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**TRANSCRIPT OF THE PRIME MINISTER  
THE HON JOHN HOWARD MP  
PRESS CONFERENCE - PARLIAMENT HOUSE**

E&OE.....

Well ladies and gentlemen earlier this evening I've become aware of some material which leads me to the strong conclusion that Senator Colston should stand down as Deputy President of the Senate and that all of the matters in dispute relating to his travel allowances etcetera, should be immediately by the appropriate minister or President of the Senate or Clerk of the Senate or whatever the case may be, be referred to the Federal Police for investigation.

I learned at about 7.15pm tonight that the employee of Senator Colston who had previously made a statutory declaration explaining circumstances relating to his travel allowance claims in the Senate context had in fact sent a letter to the ... or had in fact made a statement attached to a letter sent by her solicitors to the President of the Senate. I finally obtained a copy of the document after telephoning Senator Reid in Florida and awakening her from her sleep at about 4.30 in the morning. I finally obtained a copy of that document about an hour and ten minutes later.

I am satisfied having read that document that its character, on my assessment, totally alters the basis on which this matter had been seen previously and that is why I have reached the conclusions that I have. I have spoken to Senator Reid, I have indicated to her that I believe that in the circumstances Senator Colston should stand down as Deputy President and I have spoken to David Jull the Administrative Services Minister because of his responsibilities in the matter, and I don't know that there is a great deal more that I can say. The material which I have seen fundamentally changes the public record in relation to this matter and entering as I must what can only be described as the Willis caveat - the material appears valid and it appears to be a genuine letter. It was not addressed to me, it was addressed to the President of the Senate but I feel it necessary in the interests not of levity but in the interests of proper protection - one never knows in these things but it certainly seems to be a genuine letter and a genuine

statement. I am aware of the firm, it has its head office in Sydney and has a significant branch office in Queensland and some of the names on the partners' letterhead seems familiar to me, so it seems to be a genuine letter, but that's the totality of it. Ladies and gentlemen, any questions?

**JOURNALIST:**

Have you spoken to Senator Colston?

**PRIME MINISTER:**

No.

**JOURNALIST:**

Does the statement substantially recant what she said before or is it a clarification of ....?

**PRIME MINISTER:**

I don't think, given some of the legal niceties, I don't think I should say more than what I've said. Suffice it to say that what was in the statement to my mind, so fundamentally altered the previous public record that I have reached the view that I announced at the beginning of this news conference. Mr Lyneham?

**JOURNALIST:**

What of Tim Fischer's comments... about the separation of powers. Now we have a Prime Minister coming in and saying you believe he should stand down as Deputy President.

**PRIME MINISTER:**

Well I can always have that view. I mean, I've frequently told people to stand down in my political career.

**JOURNALIST:**

...inaudible...

**PRIME MINISTER:**

Well, I don't think it will come to a vote, but the answer is yes.

**JOURNALIST:**

Have you spoken to Senator Colston?

**PRIME MINISTER:**

No.

**JOURNALIST:**

Have you conveyed your attitude....?

**PRIME MINISTER:**

To him? No, I haven't spoken to him. Well, I guess in a sense I'm conveying it now.

**JOURNALIST:**

How soon will he stand down?

**PRIME MINISTER:**

Well, I would just expect in the circumstances that he would stand down immediately.

**JOURNALIST:**

Inaudible...

**PRIME MINISTER:**

Well, that is a matter which has to be adjudicated according to the processes of the law. He's not been found guilty of any offence. I think given the background of all of this and in all of the circumstances, it is not appropriate for him to continue as Deputy President and that is a view that I have conveyed to Senator Reid, it is a view that I have conveyed to the acting leader of the Government in the Senate, and I don't believe that he will. But let me be quite precise. If it did come to a vote then I would expect all members of the Government to vote in accordance with what I've just said, and I'm sure they will.

**JOURNALIST:**

Has Mrs Smith now laid the blame at Senator Colston's feet?

