

Parliamentary Paper
No. 137/1981

The Parliament of the
Commonwealth of Australia

THE SENATE
COMMITTEE OF PRIVILEGES

Sixth Report

June 1981

The Commonwealth Government Printer
Canberra 1983

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MEMBERS OF THE COMMITTEE

Senator D. S. JESSOP (Chairman)
Senator J. N. BUTTON
Senator C. R. MAUNSELL
Senator A. J. MISSEN
Senator the Hon. J. O'BYRNE
Senator A. M. THOMAS
Senator the Hon. J. M. WHEELDON

THE SENATE COMMITTEE OF PRIVILEGES

SIXTH REPORT

The Committee of Privileges has the honour to make its Sixth Report to the Senate, as follows.

2. On 26 May 1981 the Senate, on the motion of Senator Harradine, agreed to the following resolution:

That, in view of the long-established practice that serious breaches by members of Parliament or their staff of codes of conduct in relation to members of Parliament within the precincts of Parliament are sought to be resolved by Parliament rather than by the police, the matter of repeated nuisance and personally abusive telephone calls made to a member of the Senate at his Parliament House office on 8 and 10 April 1981 be referred to the Committee of Privileges.

3. The Committee heard evidence from Senator Harradine that early on the mornings of 8 and 10 April 1981 he received a number of offensive telephone calls at his office in Parliament House, and that he requested Telecom to inquire as to the origin of the calls. Senator Harradine explained to the Committee that after notifying the relevant parliamentary authorities of his intention to do so, he had slept in his Parliament House Office on five nights for personal family reasons which the Committee accepted as valid. He informed the Committee that Telecom advised him that one of the calls made on the morning of 10 April had been traced to a telephone located at 13 Kingston Mews, Kingston, A.C.T., and held in the name of Ms Harriet Swift.

4. The Committee agrees that the telephone calls as described by Senator Harradine were highly offensive. Senator Harradine informed the Committee that the Australian Federal Police approached him concerning the calls but he requested the police to take no further action as in his opinion this was a matter for the Parliament.

5. The Committee invited Ms Swift to give evidence. Ms Swift appeared before the Committee and said in evidence that she was prepared to accept the statement by Senator Harradine that Telecom had traced the call made on the morning of 10 April and that the call had been made from the telephone at her address. She informed the Committee that she had no knowledge of the calls which were made on the morning of 8 April, but that on the night of 9 April and the morning of 10 April there was a party at her premises and that it was possible that the call which was traced was made by her or by some other person on the premises.

In her evidence to the Committee she said:

I had a party at my house that night. I was not there in the house all night—it is a flat actually—but I was there for probably most of it. There were a lot of drunks at the party, not the least of which was me. Anyone could have used the telephone, including me. I must honestly say that I do not remember who made the call, whether it was me or someone else. That was the night of the 'Business Review' magazine launching and there were a lot of drunks around. That is about all the light I can shed on it.

When asked by the Chairman:

'you do not remember making any telephone call yourself, or any other person making a call?'

She replied:

'No, but it is possible.'

When asked whether she often had the experience of not being able to remember what she had done, she replied:

'Not often . . . I do not make a habit of it. I do not think you would find it difficult to find people who would be prepared to testify to my condition that night.'

She further informed the Committee to the following effect:

'I regard it as a matter of regret that my telephone was involved at all. If I did do it, it is a matter of even greater regret.'

'I am prepared to apologize to Senator Harradine, if that would satisfy him.'

'I wish that I could apologize to him and do whatever is necessary.'

6. The Committee considers that it is a contempt of Parliament for any person to harass a Senator by repeated offensive telephone calls, and that the course of conduct involved in the series of telephone calls made to Senator Harradine constitutes contempt.

7. In the light of the evidence the Committee does not recommend that the Senate take any action on this occasion other than to adopt this report so as to indicate its agreement with the Committee's findings.

D. S. JESSOP
Chairman
10 June 1981