

Alex Hawke

[Start of recorded material]

[00:00:00 – 00:00:06 - Background conversation]

Jim: Alex, good morning, and thanks very much for the time to discuss this important case of Australian military history. You're the Member for Mitchell in the Liberal Coalition, but I note that you also have an interest in military history. Why do you think this case of [SL - 00:00:24 Tennance], Morant, Hancock and Witton remains controversial after 111 years since Morant and Hancock [00:00:30] were executed during the Boer War?

Alex: Well, Jim, I think this speaks to the Aussie notion of a fair go, and I think there's been an injustice here, and it's obvious to Australians that this has never been resolved, this injustice, and so an ongoing injustice for the Australian psyche is something that people would like to see dealt with and finally resolved one way or the other. And there's nothing more Australian than a couple of young Aussie blokes, people who've come from [00:01:00] our country, going over to South Africa and getting dealt with unfairly by a foreign power and not having their rights heard, and I think that is what's caused almost a century of discussion, debate, and generated so many passionate opinions one way and the other.

Jim: You've met some of the descendants of Morant, Hancock and Witton, what are your thoughts about what the descendants want?

Alex: Yeah, I think the descendants obviously would like to see these rights redressed, and I think they've got a good case. It's part of the reason why [00:01:30] I argued on the Petitions Committee, with others, to have this heard for the first time in the Australian parliament, and that was a great development because this story has had so much relevance, in my view, to Australian history and Australian military history in particular, and it's something I think we need to see aired and dealt with in a final way.

Jim: In March 2010, you were a Member of the House of Representatives Petitions Committee, and you held a public inquiry, at which people like myself presented evidence to the inquiry. What [00:02:00] was the general consensus amongst the Committee members?

Alex: Well, I think the general consensus after listening to all of the evidence and the passions on both sides – and there were some passionate people arguing about facts of the case, there were some historians arguing strongly against the case, the idea was, I think, from Committee members, that there was something here, you know, something that was unresolved. And I think the further you look into this matter, the more details you'll find that there has been some

injustice and something that has been unresolved for a long time, and [00:02:30] a resolution needs to be found.

Jim: Noted international jurist, Australian lawyer...

[00:02:36 - 00:02:51 - Background conversation]

Jim: Alex, International jurist, Australian lawyer Geoffrey Robertson was recently interviewed in London about this case, and you have a copy of the transcript [00:03:00] of that interview, any thoughts about what Geoffrey had to say?

Alex: Yeah, I think it was reasoned and compelling. I think everyone should read it. He makes a good case there that there's been some sort of – well, he uses the term 'monstrous injustice', but he's certainly made a great case about the human rights of these men being abused, not just by the standards of today, but by the standards of back then, and I think that's very important to know. It's not us rejudging something that happened a hundred years ago. It's, even by the standards of the day, there's a case here [00:03:30] to be answered, and coming from someone like Geoffrey Robertson I think it's very compelling.

Jim: Geoffrey also recommended that the way to resolve this issue was to have a judicial inquiry independent and transparent. Would you support that call?

Alex: I would. I'm open to that. I think something has to happen here, and this has been running for 111 years. I think the descendants want some resolution. I think Australians want a resolution. This legend is so important to the psyche of our nation and what happened and how we developed, and it had [00:04:00] so many important implications. One of the things I find most important and most compelling about the case is that the Defence Act of 1903, we're the only colonial power under Great Britain to pass an Act that said Great Britain could not execute our soldiers on foreign service ever again. And what that meant was, in World War One in particular, whereas you saw Canadian soldiers executed by the British for shell shock and other incidences, Irish, all sorts of colonial soldiers executed, no Australian [00:04:30] was executed, and that is a big impact of a case like this, and it's something that has really led to the development of us as a distinct and separate nation, something very important in my view.

[00:04:41 - 00:05:20 – Background conversation]

Jim: So, Alex, one of the things that Geoffrey Robertson recommended was a transparent and independent judicial inquiry. Would you support that call?

Alex: Yes, I would. I think there is a case here for that to happen, and it would be a good way to resolve this issue...

[00:05:35 - 00:05:50 - Background conversation]

Jim: So, Alex, one of the recommendations that Geoffrey Robertson made was for an independent and transparent judicial inquiry. Would you support that [00:06:00] call?

Alex: Yes, I would support an inquiry.