**PRIME MINISTER:**

It is not appropriate for me to answer that question for reasons I'm sure you will understand, Mr Horan.

**JOURNALIST:**

... have your recent....inaudible....

**PRIME MINISTER:**

Well I'm in the process, I guess, now of doing it. I mean, I only heard about this statement at what did I say, 10 or a quarter past seven tonight and I've sort of been working on it since. I've been trying to... I've had to speak to Margaret Reid and one or two others, I had to seek some legal advice and sound advice.

**JOURNALIST:**

...inaudible...

**PRIME MINISTER:**

No, no it didn't. No, what has changed my view is the material, the new material from Mrs Smith. I mean that has been as recently as 7.09pm tonight. We had the situation that I previously asserted. Can I just make the point that I have said all along in this that due process would be observed, and due process has been observed in relation to Senator Woods, former Senator Woods and Mr Cobb and I've said all along that we would not be doing any favours by anybody and nor would we be excessively accelerating an unreasonable witchhunt. But the material that I have seen earlier this evening does on my assessment and like any other individual I am entitled to have an assessment of the merits of something, has altered the situation. I might say that we have allowed to happen in relation to Michael Cobb and former Senator Woods, something that Mr Beazley and Senator Evans did not allow to happen in 1983 and I might say in that context that I'll be writing to Mr Beazley tomorrow requesting that he waive any entitlement of the former government to non-disclosure by the relevant departments to us of the advice that was tendered to Senator Evans and Mr Beazley in 1983.

**JOURNALIST:**

Do you believe that this is going to change the balance of power in the Senate?

**PRIME MINISTER:**

Oh look it is not appropriate for me to comment on that because that anticipates action by or consequences for people which may in turn involve some judgment by me of the legal merits of the situation and it is not appropriate that I therefore answer it.

**JOURNALIST:**

But given the replacement...inaudible...

**PRIME MINISTER:**

A change in the identity of the deputy president would not per se alter the balance of power in the Senate. The only way in which the balance of power in the Senate can be altered is by a resignation or a declaration of ineligibility.

**JOURNALIST:**

Prime Minister (inaudible)

**PRIME MINISTER:**

Laurie, I thought you would ask that or that somebody would. I don't think, given that it has been addressed to the Senate President and the Clerk of the Senate that I should, it is not my mind to make public but if you want a copy of it, then for all I know some of you may already have copies of it, but if you want an official copy of it then you should approach the office of the President.

**JOURNALIST:**

Mr Howard (inaudible)

**PRIME MINISTER:**

In the long run, no. You only are hurt if you are seen to have behaved in a manner that involves some kind of cover up and we certainly have not done that. We have been quite open. You are only hurt if people regard it as systemic conduct and I certainly don't think that is the situation. Let me remind you that all three men who have been named tonight are entitled to a presumption of innocence and I don't know what the final outcome is going be in relation to any of them. I can say very confidently to all of you that due process has been observed. Obviously I would have preferred that these events had not occurred, but if the public judges that due process has been observed and I know on occasions due process seems slow process and it is. The Federal Police took nine months to complete the investigation into former Senator Woods and Mr Cobb and I do not criticise them for that although I note that a period of a month, or six weeks, was regarded as a union spokesman for the Federal Police this morning as being unreasonably long yet their own colleagues had taken nine and I think that that was a bit rich and not very helpful to due process I might add either.

Anyway that is a bit irrelevant now because I think this is a bigger story.

**JOURNALIST:**

Mr Howard do you now regret (inaudible)

**PRIME MINISTER:**

No.

**JOURNALIST:**

(inaudible)

**PRIME MINISTER:**

None of this was known to me at the time.

**JOURNALIST:**

(inaudible)

**PRIME MINISTER:**

If I had known about it yes, but I didn't.

