



FEDERAL LABOR LEADER MARK LATHAM

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LATHAM: Can I just say it was great to catch up with Bernie Banton outside the James Hardie site and to confirm to him our commitments in the ongoing struggle to see that justice is done, that the victims receive their due compensation. I was able to outline to him our commitment to corporate law reform, in particular, ensuring that persons who've suffered personal injury or death – that is, tort victims – as a result of the negligence of a subsidiary company can seek to recover damages from the holding company. This is a commitment that is consistent with the Labor Party's Private Member's bill that's been in the Parliament – the Corporate Responsibility and Employee Security Bill. It ensures that we lift the veil between the victims and the holding company so that justice can be done in the future. Also, I gave him our commitment that we'll join with the States and local government in a boycott of James Hardie products, in government, until they make the proper just compensation available to the victims. Also, of course, a Labor Government in the future will support the ASIC investigations and any prosecutions that flow from the Jackson Inquiry and these shameful events to ensure that people who've done the wrong thing feel the full weight of the law against them.

Can I also just repeat my call for the Government to abandon the plan set up by Kay Hull to charge Government school fees. I just think it's wrong. It's certainly

against the Australian way to have people paying fees as they go into the gate of Government schools. Kay Hull is a senior Government MP. She is the head of a parliamentary committee. In the National Party, and across the Coalition, this seems to reflect a mentality which is user pays, user pays, user pays. It is just outrageous to have a Government that's underfunded Government schools around the country now talking about the imposition of fees on parents to make it even harder for people to pay their bills, to make ends meet and to get their children a decent Government school education.

Mr Howard and Mr Anderson have got to abandon this plan. They've got to abandon the user pays mentality. We've seen too much of it in the health system. We're seeing it now in their policies and attitudes about Government schools and it just adds to the financial pressure on families that Labor wants to take off. We've got policies to ease the financial pressure on families – tax and family payment policies – but also our commitment to ensure we've got well-funded Government schools, an extra \$1.9 billion, without the user pays burden of putting the fees on. I know they like the fees at King's School and the like but it is not the Australian way to apply that to Government schools. This is a foolhardy plan. It's bad for families. It's against the Australian ethos of universal free public education. The day we abandon that – universal free public education – would be a very sad day for the country indeed.

JOURNALIST: Mr Latham, just with Mr Banton, he asked you if any changes to Corporations Law would be made retrospective. Is that what you would be looking for?

LATHAM: We'd take advice on that. I don't know if that's possible under the law. But in relation to James Hardie I think our best and immediate hope is the pressure on them – the public pressure, the moral pressure, the boycotts of their products, the findings of the Jackson Inquiry – so that when the negotiations start they'll do the right thing and pay up the billions of dollars that would otherwise be denied for the victims of asbestos related diseases. I think that's our first step. We'll make sure under Corporations Law it can't happen again in the future. But, whether it can be made retrospective, I just don't know. We would have to take legal advice from the Attorney-General's Department in Government but certainly we will do whatever it takes to ensure that the people who've been ripped off by James Hardie in these disgusting circumstances get their compensation and they get justice in the future.

JOURNALIST: Mr Latham, can a Federal Government legally boycott products of a company?

LATHAM: You don't have to buy particular products if you don't want to. It's happening at State and local government and we'll join in, in collaboration

with the New South Wales Government, in particular. If that's another pressure point on James Hardie to do the right thing, then a Federal Labor Government will be putting more pressure on. We want to maximise the pressure on the company to pay up and do it quickly.

JOURNALIST: What would that entail at a Commonwealth level?

LATHAM: The Commonwealth construction budget is obviously substantial. There are Commonwealth public works undertaken all the time and we wouldn't want those projects to be purchasing James Hardie products, as long as this company is failing to pay up to the victims and do the right thing. Just as you've got State Government boycotts around the Commonwealth and just here in New South Wales 20 local government authorities that are saying they'll be part of the governmental boycott. I think that's a good pressure point. Let's hope that it's not a boycott that needs to be implemented on our part. I hope that by the time we come to Government the negotiations have started and James Hardie under the moral, legal and ethical pressure is doing the right thing and paying up the billions that should be paid through to the victims of asbestos related diseases – the victims themselves and the families that remain.

JOURNALIST: Given that it's now a Dutch based company, don't you end up with a trade issue with the Netherlands or the European Union? Won't that create a trade problem?

LATHAM: They didn't look Dutch based out there at Rose Hill; they looked Rose Hill based. As the products were being wheeled out on the trucks, we'll ensure that they are not going to be purchased by a Federal Labor Government in the future, as long as they're doing the wrong thing, they're failing to pay up the full compensation, full tote odds for the victims who've missed out so badly in this shameful affair.

