



PROCEDURE AND PRIVILEGES COMMITTEE

REPORT ON PERSONS REFERRED TO
IN THE LEGISLATIVE ASSEMBLY

NOEL CRICHTON-BROWNE

Laid on the Table of the Legislative Assembly
13 June 2002

REPORT

The Speaker of the Legislative Assembly referred to the Procedure and Privileges Committee a letter from Mr Noel Crichton-Brown seeking to use Standing Order 114 to respond to a question asked on 21 June 1995 by Mr John Kobelke, MLA.

The Committee has agreed to the attached response proposed by Mr Crichton-Browne.

In accordance with Standing Order 114 the Committee has not considered or judged the truth of any statements made in the Legislative Assembly or in the submission.

Recommendation

Your Committee recommends –

That a response by Mr Crichton-Browne in the terms specified in the Appendix to this report, be incorporated in *Hansard*.

HON. FRED RIEBELING, MLA
CHAIRMAN TO THE COMMITTEE

APPENDIX

Response by Mr Noel Crichton-Browne
Agreed to by Mr Crichton-Browne and the Procedure and Privileges Committee
Pursuant to Standing Order 114

On 21 June 1995 the member for Nollamara, Mr Kobelke addressed the following question to the Minister for Police.

- (1) What action does the Minister intend to take following the Federal Police interview conducted with the Premier's political mentor Senator Crichton-Browne in Perth last Friday, in relation to very serious criminal allegations that Senator Crichton-Browne had made threatening and obscene telephone calls to a federal Liberal politician in Perth and Canberra, including death threats?
- (2) Is it also true that the Liberal member is under police protection?
- (3) If the Minister claims that he is unaware of these serious matters, will he ensure that the allegations against Senator Crichton-Browne are immediately investigated by the police and appropriate action taken?

Mr Wiese replied:

- (1)-(3) I am certainly not aware of the matters that are alleged. I will pass the allegations in question directly to the Commissioner of Police. It then becomes an operational matter, as it rightly should be, and those matters will be investigated by the Police Department.

The allegations are fabrications without a skerrick of truth and without a shred of foundation.

I am advised by the Hon Jim McGinty MLA, that as a result of information passed to him by a journalist with Channel 9, whom I have subsequently learnt was Ms Dixie Marshall, he spoke with Senator Knowles by telephone immediately prior to question time on 21 June 1995. Mr McGinty advised Senator Knowles that he was going to have a question asked about allegations that Senator Crichton-Browne had made death threats against her and that she was under police protection and as a result of this Crichton-Browne had been investigated by the Australian Federal Police.

Mr McGinty then asked Senator Knowles whether the allegations were true and Senator Knowles answered "yes it is true". Mr McGinty then read to Senator Knowles the question he had prepared. Senator Knowles made some minor changes to the question and then said that; "In fact he even threatened to kill my dog but I don't want any reference being made to the dog because that would invariably make me the source of the information to you."

Mr McGinty informs me that he then had Mr Kobelke ask the question in the form approved by Senator Knowles.

Consequential to the asking of the question, the allegation that I had committed this heinous crime against a political colleague was the subject of saturation nation-wide media coverage of an enormously damaging nature to me.

The publication in the parliament of the allegation also led to other sources making further claims. Alison Fan of Channel 7 News claimed on the evening news on the same day that:

Three weeks ago, Senator Sue Knowles confirmed to 7 nightly news political reporter Geof Parry that she was concerned about talk of violent threats. So concerned she had asked for police protection. It's understood, Police Commissioner Bob Falconer was also aware of the Senator's concerns. Today in State parliament Labor MP John Kobelke questioned whether Senator Noel Crichton-Browne had been interviewed by Federal Police about threatening and obscene telephone calls to a Federal Liberal politician in Perth and Canberra.

I was inhibited in responding to these allegations because I had in fact been interviewed by the Australian Federal Police, however for a quite another reason. I had been receiving obscene and threatening material which contained blackmail at my Canberra office which the AFP had identified as having emanated from the electorate office of a Western Australian Federal Member of Parliament.

Had I responded to the claims made in the Western Australian State parliament that I had been interviewed by the AFP, I would have inadvertently alerted those responsible for the criminal offences of transmitting the material to my office, that the matter was being investigated.

It was only following the execution of a search warrant in respect to the obscene and threatening blackmail material, that I was able to publicly respond to the allegations made by Mr Kobelke in the Western Australian parliament.

At the time, Senator Knowles was not identified as the alleged victim and although rumours of her as the victim swirled through the media, she refused to confirm or deny that she was the alleged victim.

In these circumstances, the nature of the false allegations made against me and their timing placed me in an invidious situation and greatly exacerbated the damage that they had caused. Senator Knowles' refusal to deny the allegations gave them a powerful sense of credibility.

In due course both the State and Federal Police issued press statements denying that any federal member of parliament was under police protection. The AFP also stated that they had received no such complaint about me and no such interview had taken place.

Subsequently Senator Knowles repeated in the media and to other individuals, the substance of the allegations she had made to Mr McGinty, while denying she was the source of Mr Kobelke's allegations. It was the first occasion that Senator Knowles had claimed publicly to be the alleged victim and named me as the alleged offender. I then commenced proceedings in the Supreme Court against her.

Senator Knowles unreservedly withdrew her allegations and unreservedly apologised before the Supreme Court and published her retraction and apology in three major newspapers. She also paid me the sum of \$20,000. Senator Knowles requested as a term of settlement that her admissions not be made in the Supreme Court until after the October 1998 federal election at which she was a candidate.

I first learnt in late 1997 from Mr McGinty that Senator Knowles was the direct source of Mr Kobelke's allegations, some two and a half years after they were raised in the Western Australian State parliament.

The anonymity of Mr McGinty's source and the fact that the allegations were made under parliamentary privilege denied me an immediate opportunity to confront my accuser and to rebut specific allegations and in particular, to have the truthfulness of her allegations tested in court under oath. This severely compromised my capacity to deal with the allegations.

I have no reason to believe that Mr McGinty or Mr Kobelke made the allegations without a genuine belief in their substance. Equally, I have no reason to doubt the truth of Mr McGinty's account of his conversation with Senator Knowles in spite of Senator Knowles' denial to the Liberal Party.

I have learnt independently that there were a number of witnesses to the telephone conversation between Mr McGinty and Senator Knowles who have confirmed the accuracy of Mr McGinty's account, including Mr Kobelke and Mr Kieran Murphy. It is also in keeping with Senator Knowles statements for which she made admissions in the Supreme Court.

Yours Sincerely

NOEL CRICHTON-BROWNE

30 May 2002