Jim: And in terms of... what's in it for the descendants, and all Australians, if an inquiry was held? What are the benefits?

Alex: Well, I think resolution on this very important issue and this legend, and legends and stories are very important to our society and culture and how we've developed as a nation, so we want to find that resolution.

[00:06:27 - 00:06:58 - Background conversation]

Jim: So, Alex, one of the recommendations [00:07:00] that Geoffrey Robertson made was his call for an independent and transparent judicial inquiry, would you support that recommendation?

Alex: I would support that recommendation, and I would support an inquiry into this matter, because there are outstanding issues to be resolved.

Jim: The current Labour government has had some support for this case. Robert McLelland, when he was Attorney General, recommended that there should be some sort of inquiry [00:07:30] and investigation. Unfortunately, his two successors, Nicola Roxon and the current Attorney-General, Mr Dreyfus...

[00:07:37 - 00:08:13 - Pause in audio, and then background conversation]

Jim: Alex, the current Labour government has had some mixed reaction to the push for an inquiry. Robert McLelland, the former Attorney General, was very supportive. Nicola Roxon and Mr Dreyfus are not supportive. What do you think any future government should do, [00:08:30] Australian government, should do about this matter?

Alex: Well, I think a future government could certainly look at this again. I think one of the reasons Attorney General McLelland was convinced that there was something here was he had more time to consider it, and there's been some subsequent changes to Attorney Generals and I'm not sure they have had the same depth of examination of the facts, or the time to actually consider it, and so I think a new Attorney General in a new government would look at this again with some more time and more reason to have a full [00:09:00] consideration of the facts.

Jim: And I take it that you will continue to support a call for an inquiry [unintelligible 00:09:06] the matter?

Alex: Oh, absolutely. Absolutely. I'll be the first person round to the new Attorney-General's door, whoever that may be, and I'll certainly be raising it with them again.

Jim: Thank you for your time today.

Alex: Thank you, Jim.

[00:09:16 - 00:10:33 - Background conversation]

Jim: So, Alex, back in March 2010 you were a Member of the Joint Parliamentary Committee on Petitions, and you heard in the public hearing the evidence in support of this case, evidence presented by myself and opposed by others. What was the view of the committee? What was the general consensus?

Alex: Well, this is a good question because I think the Petition Committee members usually are used to hearing kind of dry petitions on issues of the day, but we agreed to hear this matter because all of us thought [00:11:00] well there's something here. And during the course of the hearing, hearing from the witnesses, hearing from descendants, hearing from historians, hearing from people who obviously had a great deal of knowledge about this matter, I think it didn't matter what side of the house you were on, the members of this committee felt that there was a story here that needed to be answered. And a lot of MPs, whether they were Labour or Liberal went on to go into the chamber and make speeches. I wrote an article, an opinion piece, for the wider media, and it was fascinating to hear just how [00:11:30] this story has evolved over that 111 years, even way back when when we heard that 80,000 Australians signed a petition so many years ago, a huge percentage of the Australian population, to have another petition presented a hundred years later really reached out I think and spoke to a lot of the committee members.

Jim: And you went to the Parliament that evening on the 15th of March and you made a speech from the Parliament floor, did that summarise your views of the case? [00:12:00]

Alex: Yeah, it did, and I certainly wanted to put it on the record, and other members of the committee also made speeches.

[00:12:05 - 00:12:31 - Background conversation]

Jim: So, Alex, after the case was heard by the Petitions Committee, did you do anything else?

Alex: Yeah, well I went in and made a speech in the House of Representatives about it, and so did many other committee members, so I think all of us were moved about this issue, and moved to go and say something about it and make sure that the ball got rolling on a resolution.

Jim: And I understand that included the MP Julia [SL - 00:12:53 Rewin] who was the Chairperson of the Committee.

Alex: Yeah, well it wasn't a Labour Liberal issue, we're on different sides of the fence but we all agreed that this [00:13:00] issue was important to Australians and to get the thing resolved for the descendants and for the history so we all understand what happened and why it happened.

Jim: And will you continue to support this case and call for an independent inquiry?

Alex: I certainly will, and I think it's so important to Australia's future that we have our own legends, our own myths, our own history, and that we have it thoroughly discussed, explored and dealt with, and it's so important not just for now but for future generations.

Jim: Thank you for your time today.

Alex: Thanks, Jim.

[00:13:29 – 00:13:31 – Background conversation]

[End of recorded material]