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PRIME MINISTER

**TRANSCRIPT OF THE PRIME MINISTER, THE HON P J KEATING, MP
PRESS CONFERENCE, PARLIAMENT HOUSE
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PM: Well, the principal reason for talking is to just make one point clear, and that is, we will sit the Parliament however long it takes to get this Bill through, to have this Bill voted on by the Senate. And no amount of mean spirited filibustering by the Liberal Party, by John Hewson and Peter Reith, and John Howard, or Richard Alston or anybody else, is going to see this country denied the opportunity of reaching a just and decent settlement with the indigenous Australians.

This is an historic piece of legislation. The like of it has not been seen in this country. It had an inordinate amount of coordination and consultation. The Government has released draft legislation, it released the discussion paper, and then draft legislation. It has had discussions with every imaginable group, and there is simply no reason why these sort of tactics ought to be employed by the Coalition in the Senate.

I will just remind you that for the first three weeks of the Senate sittings, nearly all of the three weeks were devoted to procedural questions in the Senate. There was only five hours work spent on Government legislation. And now we have had, from Friday, the Second Reading Debate, then Friday to midnight, 7 hours, Saturday from 9 am to midnight, 12 and a half hours, today about 5-6 hours already. And the Coalition spent nearly 2 and a half hours this morning with another attempt to stop the Bill by sending it to a committee.

Now, the fact is, the Opposition decided to vote against the Bill, and they have got a tag team in, asking questions taking up time, that are simply sitting in the explanatory memorandum, that are sitting in the discussion paper, the draft legislation, the explanatory memorandum for any person to read.

Now, the fact of the matter is that the Coalition today, and the States, have just put out a statement saying, "the passage of the federal Mabo legislation through parliament has become totally confused".

There is nothing confused about it. We on this side of the parliament are totally clear about the legislation, because we have spent a year putting it together. And everybody dealing with it understands that.

"The Government is trying to railroad through the Senate hundreds of last minute amendments." This is in the over - 24 hours of debate it has had, with a discussion paper released nearly six full months ago, a draft legislation. "Railroad"; "this is a completely unacceptable way," they say. Having failed to try and put it off to a committee, tried again today, and now with a tag team of filibusterers going around asking these obvious questions, they're now saying the legislation should be delayed.

For the word delayed, read destroyed. Because what John Hewson wants to do is destroy the Bill and that is why, he knows the Bill is a principled piece of legislation, why does he want to destroy it and delay it? Because of the Western Australian Liberal support for his leadership. In fact, the Liberal Party leadership is now being played out around responses to the Mabo Bill. And when there was some discussion in the shadow executive the other day of supporting the legislation and putting in the amendments business needed, John Howard waved at John Hewson the transcript of his, John Hewson's, earlier inflexible remarks about the Bill and the debate was put to one side.

Now, let me just say a couple of things about what the Coalition did on Saturday night. The Coalition on Saturday night voted down mining industry and pastoral industry amendments. They voted with the Democrats and the Greens. The Liberal Party and the National Party voted with the Democrats and the Greens to vote the amendments down. These are the amendments which were needed, that had been suggested by the National Farmers Federation and the mining industry, and had the temerity to say, today, and I see it reported broadly in the press today, that in some way this was the Government's responsibility. The Government said it would introduce these amendments, clause 24, it did exactly what it said. It did exactly what it said and introduced them and they voted them down.

Now, I noticed today in the Sydney Morning Herald in an editorial, and a good one, says that instead of a sense of historical moment the debate on the Bill in the Senate has elicited mean spirited opportunism and truculent inflexibility. Hear, hear to that. And it said, the Native Title Bill is not a perfect piece of legislation, but in terms of its fairness and its ability to end the current uncertainty over land titles, it is about as good as they come. And consider the time, energy and consultation that has gone into its drafting, and it goes on, compared to that how likely is last minute tinkering to improve the Bill in any substantive way.

