

The Senate

Committee of Privileges

Person referred to in the Senate

Mr Darryl Hockey

130th Report

August 2007

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Report

On 29 March 2007 the President of the Senate, Senator the Hon. Paul Calvert, received a submission from Mr Darryl Hockey seeking redress under the resolution of the Senate of 25 February 1988 relating to the protection of persons referred to in the Senate (Privilege Resolution 5).

The submission referred to comments made by Senator Sterle in the Senate on 29 November 2006. The President, having accepted the submission as a submission for the purposes of the resolution, referred it to the Committee of Privileges on 29 March 2007.

The committee met in private session on 10 May 2007 and, pursuant to paragraph (3) of Privilege Resolution 5, decided to consider the submission. The response, which the committee now recommends for incorporation in *Hansard*, has been agreed to by Mr Hockey and the committee in accordance with Resolution 5(7)(b).

The committee draws attention to paragraph 5(6) of the resolution which requires that, in considering a submission under this resolution and reporting to the Senate, the committee shall not consider or judge the truth of any statements made in the Senate or of the submission.

The committee **recommends:**

That a response by Mr Darryl Hockey in the terms specified at Appendix One, be incorporated in *Hansard*.

John Faulkner
Chair

Appendix One

Response by Mr Darryl Hockey Pursuant to Resolution 5(7)(b) of the Senate of 25 February 1988

On Wednesday 29 November 2006, at 3.23pm, Senator Glenn Sterle from Western Australia delivered an address to the Senate generally on the subject of AWB and the Oil-for-Food program.

In his address, Senator Sterle stated: *"There is gun-toting Trevor Flugge, former director and chairman of AWB, who was paid \$900,000 out of the AusAID budget for a few months work in Iraq. He is a former National Party candidate. There is Darryl Hockey, AWB's government relations manager, who is a former adviser to the last National Party leader, the member for Gwydir. They are part of the dirty dozen. They all have deep National Party ties, and what a pack of crooks they are"*.

I wish to correct the flagrantly inaccurate statements made by Senator Sterle:

(i) I am not AWB's government relations adviser.

(ii) I am not one of the twelve people whom Commissioner Terence Cole referred for further investigation by Australian law authorities following the Cole royal commission. The so-called 'dirty dozen' was a description used by the press across the front pages of major newspapers on Tuesday 28 November 2006 following the release of the Cole report, with photographs of the twelve people accused. I was not one of these people. One day later, on 29 November 2006, before making his statements, Senator Sterle only had to check the front page of the previous day's newspapers to see that I was not one of the people implicated.

(iii) In his final report, Commissioner Cole explicitly stated that I had no prior or subsequent knowledge of the adverse activities which occurred. This report was publicly released on Monday 27 November 2006, two days before Senator Sterle made his statements. As such, the Senator had ample opportunity to check the veracity of his statements in advance, and in my opinion the absence of such diligence when the truth was so readily available at his fingertips is reprehensible.

(iv) I do not have deep National Party ties, I have had no association with the National Party since I finished working for Minister Anderson in 1998. In fact I worked for a Liberal Party Minister in South Australia for three years from 1999-2001 and have held no political affiliations since that time.

(v) I am not a 'crook', and there is no evidence or suggestion to support the statement of Senator Sterle. This is a slanderous and defamatory statement without any basis

whatsoever. His suggestions are a savage and unwarranted attack on my integrity, and I believe should be redressed. I am a former Western Australian Citizen of the Year, and have been awarded the Centenary Medal and Humanitarian Overseas Service Medal for services to the national and international communities.

I greatly respect the processes of the institutions of Australia's parliamentary system, including the important matter of privilege. However because of its potentially damaging nature to innocent individuals, in my view parliamentarians have a clear responsibility to take reasonable steps to establish facts from available sources before making personal criticisms. I believe that a failure to adopt reasonable due diligence would be considered by the broader community to be an abuse of the important parliamentary privilege of the exercise of free speech.

DARRYL HOCKEY
South Melbourne