**JOURNALIST:**

(inaudible)

**PRIME MINISTER:**

Well I do not think that I was ever asked the question. I mean all I said was that he should not be denied due process and I stand by that and it remains the situation. I have not made a judgement about his ultimate situation. That is a matter for further processes of the law and I am not going to do that. I believe that the material that I have seen tonight, and I have no reason to doubt it's authenticity, no reason at all, but I had to in view of past experiences in these matters enter that caveat but I have no reason to doubt it's authenticity, but having seen it I think it does alter the situation and that is why I have reached a different view and I think it is the trigger for the change. It does alter it and that is why I have reached a different view.

**JOURNALIST:**

Mr Howard, (inaudible)

**PRIME MINISTER:**

Look, I don't believe so, but you ought to ask Senator Colston I suppose. Well, the letter that I saw was addressed to the Senate President and I do not believe that it was delivered to him although he may have been made aware of its content.

**JOURNALIST:**

(inaudible)

**PRIME MINISTER:**

Well, I am not going to answer for the processes of the office of the Senate President. I mean they value their independence in these matters and all I want to say to you is that as soon as I found about it, learnt of its existence I sought to obtain a copy. I finally did get a copy and having read it I decided to call this news conference. I am doing and I am stating my position. I mean don't, this business about whether it was addressed to Evans or Reid or Colston is a little bit academic. My understanding, or what I saw, the letter I was given was a letter from the solicitors containing the statement by Mrs Smith addressed to the President of the Senate and I therefore

imagine that it did not go to Senator Colston but I can't certify to that because I didn't write the letter and I haven't spoken to Senator Colston.

**JOURNALIST:**

How long has it been since the letter was written?

**PRIME MINISTER:**

I don't know how long since the letter was, well, it was dated today but whether it was written this morning and whether Harry Evans and Margaret Reid have had it for a long time, I don't think Margaret Reid was aware of it when I spoke to her at half past seven this evening.

**JOURNALIST:**

How did you find out about it?

**PRIME MINISTER:**

Well from a normally reliable source.

**JOURNALIST:**

Mr Howard, do you still believe that Labor is engaged in an unreasonable witchhunt, in your words?

**PRIME MINISTER:**

I have no reason to recant or retract my criticism of the zeal with which the Labor Party has pursued this matter. I mean, let's face it, the most disingenuous statement that I've heard in this whole saga was that of the Acting Opposition Leader at the weekend when he told Mr Oakes that somebody who had eight years service was a fresh faced, newly arrived, green rookie, Senator. I didn't feel like that after I had been here eight years.

**JOURNALIST:**

Do you now regret the zeal with which Senior Government Members and Senators defended Senator Colston?

**PRIME MINISTER:**

No, they defended due process. I mean, it's often very hard in a situation like this when a lot of people are howling in one direction to stand up for the process but the long experience of the Anglo Australian legal system has been that on occasions you have to, in the interests of preserving the system, defend situations that aren't always popular and give the right of hearing and the right of audience to people who may be subject to virulent criticism. If you allowed the noise to drown the due process in

many cases people would be denied justice and the strength of our system is that you don't allow that to occur. Now I don't know what will happen with this matter but I am satisfied on the basis of what I saw tonight, I am satisfied that the right thing to do is to have the police immediately look at all the relevant material. I also believe it is appropriate in all of the circumstances that Senator Colston stand down as Deputy President. Now I don't make any other judgement. He remains a duly elected Senator for the state of Queensland. I make no other judgement and he remains entitled to sit in the Senate.

**JOURNALIST:**

Prime Minister, is it fair enough to say in the light of what you have told us about this document that the Senate was misled?

**PRIME MINISTER:**

Well I think that is a difficult question for me to answer, not in the sense that I don't have a view but in the sense that it would not be appropriate for me to answer it. I think the appropriate thing for me to say is to, in answer Laurie, is to simply say that having read it I believe that the two courses of action I outlined are entirely appropriate.

**JOURNALIST:**

Did Senator Reid indicate she would return?

**PRIME MINISTER:**

Yes I suggested she come home.

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