



THE HON DR CRAIG EMERSON MP
MINISTER FOR TRADE

Transcript
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E&OE

Subjects: Craig Thomson.

CRAIG EMERSON: Today it's been revealed that Senator Brandis made a second phone call, this time to his counterpart in the New South Wales Government, the Attorney-General, in relation to the Craig Thomson matter. When it was revealed that Mr Brandis made a phone call to the NSW Police Minister - who then contacted the NSW Police Commissioner - Senator Brandis went to ground. He had been out every day, spruiking his claims about, his allegations about Mr Thomson, but he went to ground and issued only a written statement. In that written statement he said he had done nothing untoward having made a phone call to the NSW Police Minister. He did not reveal that he had also earlier made a phone call to the NSW Attorney-General.

Now, separately, Mr Abbott has called for the Fair Work Australia investigation to come to an end. Mr Abbott should back off and stop trying to pressure an investigative process. Mr Abbott must understand that due process must take its course without Mr Abbott's political interference. And Mr Abbott and Mr Brandis should explain why they saw fit to contact their counterparts in NSW: that is, Senator Brandis contacting the Attorney-General, which he had not revealed until it was revealed today; and Senator Brandis contacting the NSW Police Minister.

The facts of the matter are this: that our system of justice is built on the presumption of innocence and the non-interference of politicians in legal processes. And there is a danger of Senator Brandis and Mr Abbott

crossing the line, or being perceived to have crossed the line. They need to back off and let the police and let the Fair Work investigators do their work and refrain from, or not make any attempt to be, putting any pressure on these investigative processes.

The final thing I'll say is this: Senator Brandis has said that his motivation in making a complaint to the NSW Police Commissioner and the NSW Police more generally was legal motivation, not political motivation. So if Senator Brandis wants us to believe that he is motivated by legal considerations and not political considerations, he needs to stop ringing politicians in NSW and allow these investigations and assessments to take their course.

QUESTION: What should he have done instead if he wanted this matter investigated?

EMERSON: If he wanted the matter investigated all he needed to do was bundle up the material and send it to the NSW Police. What is he going to tell us: that he rang the Police Minister and the Attorney-General to find out the postal address of the NSW Police? That it was a courtesy? I mean, if someone has a complaint to make about someone else, or some alleged incident, they don't normally ring up the NSW Attorney-General or the NSW Police Minister. And this is what Senator Brandis has done. And he wants us to believe that his motivation and his actions are all about legal processes and not political processes. An ordinary person who wanted to make a complaint would not be ringing up NSW attorneys-general or NSW police ministers. It is because George Brandis thinks they're his mates and that he's got some sort of special relationship with them, that he thinks it is suitable and reasonable to ring them up to foreshadow the making of a complaint. This is not the action of an ordinary, everyday Australian; it is the action of a person who is motivated by political considerations, not legal considerations.

QUESTION: Isn't it a bit suspicious that documents related to Craig Thomson's [inaudible] have disappeared?

EMERSON: Well, in relation to that matter, I embrace the notion that investigations should be able to take their course. This is a matter for the investigators at Fair Work Australia. This is not a matter on which politicians should be making judgements. And the only judgement I've seen in relation

to the Fair Work Australia investigation is Mr Abbott seeking to influence it. Now Mr Abbott has said it's "high time" that that investigation came to an end. Does Mr Abbott not understand the notion of the separation of powers? Does he not understand that notion? It's not for politicians to make judgements about the comprehensiveness of documents. That is a matter between Fair Work Australia investigators and the unions. And it is not a matter for politicians to make judgements in respect of.

QUESTION: But, Minister, in terms of wanting that investigation to be a proper investigation: doesn't it worry you that all this material is missing?

EMERSON: I can't particularly comment on the adequacy or otherwise of documents. What I'm saying is that this is a notion that I think most Australians would understand; that an investigation should be able to take its course, without political interference, without political pressure from the Opposition leader, who has sought to put pressure on the investigators. Why? Because Mr Abbott thinks this is the easy, sleazy path to The Lodge. And it is not the easy, sleazy path to The Lodge. Mr Abbott should knuckle down, do some policy work, and explain how he is going to fill his \$70 billion Budget black hole and why he believes a tonne of carbon dioxide weighs nothing.

QUESTION: The Nationals Leader has described the Labor Party this morning as corrupt.

EMERSON: Well that's a big allegation from the Nationals Leader, if that allegation has been made. If that allegation has been made, that is a big allegation to make. If the Nationals Leader has evidence of corruption in the Labor Party or the Federal Labor Party, he should do the right thing and take that evidence to the Police or to some other relevant legal process. But, again, here you have the National Party and the Liberal Party seeking to smear their way into office. The Australian people don't like that sort of behaviour. They don't like unsubstantiated allegations where politicians seek to simply smear their way into office. They won't be rewarded for it.

