



## Australian Citizens Party

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### MEDIA RELEASE

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## Will ASIO stop Australians from seeing the ‘palace letters’?

The 29 May High Court judgement that the “palace letters” between Queen Elizabeth II and Governor-General John Kerr in the Whitlam dismissal should not remain secret is a significant step in the fight for Australian sovereignty. It’s not a foregone conclusion, however, as the Director-General of the National Archives who has a say in what is released, David Fricker, is a former Deputy Director-General of spy agency ASIO. This is a massive conflict of interests, as ASIO was up to its neck in the intrigues against Whitlam, not least because Whitlam’s Attorney-General Lionel Murphy raided the agency he was supposed to be in charge of, but which withheld terrorism-related information from him. ASIO then, as now, operated under what is now known as the “Five Eyes”, dominated by US and British intelligence, which regarded Whitlam as a threat; indeed, ASIO is effectively the Australian subsidiary of Britain’s Security Service MI5, whose assistant director in the 1970s, Peter Wright revealed in his book *Spycatcher* that MI5 saw its loyalty as to the Queen personally, not to the elected government.

Monash University historian Professor Jennifer Hocking, who initiated the case to have the letters released, has already indicated she is having trouble in her negotiations with Fricker, and Fricker told ABC News that releasing the palace letters won’t be simple, and that some records may not be released as exemptions for things like national security still apply. “We are not like a library or a museum”, Fricker said. “I am required to diligently go through those things and just make sure that our release of these records is responsible, it’s ethical and it complies with the law.”

This is unacceptable, and Australians should demand their release in full. If they are released in full, Australians may soon discover secret details of the Queen’s role in the 1975 coup to overthrow Gough Whitlam, a democratically elected Prime Minister. Buckingham Palace has to date intervened to ensure the palace letters remain secret, a clear indicator that much is at stake, including the role of the US Central Intelligence Agency (CIA) and British Intelligence Services (MI5, SIS and GCHQ), the latter of which have since 2011 been overseen by Prince Charles in his capacity of Royal Patron of the Intelligence Services.

Prof. Hocking’s four-year legal battle to access the palace letters has met enormous resistance. Sir Edward Young, the queen’s private secretary, has indicated the release “could damage not only international relations but also the trusting relationship between Her Majesty and her representatives overseas”. The 211 palace letters were placed in the custody of Australian Archives on 26 August 1978 by the then Official Secretary to the Governor-General, David Smith. The letters comprise 116 from Kerr to the Queen, mostly through the official secretary; and 95 letters from the Queen, all of them through her private secretary.

At the time, Smith wrote to the Australian Archives in a letter of deposit: “This package contains the *personal* and confidential correspondence between the Right Honourable Sir John Kerr, AK, GCMG, GCVO, K St J, QC, Governor-General of the Commonwealth of Australia from 11 April 1974 until 8 December 1977, and Her Majesty the Queen.” (Emphasis added.) Smith declared the letters would remain closed until 8 December 2037 and thereafter subject to further caveat at the whim of the British Crown.

The Australian Archives has continued to argue that the palace letters were “personal correspondence” and therefore should remain private. Prof. Hocking explains otherwise. “Before lodging them in the Archives, the letters had been kept by Smith in the Government House ‘strong room under absolute security’ again in an official capacity, which scarcely suggested the letters were ‘personal’”, wrote Hocking in a [1 June article](#) at Pearls and Irritations, the blog run by retired public servant John Menadue, who was head of the Department of Prime Minister and Cabinet under Whitlam at the time of the dismissal. “It is surely an unusual position for the National Archives, which describes itself as a ‘pro-disclosure organisation’, to contest this action at significant expense—initially of almost one million dollars—at a time of severe budget and staff cuts”, Prof. Hocking wrote. Fortunately for Hocking the High Court has ordered the Australian Archives to pay her legal costs.

The latest High Court ruling makes clear that the palace letters were not “personal” at all, but “constitute Commonwealth records within the meaning of the *Archives Act 1983*”. The court “ordered that a writ of mandamus issue to compel the Director-General of the National Archives of Australia to

reconsider Professor Hocking's request for access to the deposited correspondence", and so overruled the previous Federal Court ruling against Prof. Hocking.

### **What is at stake?**

In a [16 April article](#) at Pearls and Irritations, Prof. Hocking had said that the more than two hundred letters is simply a "staggering number", and "should they be released the 'Palace letters' will be the most important record of the inner workings of the vice-regal relationship during a time of political crisis that we have ever seen".

Veteran journalist John Pilger indicated what is at stake in a [1 June article](#) for Consortium News. "There is an historical amnesia among Australia's polite society about the catastrophic events of 1975", he wrote. "An Anglo-American coup overthrew a democratically elected ally in a demeaning scandal in which sections of the Australian elite colluded. This is largely unmentionable."

Pilger explained how the Whitlam government provided significant opposition to Vietnam war crimes and threatened to close the secretive US-run intelligence facility at Pine Gap, near Alice Springs: "Victor Marchetti, the CIA officer who had helped set up Pine Gap, later told me, 'This threat to close Pine Gap caused apoplexy in the White House ... a kind of Chile [coup] was set in motion.'" And the role of British intelligence cannot be overstated: "In 1975, Whitlam discovered that MI6 was operating against his government. 'The Brits were actually decoding secret messages coming into my foreign affairs office', he said later. One of his ministers, Clyde Cameron, told me, 'We knew MI6 was bugging Cabinet meetings for the Americans'."

Whitlam's plans to control Australia's mineral wealth for the benefit of all Australians clearly displeased the Queen, who was long the largest individual shareholder of minerals giant Rio Tinto. This plan to "buy back the farm" so Australians would own our nation clearly ran against the British imperial agenda, and the City of London and Wall Street banking interests. Will the released papers convince Australians to abandon the fairy tale that the Queen is above politics and merely plays a ceremonial role? Will we now fight for sovereignty?

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