JOURNALIST: Mr Latham, are you saying unless they're negotiating seriously or until they've actually reached an agreement?

LATHAM: Until they've done the right thing, the same stance that Bob Carr has said that, when they pay up and they've done the right thing, then there's no need for a boycott. But until that time, until the victims get the money that's owed to them – I mean, they should have had this money years ago. Let's not dance around it; they should have had the money years ago. This should never have happened: the transfer of assets to the Netherlands, and all the matters that have been found against them in the Jackson inquiry. We'll maximise the pressure, with State and local government colleagues to make sure they do the right thing.

JOURNALIST: You [inaudible] more unified national approach to asbestos liability? It's very State based, isn't it, a lot of people sue in New South Wales to [inaudible] to a better system? Would you commit to some sort of national unified fund or scheme for compensation?

LATHAM: We're committing to changing the national Corporations Law so it doesn't happen again in this country. I think that's an important step, to ensure that people aren't treated so badly from corporate Australia in the future.

JOURNALIST: But there are actually more people yet to sue, aren't there? I mean, all projections are that there are lot more people out there, some of whom don't even know they're sick yet. Do you think it's right that those cases will all tend to get prosecuted through this New South Wales tribunal or do you think there should be a national tribunal?

LATHAM: I think the people who are coming forward should be considered in the negotiation process and all the compensation that they require should be paid by James Hardie. I'm not here to take over the system from the States; I'm here to get the Corporations Law right, which is a national responsibility. I'm here to ensure the ASIC investigations proceed, which is a national responsibility and to add national Labor weight to a product boycott so that the company is forced to do the right thing. I think this is what every Australian would expect in the shameful circumstances where sick people who've suffered from asbestos-related disease have been ripped off and denied their proper compensation by a company that was flush with money, put the assets to another part of the world, instead of ensuring the billions of dollars were paid through in this country for the proper liability.

JOURNALIST: Mr Latham, isn't it true that the money that you're sending back to the victims' fund is going to the legal firms, Turner Freeman and Slater Gordon? Turner Freeman is Rob McClelland's old firm and Julia Gillard is from the Slater Gordon firm. In the case of Slater Gordon, they are actually donors back to the Labor Party. So you've got the money going back to the lawyers and then the money going back to the Labor Party.

LATHAM: That's a very long sounding bow, Gerard. But I don't know where the money is going. We've paid it over to the victims' fund – their foundation. How they use it, I trust, is in the interests of the victims. That's why we've paid the \$77,500 back. I've got no detailed understanding of how it's being used except, in talking to Bernie, my assurance is it's being used for the benefit of the victims so that they get the justice of the billions of dollars that are owed to them from this company and should have been paid in the first place.

JOURNALIST: Mr Latham, yesterday at Tweed Heads – just back to Ivan and Cate Molloy – you said that he had retracted his comments in support of his wife over the Bali and Jakarta bombings. But he hasn't, as I understand it, nowhere has he done that. In fact, today he has put out a statement saying that 'there's an underlying reality and truth to what his wife said.' Will you demand an apology or that he withdraw those comments.

LATHAM: My understanding is she's retracted the comments and he was trying to stand by her so obviously he'd stand by the retraction.

JOURNALIST: But he hasn't retracted.

LATHAM: Yes, but I mean his whole involvement seemed to be a personal one where he was standing by his wife. And she's retracted so he would obviously be standing by his wife in those circumstances and the nature of the retraction.

JOURNALIST: Do you still believe, though, that his views are wrong?

LATHAM: Yes, they're wrong – well, her views, the original comments, are wrong and inappropriate. It seemed to me he was involved in a personal connection. I mean, it is not unusual that husbands try to stand by their wives. She's retracted and obviously he would be standing by that retraction. That's how he got involved in the first place.

JOURNALIST: He still believes there is an underlying truth to what she says.

LATHAM: I don't know about that. All I know is that she's retracted and he got involved to stand by his wife.

JOURNALIST: But shouldn't he just apologise for the comments or for supporting the comments, just to clarify the situation?

LATHAM: I think we are getting into a circular argument. If he got involved in the first place at the personal level of standing by his wife then if she's retracted then obviously he would be standing by the retraction.

JOURNALIST: Mr Latham, the Prime Minister is planning to run or wants to run some more educational terror campaign ads. Has he approached you yet about the possibility of those ads, because under the caretaker rules he would have to get your support to do such a thing?

LATHAM: Yes, this is what I mentioned last week that under the caretaker provisions I was required to approve television ads. I wasn't required for the approval of Defence Forces sent to another country, and I made that point at the time. But when I was asked about television ads this is the campaign involved and we've taken advice and passed on our view that, as a continuation of the earlier campaign – Alert But Not Alarmed – we see it as appropriate to be aired as a continuation, not a new campaign but as a continuation of what was screened and distributed last year.