So, let me say, that some people in the Coalition were more intent in nailing Ric Farley in the National Farmers Federation because he brought some good will and consensus to the Bill on the Bills merits. As a leader of an industry group he negotiated with the Government, got the things his industry

needed, was part of the consensus, displayed goodwill on the basis of merit, and they are about trying to defeat the amendment he was associated with last Saturday night, so they could say that he was party to putting the consensus on the Bill together. And the Liberals are around today telling Industry they are confident they can push the Bill to the end of next week, so that the Bill either fails or isn't voted upon. I mean, this is the wonderful John Hewson's high principals. I mean, god help this sort of political morality.

Now, let me assure Dr Hewson, that no filibustering will prevent us dealing with the Bill. If we have to sit here till Christmas Eve, and come back on boxing day and keep going, we will. Because we are going to see the Senate vote upon this Bill. And let me just make this clear. Let me just quote again Mr Farley, this morning, he said, about the industry things, "what I said was I had been betrayed, I didn't say I had been betrayed by the Government". So the betrayal is really in terms of the breakdown of the processes of a negotiated outcome. Now, as for the Opposition, the Liberals and the Nationals, I find it astonishing that the Liberal Party would seat down with the Democrats and the Greens and vote down amendments for the legislation which was supported by industry.

Now, this is where the Liberal Party is at the end of 1993. On a classic piece of legislation coming from a seminal high court decision, to give Aboriginal people the right to be heard on Native Title, and have it awarded to them, and leaving with the States complete authority over economic use of land, with all the checks and balanced in it they don't even have the decency to take a position to say, that even in industry or their constituency terms they would improve the Bill. They are quite happy to improve the IR Bill - in their terms "improve" it, within their frame of reference "improve" it - even though they are opposed in ideological terms to the Bill. On this Bill they won't even support their constituencies' amendments because of the bloody minded opposition to the Bill.

What we have seen here is three weeks of a Senate wasting its time - five hours on Government business only and now over 24 hours of debate, over 24 hours, on Mabo. After a discussion paper was released months ago, after draft legislation was released to all interest groups including the States and industry, after all amendments have been taken on board, they say, the Bill is being dealt with in a completely unacceptable way and its being rail roaded through the Senate.

I have never seen in the years I have been here the Coalition behave in such an unprincipled way - standing up the Government's financial legislation with the Budget, even though the Government had a complete mandate to its policies, and on this, a matter which the Government said it would deal with in the election campaign, which has met the approval of all of the industry groups, all of the interests including the Aboriginal community - they now seek to try and destroy it by the effluxion time.

I can assure you we will sit the Senate, we will be here until they all vote.

- J: Mr Keating, at the end of the day, whether that's next week, Boxing Day, end of January, when ever, isn't the real problem that there is some points of total disagreement between the Government and the Greens on essential elements of the package?
- PM: Not as I understand it, no.
- J: What about the issue of extinguishment on validation, I mean isn't that an essential thing?
- PM: I am not about to debate each point with you. I am trying to make here a procedural point, a point about the procedures and the Liberal party's lack of principle and lack of decency on it. The Liberals downed amendments that the mining industry thought were important to it and the pastoral industry believed were important to it. They were voted down. The Government kept its word, introduced the amendments and they were voted down by the Liberal and National parties.
- J: ... is it possible to reach agreement with the Greens on the essential elements of the Bill?
- PM: I have got every confidence the Bill will pass.
- J: Will you have a go at bringing those amendments up again for example, by re-introducing them into the House of Reps?
- PM: No.
- J: Why not?
- PM: Look, the Liberals knew what they were doing with the Bill. They had every chance to consider it. We are not going to delay it any further.
- J: Are you frightened of the Greens if you do it again?
- PM: The fact of the matter is they had every opportunity, everyone knew the issues and, as you know, a couple of National Party Senators broke with them and voted with the Government, but it wasn't enough. We would have needed ten or something.
- J: ... (inaudible)
- PM: We will have a look at the words of it. We have reasonably, I think, looked at every amendment, we have introduced many amendments from various stake holders and interest groups here and Gareth Evans is dealing with each amendment.

