The statistics are these: that out of the whole pensioner group it's estimated that only about 2% will be affected.

WALSH: Yes, and that doesn't mean totally affected - like they get nothing - there'll be those who would still get something.

PRIME MINISTER: There will be some who get something. Now I just believe that the overwhelming majority of Australians believe that that's fair. We ought to look after the people who need it and that's not just people on high level income. People are going to be able to have a very high level of assets as you appreciate. You know the statistics - their home and you know 100,000 other assets. Now this is going to mean that the great majority of people aren't going to be adversely affected but any Government in the future is going to have that much more money available from what they've saved to give to that 98% who really do need help.

WALSH: I think what's freaking people out more than anything else is the form that's coming out. Now as I hear it it is about a four-page form and an eight-page explanation to go with it - for God's sake that's really Government gobbledey-gook there.

PRIME MINISTER: No it's not, there's been a great deal of misrepresentation. 85% approximately - that's the best information we've got - won't need to fill in that form because it will be perfectly clear that they are not caught.

WALSH: What like you get to question 2 and then you realise you don't have to go any further?

PRIME MINISTER: Yes. It's a self-assessment thing. Once it's quite clear to you that you're not covered by the level of assets you've got you don't have to fill in that form. The greatly overwhelming majority of people are not going to have to fill in that form.

WALSH: Well it's been lovely to have you with us and thanks for giving us the time.