QUESTION: Barnaby Joyce said today that Craig Thomson's defence is implausible and nobody believes him.

EMERSON: Well, again, Mr Joyce should stay out of any investigative process and allow those investigative processes to proceed. Now, Mr Joyce has already pre-judged those processes; this is the very point I am making. You've got Mr Abbott pre-judging the investigative processes; Senator Barnaby Joyce pre-judging the investigative processes; Senator Brandis contacting his Liberal counterparts in NSW in an extraordinary intervention rather than simply posting the material off to the Police Commissioner, which is what any, everyday Australian who believed that there had been some illegality would have done. Mr Brandis, because he knows the Attorney-General in NSW, because he knows the Police Minister in NSW, has used that position to contact them.

And I'll make this point about the Attorney-General in NSW: we have no adverse reflection on the Attorney-General in NSW whatsoever. Robert McClelland knows him and says he's a decent man. I'm not suggesting any wrongdoing whatsoever on the part of the Attorney-General of NSW. What I find unbelievable is that Senator Brandis, when it was revealed that he had contacted by phone the NSW Police Minister, then made a statement and failed to mention he had also earlier made contact with the NSW Attorney-General. Why did Senator Brandis seek to conceal that? Now, Mr Abbott and Senator Brandis are talking about accountability and transparency. Where's the accountability and transparency in the Shadow Attorney-General contacting his NSW political counterparts before making any complaint in relation to the Health Services Union matter?

QUESTION: There's nothing illegal about that though.

EMERSON: I have simply suggested that it is very important to our justice system that there be a presumption of innocence, and that politicians not only not interfere in investigative processes but not create any perception of interference in investigative processes.

QUESTION: Craig Emerson has told News Limited that he has documents that can show that he did not pay for prostitutes. Why doesn't he come out and make these documents available and why has he taken so long to tell News Limited this?

EMERSON: Well there's an assessment underway by the New South Wales Police and Mr Thomson, I imagine, would make

that information available if sought by the New South Wales Police. I just have the view that we as politicians should step away and allow the investigative processes to take their course free of pressure and free of interference. Now that might be a quaint notion to Mr Abbott, who has called on Fair Work Australia to complete its investigation.

Mr Abbott obviously doesn't understand the importance of not being seen to be pressuring investigators in a matter that has political implications, and for him for which he considers has political benefits. Mr Abbott should know better. But I'm not surprised; I'm not surprised at the behaviour of a man who is still sulk and sulking because he didn't win the last election, because he didn't get the Independents across the line. Now all he wants to do is sleaze his way and find a sleazy, easy way into The Lodge. And the Australian people won't accept that sort of behaviour.

QUESTION: Craig, you're good friends with Craig Thomson. How is he holding up, and are there concerns for his well-being?

EMERSON: Well, I think always if anyone is under pressure, people should support that person. Again, I know that amongst many people that's a quaint notion, that seems to be an old-fashioned notion. I actually think that when someone is under pressure they should believe that others will come around and support them and that's what I'm doing.

QUESTION: What do you make of the incident yesterday outside Cathy Jackson's place?

EMERSON: Well in respect of that behaviour, it is totally unacceptable behaviour. It should be condemned and people should not behave in that sort of way.

QUESTION: In what capacity are you coming out and speaking daily on this issue?

EMERSON: I've been following the issue. I know Mr Thomson well and I'm just doing it on behalf of what I consider to be very important principles which seem to be going out of fashion in Australia - at least amongst the Liberal Party politicians in Australia. And that is the presumption of innocence and a non-interference in investigative processes. And let me repeat that: I cherish the presumption of innocence and I cherish the separation

of political processes from legal and investigative processes. I think if those crumble the entire justice system in this country crumbles. It's happened before and we don't ever want to see it happen again. It happened in Queensland, as is well known, in the Bjelke-Petersen era. I don't ever want to see a return of Bjelke-Petersen style politics and interference in investigative processes.

QUESTION: As the days and weeks go on, do you still believe Mr Thomson's story?

EMERSON: It's not a matter of believing Mr Thomson's story; it's a matter of allowing investigative processes to continue and the presumption of innocence. These are the basic foundations of our justice system. And I have the view that people, particularly politicians, should not prejudge others; should not prejudge others. And that's what Mr Abbott and Senator Brandis and Senator Ronaldson have done. They have already come to their conclusion and the New South Wales Premier has already delivered his final judgement on Mr Thomson and said he should resign from Parliament.

This is the trouble: the Liberal Party does not understand the basic notion of the presumption of innocence. They are quick to rush to judgement. The Liberal Party rushes to judgement over people. They wouldn't want to be treated that way themselves. But because they think this is an easy, sleazy way to The Lodge they are just falling over themselves to rush to judgement. And the Australian people in time will come to realise that politicians should not put pressure on investigators and politicians should not create any impression of any possible interference in investigative processes.

Thanks very much.