- J:** Prime Minister, does it concern you that as a result of the amendments being defeated on Saturday night it seems that now you have got the NFF ... as well as AMIC and all these Liberal state governments in a sense saying, the legislation is no longer acceptable to us.
- PM:** Look, what's happening here is basically a political stand-off now. What's happened is the Liberals are rounding up the suspects and trying to drag them in to oppose the Bill. The Bill was never about valid leases. Valid leases that were valid, never any question of validity, the renewals of those leases was never a question - these things are only clarifying amendments anyway.
- J:** Prime Minister, the Chairman of the Legal and Constitutional Affairs Committee, Senator Barney Cooney, said when they reported that the Bill had to go through now because the level of public support for it was so fragile that it wouldn't sustain ... until February and it was a matter of in fact beating the declining level of support. In so many words, for the Bill - is that your view?
- PM:** I think what will happen is if you have an unprincipled polarisation on the part of the Liberal Party, a filibustering around debates, around obvious points for which information can be obtained in explanatory memoranda et cetera, any such debate will produce a certain polarisation. You could see this today in the statement which Liberal Premiers have been obliged to sign, you will see it in the rounding up of mining industry people and what have you. That can't be good for the debate. But that doesn't say the Bill isn't a good Bill, a highly principled Bill, an historic Bill that should be passed and that all Australians - it is the Australian people who are being denied something here. Those Australians who in the past voted in 1967 for the referendum and had believed that we should have an equitable basis of dealing with our indigenous people - they are the people who the Liberal party are trying to cheat of this legislation.
- J:** What's wrong with leaving it until February ... why doesn't the Bill go through in February?
- PM:** Well, you can see what's happening with this sort of thing now. Why should I suit Dr Hewson who has done not one principled thing in this - everything which has been unprincipled.
- J:** ... Dr Hewson is that Mr Keating, Mr Goss has expressed some reservations today about whether this thing is now workable and your suggestion that these other Premiers have been coerced into signing this document doesn't really stand up either does it?
- PM:** I don't see Mr Goss' signature on the document.
- J:** ... (inaudible)

PM: Yes, but I don't think that ... I didn't hear him on "AM" and I'm not sure exactly what he said, that is Wayne Goss. But let me assure him that the Government in a completely principled way agreed to put these amendments, and did. And they failed only because of the attitude of the Coalition. You have got to say it is a first - that Liberal and National party Senators to vote down the amendments sponsored by the National Farmers Federation and the mining industry.

J: Simon Crean said on Sunday that a lot of those amendments would do damage to the mining and farming industry, but you say that those amendments ...

PM: The Bill was about the validating of past acts which might have been invalid. It was never about dealing with valid acts. Valid mining leases with valid renewals are exactly that, but some people want a clarifying or a reaffirmation of the amendments. All right, we sought to oblige them - the Liberal party voted them down, but again the Bill will hang together without them.

J: For every pastoral lease which expires in Queensland will revert to native title ...

PM: Say that again

J: As pastoral leases in Queensland expire because native title is held to exist in its ... equivalent to freehold, because there isn't automatic title to renewal in Queensland, those pastoral leases will become native title.

PM: That is not right. Look, the fact is the Bill is fine in terms of valid leases. We were quite happy to entertain these clarifying things, but that is not the point. The key point is, there should be a proper basis to our public life and a basis of morality to it. This tawdry procedure, as the Sydney Morning Herald calls it, mean-spirited opportunism and truculent inflexibility, shouldn't be part and parcel of our national life, not around a matter like this - not around any matter, but most particularly not around a matter as historic as this.

So, I am just making it clear that the Liberal party, without any principle, believes that it can wear us away on this legislation. It can think again. And if it has got leadership squabbles on - and it has - it ought to resolve them in their own right and not play out their leadership troubles through the Mabo legislation which they are currently doing.

J: Prime Minister, when will you decide on your new Treasurer?

PM: They are different matters.

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