JOURNALIST: On your tax and family package, Mr Latham, you said yesterday morning that you would submit elements of the package to Treasury. Why not submit the whole package, and which elements are going to be submitted and which aren't?

LATHAM: It's a big package and just as we submit these things step by step we'll start with the elements of the package. The whole thing will go through under the Charter of Budget Honesty – I've said that from day one. But the truth of it is that it's been certified by NATSEM and the Melbourne Institute. I see in recent days it's passed the Costello charter, where the Treasurer tried to make some points – his own analysis of it – and made a \$700 million mistake in how we do our calculations and ended up with egg on his face. So we've got no worry about submitting the full document to the Charter and that will be done. I think the real embarrassment is that the Costello charter turned out to be an exploding cigar.

JOURNALIST: Have you decided when you'll be submitting it?

LATHAM: Yes. We'll be submitting it in the next couple of weeks, obviously. But, just as the Coalition do these things in a staged fashion, so do we. We've put in 44 savings. We'll put in the tax and family package and we're happy for it to be scrutinised just as we're happy for the outcome of the Costello charter to be egg all over his face.

JOURNALIST: Mr Crean said on Wednesday that it would be submitted in the next week. Is that your understanding?

LATHAM: Yes, that's consistent with what I've just said.

JOURNALIST: So the next few days, would we be looking at?

LATHAM: A week is different to days but I've answered your question.

JOURNALIST: Mr Latham, your Veterans' Affairs spokesman, Mark Bishop, has had to apologise after launching a tirade of abuse at veterans on

Wednesday. Do you think his behaviour has been appropriate and will he be Veterans' Affairs Minister in a Latham Government?

LATHAM: I wasn't there for the incident. He's apologised. I haven't spoken to him but I saw the reportage that some people around the discussion had an objection and he apologised for any offence that might have been caused, so that's appropriate.

JOURNALIST: So he'll be a Veterans' Affairs Minister, if you're elected?

LATHAM: Yes, well, absolutely.

JOURNALIST: Where's your veterans' policy, because the veterans' community is calling for policies from both the Coalition and Labor? When is your policy going to be released?

LATHAM: If you were at the RSL Congress, that's when I spoke and outlined our initiatives. And we released the veterans' policy document that day.

JOURNALIST: Mr Latham, given the size of the surplus and the obvious need for more investment in things like infrastructure and education, is there a case at all do you think for the Labor Party to actually promise more, despite your promise of fiscal restraint?

LATHAM: What's the point of your question? We'll announce our policies in an economically responsible way through the campaign.

JOURNALIST: That the surplus is so large and the need is so great – you've made a virtue of Labor not spending more than it's been able to cut. Do you think there's a theoretical case, at least, for actually investing substantially more Government funds?

LATHAM: We'll invest more in an economically responsible way, through the course of the campaign. I basically agreed with what Treasurer Costello said – that if you run down the surplus with unfunded commitments you put upward pressure on interest rates and, unfortunately, that's what the Coalition has been doing ever since the Treasurer said it at the beginning of the campaign. We've taken a different approach of making savings to fund our investments and that obviously is good in terms of efficient Government – cutting out waste and mismanagement, investing more in health and education, in particular, but also putting downward pressure on interest rates. That contrast in the campaign is stark. One of the good services of your paper, Jennifer, the *Financial Review* – I think on your page 5 or 7 – every day you've got a spendometer there, where their spending commitment is a big red bar, their

savings commitment is a sliver, whereas our spending commitment matches our savings commitment and we're very clearly, in the judgment of the *Financial Review* the only party that is doing things in an economically responsible way. And that will continue right through the campaign.

JOURNALIST: On Sunday, John Howard was in western Sydney and he launched his big western Sydney package worth about \$50 million. What can you offer western Sydney in monetary terms? He is going to upgrade Penrith Stadium; he's got money for crime prevention etc. What is your offer in Sydney to win those vital seats?

