



# PRIME MINISTER

**STATEMENT BY THE PRIME MINISTER, THE HON PJ KEATING MP**

**THE ALAN GRIFFITHS INQUIRY**

The Alan Griffiths inquiry, conducted by Mr Michael Codd AC, has concluded and its report has now been presented to the Government.

The full and independent investigation found that it would be properly open to me to accept the return of Mr Griffiths to the Ministry.

Mr Griffiths has made a valuable contribution to the Labor Government, to Cabinet and to Parliament and I would have welcomed his return to Cabinet. However, he has already indicated that he will be retiring from Parliament at the next general election.

The Inquiry also found that there would be merit in the Government considering the clarification and reinforcement of guidelines to Members of Parliament and Ministers in a number of respects related to the use of staff and facilities.

I understand that action already taken by the Minister for Administrative Services, the Hon Frank Walker, to strengthen the guidelines is now well advanced. I have asked him to provide a report to Cabinet on implementation as soon as possible.

The Inquiry's report has been tabled and its conclusions are attached.

Mr Codd has produced a thorough report and I thank him for the work he has done.

**CANBERRA**  
**3 August 1995**

## CONCLUSIONS

200. The inquiry was asked to examine and report on "whether the conduct of the Hon Alan Griffiths in relation to the matters leading to his resignation from the Ministry was in accordance with appropriate standards of behaviour for a person holding office as a Minister and a Member of Parliament, and in particular:

- whether there was any conflict between his private interests and the performance of his public duties;
- whether he authorised or condoned any inappropriate, improper or illegal activities by any of his staff in relation to the conduct of his private interests."

201. In relation to the first particular question there is no evidence of any direct conflict or personal breach of guidelines or declaration requirements.

202. In relation to the second particular question there is no evidence that he authorised or condoned behaviour by his staff of the kind specified, but the inquiry concludes there has been conduct on the part of Mr Griffiths which does not meet standards which might reasonably be expected of a Minister and Member in relation to three matters in particular:-

- (i) the way in which he directed Mr Lennox to involve himself in support of Mr Griffiths' private financial interests (paras 152 to 160 above);
- (ii) the way in which he acted when the illegal and improper conduct of Mr Lennox was brought to his notice (paras 161 to 183 above); and

(iii) the responsibility he bears for the conduct of Mr Lennox (paras 184 to 190 above).

In the case of all three the inquiry finds errors of judgment and/or a want of diligence.

With one exception the inquiry considers it would be unreasonable to find that Mr Griffiths' conduct in the circumstances was improper. The exception is in relation to his requirement that Mr Lennox repay \$5,000.00 to the BB Account given the indirect linkage to Mr Griffiths' financial interests.

203. On the basis of the findings in this report, however, and against the broad background of precedents referred to in paragraphs 191 to 199 (and particularly because Mr Griffiths has paid \$5,000.00 to Mr Lennox in recompense and has already lost the benefits of Ministerial office for a longer period than any of those cases of precedent) the inquiry believes that it would properly be open to the Prime Minister to accept the return of Mr Griffiths to the Ministry.

204. The Inquiry further concludes that there would be merit in early consideration of the clarification of guidelines to Members and Ministers in a number of respects:-

- (i) To make much clearer that the "over-riding conditions of use" of the facilities provided to Members and Ministers, and the over-riding role of staff provided, is to support parliamentary, electorate, portfolio or official business.
- (ii) To clarify the guidelines concerning limitations on Ministers and Members earning income through personal exertion (see paragraph 48).
- (iii) To clarify the extent to which it is acceptable for staff provided to Senators/Members and Ministers to carry out duties related to the private interests

of the Senator / Member or Minister, and especially their private financial interests. As indicated in the report, a degree of such involvement is inevitable, but as a minimum it needs to be made clearer that the extent of any such involvement should not be such as to cause any detriment to the official duties of staff. Beyond that there may be value in guidelines which limit the areas to those which are inevitable (such as answering phones, passing messages, opening mail).

- (iv) To refine the reference to electorate staff not being used for "party political purposes", since the present apparently widespread practice is that electorate staff are involved in campaign activity in election periods and throughout their employment often in fund raising and other activities which on any reasonable interpretation might be regarded as "party political". (see paragraphs 114 to 116 above)
- (v) To bring more directly and regularly to the attention of Senators / Members and Ministers the responsibility assigned to them for the conduct of their staff and for ensuring their staff understand the standards of conduct expected of them.
- (vi) To clarify the guidelines on use of official motor vehicles for private purposes so that it is clearer what activities are properly embraced within the term "private". It is not sufficient to proscribe, as the latest public service guideline does, use for "commercial" purposes since that term also lends itself to a variety of interpretations. The ambit needs to be made less ambiguous, therefore, for public servants as well as for Members/Senators and Ministers.
- (vii) To clarify the power to withhold severance benefits in appropriate circumstances (see paragraph 181 regarding Ministerial Determination 1993/1).

205. It should be noted also that, since 1987, the Code of Conduct deriving from the Bowen Report and set out in paragraph 40 of this report has been accepted as applying not just to Ministers but also to ministerial staff, public servants and other officials (see paragraph 38). The material presented to this inquiry suggests that there has been no attempt by the Department of Administrative Services to bring this Code of Conduct to the direct attention of all ministerial and electorate staff. This should be done, and done regularly.

206. The Department of Administrative Services has acknowledged the findings in paragraphs 204 and 205 and indicated they will be taken into account in a broader review of DAS responsibilities and administration in this area, already well advanced.

207. Finally, the inquiry believes that the Australian Electoral Commission is open to criticism for its actions in following up on the improperly constituted 1990 and 1993 electoral returns of Mr Griffiths (paras 109 to 111) and should ensure it has procedures in place to follow through its duty more effectively in circumstances where it becomes aware of an improperly constituted return. The AEC has acknowledged there is room for improvement and is taking action accordingly.