



PRIME MINISTER

21 April 1997

**TRANSCRIPT OF THE PRIME MINISTER
THE HON. JOHN HOWARD MP
DOORSTOP INTERVIEW
OLD PARLIAMENT HOUSE, CANBERRA**

E & OE.....

PRIME MINISTER:

Well, good morning.

JOURNALIST:

(inaudible) it's not looking very good for the Senate,... (inaudible)... the handling of the ... affairs, the government seems to be coming up with legal advice to stop it from looking into Colston matter?

PRIME MINISTER:

No.

JOURNALIST:

Why not?

PRIME MINISTER:

This Government has allowed this matter, in fact this Government has sent this matter off to the police. We behaved differently from Gareth Evans and Kim Beazley 13 years ago who deliberately ignored the advice available to them from the head of the Attorney General's Department to send this matter off to the police. The only thing that we are arguing with the Opposition about is whether a Senate Privileges investigation should be allowed to occur while the police investigation is going on. Now we have been told by Henry Burmester who is the Chief General Counsel that such a course of action could prejudice the police investigation and I agree with what

Robert Hill said on radio this morning, let's get the police investigation out of the way and if after that the Senate believes that there are matters which should be looked at by the Senate, then let that occur. So it seems to me to be an open-shut case. What the Labor Party is advocating is a course of action that might provide a technical let out at the end of the day and I think that's stupid.

JOURNALIST:

But the police investigation could take nine months or so, which leaves Senator Colston still there....still able to vote on federal legislation.

PRIME MINISTER:

Well, I've made it clear that we won't accept his vote.

JOURNALIST:

(inaudible)

PRIME MINISTER:

I'm not disputing the rights of the Senate. I am supporting the proper procedures and we've been given legal advice by somebody who is the Government's Chief General Counsel and surely people who want this thing dealt with properly don't want a situation to arise where somebody who might be charged, and I stress might be charged, with an offence can argue that his case has been prejudiced by a Senate investigation. That would be a very perverse result. It seems to me that you have the right course of action, the best of all worlds if you let the police investigation proceed and when that's been disposed of, then if the Senate believes some other matter should be looked at, then the Senate can look at it. Now that's the advice of the Chief General Counsel. It's the advice of the director of Public Prosecutions. We are the people who sent this to the police. Evans and Beazley refused to send it to the police. Evans and Beazley covered up. Evans and Beazley ignored the advice of the head of the Attorney Generals' Department. Evans and Beazley decided that a little private counselling to a young mistake maker, as they described it, was preferable to sending it to the police. They are the last men on earth who can lecture us about proper handling of this issue, the last men on Earth.

JOURNALIST:

Prime Minister on Wik, you are meeting aboriginal leaders later today, do you believe you are.... (inaudible)... negotiated outcome?

PRIME MINISTER:

Well I hope so but I don't know yet. I have, as you know, invested an enormous amount of time and effort into this issue. I want an outcome that respects Native Title but delivers certainty to farmers.

JOURNALIST:

So are you any closer to that then?

PRIME MINISTER:

Well I will be able to answer that probably more fulsomely later on today after I've met the leaders of the Aboriginal community again. There's a working group discussing the issue at the moment. I meet them at 12 o'clock today and I am prepared to make available plenty of hours of my time this afternoon to try and reach a settlement and the important thing is really to try and reach a settlement that delivers on those two things. That is, we respect Native Title. I've said that all along but we must deliver certainty to farmers. We must accept that they were told in 1993 that they had certainty. They now find they don't have certainty and we have to have an outcome that delivers on those two things.

JOURNALIST:

(inaudible)... does the National Party decision announced....(inaudible)...

PRIME MINISTER:

Well I'm not conscious that the National Party has taken any separate decision. The National Party doesn't take separate decisions on these things any more than the Liberal Party does. I am putting forward a Government position and the Government position I outlined to the Cabinet last week and the Cabinet gave general endorsement to that position including the members of the National Party. There's no such thing as a separate National Party position any more than there is a separate Liberal Party position. But I know my National Party colleagues well. They are representing their constituents with vigour and energy and I congratulate them for that and so are a lot of rural Liberals and they have good will, they want to respect Native Title, but they also want security for their farmers and so do I, and I just repeat again, I'm not going to allow that insecurity to continue and what I am trying to do very hard is to have a compromise which delivers on those two key elements and what I've put forward does that. What I've put forward does not involve blanket extinguishment, it doesn't. I wouldn't be putting it forward if it did, because I know that that would be unacceptable, but it does deliver security to farmers. So I believe the model that I am seeking agreement to fulfils the proper goals of the two parties and I think it is a fair proposal, it is a reasonable proposal and it is an honourable proposal which all Australians I believe can support because it respects Native Title, it respects the Mabo decision, it doesn't involve a blanket extinguishment of Native Title and I hope that the Aboriginal leadership can accept it because it is a very fair proposal.

