



## PRIME MINISTER

TRANSCRIPT OF INTERVIEW WITH THE PRIME MINISTER, THE HON.  
P. J. KEATING, M.P.  
PERTH, WESTERN AUSTRALIA  
SUNDAY 10 OCTOBER, 1993

J: Mr Keating, do you think your visit to Western Australia has achieved anything?

PM: I think so. I think, amongst other things, I had a chance to talk to the public and to talk to my own Party last night at a very large function, and to run through the big issues. I had a very good talk to Carmen Lawrence as well as the Premier and so, I think it has been worthwhile. I also had the pleasure this morning of being involved with the Royal Flying Doctor appeal.

On one of the major issues between us that I spoke to Premier Court about yesterday - we should correct the impression in Western Australia that this is a matter between the Commonwealth Government and the State Government, that this is a matter which the Commonwealth Government is trying to push onto the State Government. That is not so. This is a matter of Australian law. This is a matter of the High Court of Australia deciding that there is a native title in the common law. And the Western Australian Government has got to come to terms with that. They've got to decide what they want to do about that.

We're saying that what we have is a scheme, the best possible scheme to deal with it. And to stay out of it simply means that great uncertainty would obtain in Western Australia. So, this is not a sort of classic Commonwealth/ State matter of Perth versus Canberra. This is Perth versus the High Court of Australia. This is what this is and I think all Western Australians should understand this. That the problems that can arise from this because of the State Government's intransigence with the High Court decision - with the decision of the highest court in our land. Now what I'm trying to do is to find a solution for everybody in that decision. And it's not Canberra seeking to impose anything on the State, but the State - in a very unreal way - not recognising the supremacy and primacy of the High Court of Australia.

J: Inaudible..

- PM: Well, I think the Premier knows that he can go on about this and not join the Commonwealth and other states in this - remember there are other Coalition governments involved in this, these discussions. He can not join them but how does he resolve the problem for Western Australian people? How does he resolve the problem for the Western Australian mining industry, the Western Australian pastoral industry, for the Western Australian Aboriginal community, for the Western Australian people? I mean, this is something - I have arrived here saying, "Look Premier, I have a scheme here which I think will work for you here, well. Now, why don't you sit down and talk to us about this scheme? But if you don't want to talk at all, the High Court's decision is going to stand. But what would happen is there would be no certainty of title for the big mining operations - some of them - and for pastoral leases and it is up to the Premier to get a solution.
- J: Mr Court seems to think though that there could be a High Court challenge to your legislation. He has not ruled that out this morning.
- PM: Yes, but the High Court is not going to challenge its own decision.
- J: On land administration on the States rights.
- PM: This is not a matter of States rights. This is a matter of the rights of Aboriginal people who are given native title in the common law. This is the right of Aboriginal people in this country who our highest court has given a native title in the common law and no appeal to the High Court is going to get over that principal fact. Now, what we will try and do is legislate a scheme that actually makes it work. It has become very hard going coming over to a state saying, "Look, here we are to help you. Here is the Commonwealth government and other states with a scheme to help you out of the hole you are in," and the state saying, "No, no, we don't want to be helped. We will take mayhem instead."
- There must be a scheme of arrangement for Western Australia or otherwise, Aboriginal people will just take their land claims to the High Court.
- J: Has anything changed as a result of your weekend visit here?
- PM: Well, I think the Premier knows that he has got to deal with the national government. That this idea that it is sort of Western Australia versus the rest of Australia - not just Canberra but every other State - really is not very tenable.
- J: But Mr Court argues that Western Australia is the state most affected by this decision and that it really doesn't matter in other states like Victoria.

**PM:** It will matter less in Victoria but it will matter greatly in Queensland. It will matter substantially in South Australia. It is not a matter of whether the High Court under our Constitution enjoys sovereignty in these matters. It has decided there is a native title in the common law. If Aboriginal people can mount a native title claim on land which is now Crown land, that land will become native title land.

Now, there is nothing that the Premier can do about that other than to work out how he wishes to run the state. It is no good saying, "We are affected more." It is not a matter of who is affected more. It is a matter of whether the decision is right, and whether the decision is there. ~~The decision is there.~~ ~~The decision is there and I think it is.~~ The decision is there and I think it is the right decision, so now all of us have got to make it work. I'm not here to try and push something down the Premier's neck. I am inviting him into a scheme of arrangement which is good for Western Australia, good for Australians generally.

**J:** Do you find Mr Court's position frustrating?

**PM:** I think that you can run this argument for long enough, that this is a matter for the people of Perth and Western Australia versus the rest of Australia. Until the people of Perth and Western Australia understand that the Premier is running them up a blind alley, that there is a High Court decision and it is the law of the land - all this land including Western Australia - and it has to be dealt with. And the only scheme to deal with it is the one which is in the hands of the federal government.

**J:** Are you disappointed that some of the Aborigines you met with yesterday are saying that the meeting achieved nothing?

**PM:** If you get ten Aboriginal people together and say what was the outcome of the meeting you will get ten different answers most likely. And you will never get unanimity. But, again, there is I think a much better understanding and some very positive responses to the discussions I had. I don't know that a lot of Aboriginal people particularly from the outstations really understand what Mabo means to them and when they have the opportunity of talking to somebody like me and have it explained to them some things become more clear. Now the Aboriginal community has got its professional cynics the same as the non Aboriginal community but so what.

**Ends**