LATHAM: The offer we make to western Sydney, the whole country, is Labor structured improvements, policy changes that are good for the long term future of the country. We are not in a campaign where we wander out to Penrith Stadium and drop money out of our pockets in marginal seats. Mr Howard has got that approach. He's had eight years to solve problems and all he's got is a giveaway, a clearance sale, in the last weeks of his Government. That's not the public policy approach that the Australian people need. Our commitments in western Sydney are early childhood development, fair funding for schools, better opportunity in education, expansion of TAFE places, expansion of university places, reversing the 25 per cent increase HECS, our Youth Guarantee so you've got a fair share in western Sydney of education and training places for young people with matching responsibility in return, our health commitments for bulk-billing doctors, public hospital investment, a National Dental Program. These are the opportunities that people in western Sydney rely on and combined with our tax initiative – at Greenway you've got an indication of what the Liberal Party really thinks about western Sydney; 88 per cent of people in the seat of Greenway missed out on a tax cut. Under Labor they will all get a tax cut. They'll have a family payment system that's simplified, that's more efficient, that's more generous, that solves the family debt crisis, that provides two tax-free guarantees. These are the big structured improvements that we make, matching up to real life circumstances in the region. How do I know about it? Well, it's been my life's work to get these improvements there, matching that approach, that we've got to get the services and opportunities in western Sydney to where the people have moved in such vast numbers. So it is more than a couple of marginal seat promises in the dying days of a government. We've actually got a big, structured program to make improvements in the areas that matter – education, health, tax and family, and western Sydney would be miles ahead under a Labor Government compared to these pork barrelling promises from the Prime Minister.

JOURNALIST: Can you clarify your promise to change the Corporations Law on the James Hardie matter. The victims are saying that it needs to be

retrospective so that they can get some benefit from that. Does your promise include that?

LATHAM: I've outlined that our promise is consistent with our Corporate Responsibility and Employee Security Bill, which is prospective; whether it can be retrospectively we'll have to take advice in Government. The same answer I gave before. We'll take advice from the Attorney-General's Department but our general approach is to do whatever it takes to ensure that James Hardie meet their full responsibilities and the needs of the victims are honoured financially in full.

JOURNALIST: The Prime Minister says that your refusal to disendorse Ivan Molloy shows that you don't have a backbone. What's your response to that?

LATHAM: I've dealt with that matter and I think the position is very clear.

JOURNALIST: But he's flinging around insults now, saying that you don't have a backbone. What do you make of that?

LATHAM: Mr Howard says a lot of things about me and the Labor Party. It doesn't mean they're true. We're getting on with our campaign in a good positive way and the strength of our campaign is telling the Australian people the truth. If Mr Howard was truthful, he would tell them about his plans after the next election. I think it is better to be positive and look to the future than getting into these more personal attacks.

JOURNALIST: How do you think the campaign is going, maybe in cricketing terms?

LATHAM: You are asking me to respond to Mr Howard's analogy, is that it?

JOURNALIST: Two weeks to go –

LATHAM: Can I just say that that showed he really is a tragic: it's footy season. If you want a football analogy, which is apt, the day before the Grand Final: I think we're in the last quarter, the scores are level, the ball's gone up and I'm hoping to use my height advantage to take the big mark and kick the winning goal. Let's get the time relevant, the season relevant analogies rather than being too tragic about it.

JOURNALIST: Are you Port Power or the Brisbane Lions?

LATHAM: I'm going with the Port. I went to one of their training sessions and they made the Grand Final straightaway. I'm steaming home with the Port. Go the Power!

JOURNALIST: Does your internal Party polling show that the scores are level?

LATHAM: We don't comment on internal Party polling. If we did that it wouldn't be internal any more. I mean, it's just a footy analogy. Give me a break; it's the day before the footy Grand Final. We're not here with decimal point polling; we're here with a response to the cricket tragic, with the boofy AFL bloke trying to take a high mark. Give me a break.

JOURNALIST: Mr Latham, are you still keen to debate Mr Howard in the last two weeks of the campaign?

LATHAM: Yes, every day of the campaign. I wish I could get more debates. I enjoyed the first one, but I've been limited to just one so let's have more public discussion, more debate, more dialogue. It's good for the strength of our democracy. He won't even front up to The Chaser, I understand. Are they still here? They've done the Harry Holt, have they? Okay.

JOURNALIST: Are you going to be debating the Treasurer at any point?

LATHAM: Yes, we offered that on Thursday but he's backed away, I think. He's trying to recover from his egg-on-face, exploding cigar experience, analysing our tax and family but maybe he will wander out of his cubby hole and have a go later in the campaign. But we put up for Sunday but I understand he's not on for it. Can't get a debate out of any of them. It's a sad old campaign where they won't have a go.

JOURNALIST: Mr Latham, just on an unfortunate matter. Are you satisfied that Queensland Premier, Peter Beattie, has handled the death of Energex boss, Greg Maddox correctly, given that the Energex staff – that's the big power company in Queensland – seem to be very upset that Mr Beattie has declined opportunities so far to clear Mr Maddox's name on allegations of –

LATHAM: I know that there's been a personal tragedy there but I don't know anything about the administration of the State matter or the policy issues so I'm reluctant to comment, given that a man, seemingly, has taken his own life.

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