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Senate F&PA Committee

Tabled DocumentInquiry: Budget Estimates 10-11Date/Time: 27 May '10, 4:10pmWitness Name: Sen. Barnett

Organisation:

THE 7:30 REPORT

Union boss versus PM

Australian Broadcasting Corporation

Broadcast: 13/04/2010

Reporter: **Conor Duffy**

Outspoken Tasmanian union boss Kevin Harkins has vented his anger about being rejected for Senate pre-selection, accusing the Prime Minister of breaking a promise.

Transcript

TRACY BOWDEN, PRESENTER: A senior Tasmanian union leader, Kevin Harkins, has launched an extraordinary attack on the Prime Minister, Kevin Rudd, calling him a dictator whose word is worthless.

Last week, Labor's national executive took the advice of Kevin Rudd and blocked a recommendation from Tasmanian Labor that Kevin Harkins be preselected to the number one spot on the Tasmanian Senate ticket.

Speaking out for the first time, Mr Harkins claims that broke a deal Kevin Rudd agreed to in 2007. The terms of the alleged deal were set out in documents sent to Labor's national executive which have been obtained by the 7:30 Report.

Conor Duffy reports from Hobart.

CONOR DUFFY, REPORTER: Kevin Harkins has been a union leader for 15 years and is used to confrontation, but it was when he was preselected for Tasmanian seat of Franklin in 2007 that his most bruising battle began. At the time, he was facing Federal Court action for leading an illegal strike. He was eventually fined \$8,000 and his candidacy was attacked inside and outside the Labor Party.

HARRY QUICK, LABOR MEMBER FOR FRANKLIN (2007): He wasn't the preferred candidate. He got in through the back door with branch stacking and rorting.

CONOR DUFFY: In the face of a strong anti-union campaign from the Coalition, senior Labor figures met in Melbourne in early August 2007 to discuss his candidacy.

Kevin Harkins says Kevin Rudd's then chief-of-staff David Epstein was there and told him he should stand

down.

KEVIN HARKINS, CEPU, SECRETARY TASMANIA: Basically was requested to do so from the Prime Minister's office - or the Leader of the Opposition, as it was at the time, because of the perceived effect that it may have on some electorates and particularly in Queensland.

CONOR DUFFY: Last year news trickled out that Kevin Harkins was again seeking to enter federal Parliament, this time in the Senate. It brought an immediate and blistering response from the Prime Minister.

KEVIN RUDD, PRIME MINISTER (2nd June, 2009): From my point of view, there is two chances of him entering the Senate on our part: Buckley's and none. ... Given Mr Harkins career as a well-known pugilist I thought his career would lie in the party opposite rather than in our party, given what's happened in the joint party room today.

KEVIN HARKINS: The Buckley's chance thing that was said in Parliament in June last year was, you know, obviously a shock. But I think more to the point was the pugilist comment. That term or those few words in itself have done a lot of damage to my reputation personally and the reputation of my family for that matter.

CONOR DUFFY: The Tasmanian branch of the Labor Party defied the Prime Minister and put Kevin Harkins in the number one Senate spot. Mr Harkins wrote to Kevin Rudd earlier this year making a desperate plea to save his political skin.

LETTER FROM KEVIN HARKINS TO KEVIN RUDD (March 23, 2010, male voiceover): As you may recall, I wrote to you on August 18, 2009 ... where I explained those circumstances that gave me cause to withdraw my candidacy as the endorsed Labor candidate for Franklin at the 2007 election. It is my sincere hope that that letter, as well as the support I have received from many Labor people - including senior members of your government - has cleared the air so I may contest federal preselection unfettered.

CONOR DUFFY: But on Friday, Labor's national executive overturned that decision. Speaking out for first time, Kevin Harkins says that broke a commitment he was given after a second secret meeting of Labor powerbrokers in Sydney in 2007.

KEVIN HARKINS: Once again, a number of senior Labor Party people were involved in that meeting and some leaders from the union movement. And at that meeting, which was with the full understanding of the then Opposition Leader Kevin Rudd, there was commitments given about what might happen for me in the future if I agreed to stand aside. ... In a nutshell, it was that if I decided to run for a federal position in the future, that there would be no blockers or veto or interference in the preselection process.

CONOR DUFFY: Are you 100 per cent certain that Kevin Rudd was aware of these negotiations and had in effect signed off on the agreement?

KEVIN HARKINS: Absolutely, 100 per cent, Kevin Rudd was involved in the negotiations, knew it was happening and then after the conclusion of it people checked with him again to make sure he was happy with those commitments and he was agreeable.

CONOR DUFFY: The Prime Minister's office declined to answer direct questions on whether Kevin Rudd had any knowledge of the negotiations. A spokesman would only say that the Prime Minister had made his personal views on Mr Harkins known in Parliament and that preselection was a matter for the ALP.

Other Labor figures have consistently denied there was a deal, but a senior unionist who claims to have

been present at the meeting has confirmed Kevin Harkins' account to the 7:30 Report. He says there was a verbal commitment given that any future attempts to run would not be blocked. He says the meeting was attended by senior Labor MPs, some of whom are now ministers.

Kevin Harkins says the agreement wasn't put in writing, but he did send a letter to Labor's national executive last week reminding it of the deal.

LETTER FROM KEVIN HARKINS TO ALP NATIONAL EXECUTIVE MEMBERS (April 7, 2010, male voiceover):
As you know, I was the endorsed candidate for the seat of Franklin in the 2007 election. I stood aside in the best interests of the party. At the time, I was given commitments by senior national Labor figures that by volunteering to stand aside no barrier would be placed upon my candidacy for public office in the future, irrespective of which position I nominated for.

KEVIN HARKINS: Unbelievable. As I say, if you give your word, you should stick to your word.

TRACY BOWDEN: Conor Duffy with that report.

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