

## Breaker Morant gets his day in parliament



JOHN FEDER

Michelle Witton, a descendant of George Witton

MARK DAY

A new chapter in the 116-year long saga of Breaker Morant and his sidekick Peter Handcock will be written next week when federal parliament considers a motion that declares their execution in 1902 to be "cruel and unjust".

The motion, to be presented by Queensland MP Scott Buchholz, acknowledges "serious deficiencies" in the handling of the case and expresses "sincere regret" the men were "denied procedural fairness contrary to law".

The case centres on the activities of the Bushveldt Carbineers, a military contingent established by the British army during the Boer War of 1899 to 1902.

Three Australian lieutenants, Harry "Breaker" Morant, Peter Handcock and George Witton, were accused of executing Boer prisoners of war while on patrol in South Africa's remote north Transvaal province in 1901. They claimed they were acting under orders to take no prisoners in the brutal conflict that saw 16,000 Australian volunteers serve.

A court-martial found the three guilty on February 21, 1902, and they were sentenced to death. Recommendations of mercy for Morant and Handcock were ignored and they were denied any form of appeal before being shot by a firing squad a week later.

Witton's sentence was commuted to life imprisonment and he was released in 1904 after a campaign led by the Australian government. He claimed in his book *Scapegoats of the Empire* that the British commanding officer, Lord Kitchener, had engineered the executions as an olive branch designed to end the war.

Despite many attempts since to prove the men were denied justice and deserved posthumous pardons, British authorities have refused to budge.

Monday's private member's motion comes as a result of campaigning by Melbourne-based Australian Navy reservist lawyer James Unkles, who believes there were serious breaches of the law.

Writing in *The Weekend Australian* today, Mr Unkles says the debate today is not about whether the men were guilty of executing prisoners. "It is about whether they were denied justice," he says. "A wrong is never diminished by the passing of time.



Harry 'Breaker' Morant

"It is our duty to put it right."

Mr Buchholz said his motion was "a worthy subject to bring to the attention of the Australian parliament and the Australian people as we approach the 116th anniversary of the executions".

"I am happy to take the issue forward on behalf of the descendants in the hope it brings peace of mind and helps put the record straight," he said. "This motion will add strength and momentum to the tireless efforts of James Unkles to have the case reviewed."

The motion acknowledges the "ongoing emotional suffering this case has caused the descendants of Lieutenants Morant, Handcock and Witton" and expresses "sincere regret" that the men were denied procedural fairness contrary to law, which had "cruel and unjust consequences." It also expresses sympathy to descendants of the men — at least 12 of whom will be in parliament's public gallery to hear the motion put.

Jennifer Witton-Sands, of Boonah in southeastern Queensland, said she hoped it would lead to an end to the saga.

"What happened to my great-great uncle was a source of shame within the family for years," she said. "It brought much heartache, but this motion which records the injustices means so much to us."

London-based lawyer Michelle Witton, visiting family in Sydney, said the case was an important part of history. "We can't change the past but we can aspire to make amends for what would these days be seen as a clear case of abuse of human rights."

Peter Handcock's great-great-grandson Michael Handcock, said it was clear the men should not have been executed. "That wrong can't be righted... It's a step forward, but we would still like to see pardons."