JOURNALIST:

What was your reaction to the threats of trade sanctions?

PRIME MINISTER:

Look I'll let them go through to the wicket keeper at this stage?

JOURNALIST:

Do you believe that was just public posturing...?

PRIME MINISTER:

Look I don't intend to comment. I mean, the important thing is to get a sensible outcome, not sort of conduct a running exchange of rhetoric on the past to that outcome. Nothing is achieved by some of the running loose rhetoric that has in a sense come from both sides on this issue. I'm working hard to get a fair outcome for Australia. I'm working hard to do the right thing by the Aborigines, but I'm also working hard to give to the farmers of Australia the security they believe they had in 1993, the security they were told by some of their leadership they had, the security they were told by Paul Keating they had, and the security they were told by the preamble of the Native Title Act they had. One more, two more questions.

JOURNALIST:

The indigenous leader are saying you've got a 10 point plan.....inaudible....?

PRIME MINISTER:

We are meeting at twelve o'clock.

JOURNALIST:

Prime Minister just on the Colston matter, what would you say to Senator Colston now, it's been at least two weeks since you asked the Senator to stand down and....inaudible..and he won't even speak to the Senate President?

PRIME MINISTER:

Well, my position is that he should stand down as Deputy President and if he hasn't done so by the time the Senate meets, I have no doubt he'll be voted out of that position. That's what I said the night I had my 9.00pm news conference announcing that this matter was going off to the police, and my position hasn't changed. And this is the last question.

JOURNALIST:

When the Government won't accept Senator Colston's vote in ...(inaudible)....?

PRIME MINISTER:

Well that's a matter you'll have to pursue with him. Look we don't have any power to expel him from the Senate. I can't make him go. That's a matter for the law and for the people of Queensland. I mean do you really want a situation where the government of the day can use its numbers to throw anybody they like out parliament.

JOURNALIST:

No but I'm asking....

PRIME MINISTER:

Well, I've answered your question. The question of whether he comes or goes is a matter for him, a matter for the law and a matter for the operation of the Constitution and the attitude of the people. Now, it is people who elect members of parliament and if in due time he is found to be ineligible well he will go then. I don't think it is for me to say, to put myself in his shoes. You ought to go and ask him, you ought to get him to have a news conference and ask him.

JOURNALIST:

We have...

PRIME MINISTER:

Well, I know, do that. But I can't answer for him. That's a matter for him. I mean, I have done all I can do. I've said we won't accept his vote, I unlike Beazley and Evans, I sent this thing to the police, unlike Beazley and Evans who sat on it and ignored the advice of Pat Brazil, the head of the Attorney-Generals department to send it to the police. I haven't done that. At all times I have behaved properly and quickly and speedily. The thing was going to be considered for dispatch to the police before Mrs Smith made her statement. This crazy idea that until she made her second statement we in some way were obstructing the thing going to the police is wrong. All we said was that on legal advice again we should wait until the administrative services department had got the whole thing together and then had a look at it as a whole to decide whether it ought to go to the police. Now obviously the second statement by Mrs Smith changed that but I have sent it to the police, I've behaved properly. Beazley and Evans buried it. They buried it for thirteen years, they allowed their party to re-endorse him, they got together with the Democrats to break a convention and elect him as Deputy President in 1991 over the nominee of the Coalition parties and now they've got the gall to lecture us about what we ought to be doing. I mean we have done everything that could have been done, everything. We don't have power to expel him. The only people who can expel him are the people, because the people elected him. The Labor Party took the power of expulsion away in 1987, there's only been one person to my recollection expelled from the Parliament by a vote of the Parliament since federation and that was the Labor member for Kalgoorlie in 1920 and he was expelled in circumstances that involved a very vicious sectarian fight at the height of the anglo-Irish dispute over Irish home rule and so it was a very interesting

saga, and it's only happened once. Now I think the Labor Party's track record on this is grubby, it is hypocritical, they could have done something 13 years ago. When Kevin Newman as a Fraser Government Minister got allegations, he wanted to send it to the police and he was advised not to. Evans and Beazley were advised to send it to the police and they decided not to. That's the difference.

Thank you.