

TODAY

Bringing squalor to Canberra

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UPDATING OUR DRUG LAWS

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TOMORROW

IRVING: A case of censorship?



Govt allows wider pay-TV inquiry, agrees to Stokes move

By MARGO KINGSTON and JODIE BROUGH

The independent inquiry into the satellite pay-TV fiasco has been widened to include an investigation into the microwave licence tender, increasing the scope for fresh humiliations for the Federal Government.

Meanwhile, Western Australian businessman Kerry Stokes won a delay in a battle over the Government's decision on Monday to abort the microwave tender.

In a court hearing last night the Government voluntarily undertook to do nothing until its court application is heard on Friday.

Mr Stokes, who owns *The Canberra Times*, won a Federal Court battle last month to keep alive the tender process which the Government tried originally to abort in January. He is expected to argue that the Government had no right to abort the tender after the court ordered it to proceed.

Meanwhile, pressure is mounting on the Minister for Transport and Communications, Bob Collins, to explain why the Government withheld its knowledge that the tender process was flawed despite knowing of problems since early February.

The Leader of the Opposition, John Hewson, has savaged the role of Bob Collins, calling for him to step aside pending the outcome of the inquiry by former Ombudsman Dennis Pearce.

He also called on the Prime Minister, Paul Keating, to accept the resignation of the Secretary of the Department of Transport and Communications, Graham Evans, which he refused on Monday. Mr Keating had "acted wrongly" in rejecting Mr Evans' offer.

"The Prime Minister himself must come clean about what he knew in this matter, when he knew it and why he failed to act," he said. A spokesman for Mr Keating said

the Prime Minister supported Senator Collins.

The Australian Democrats' spokeswoman, Vicki Bourne, said she wanted to know more about why the court had not been told about the legal flaws in the microwave tender.

Senator Collins, who had initially agreed to table all related Federal Court documents, had since been advised they could not be tabled until the court case was over. However, he had given copies to the Democrats

and the Opposition copies on a confidential basis.

"It is a concern and we want to study the documents and find out the reasons for it," she said.

A spokesman for Mr Stokes, Andrew Cohen, said the latest turn in events was "extraordinary".

"It's exactly where we were back in January," he said. A spokesman for Senator Collins confirmed that Mr Evans would give a copy of the report he has ordered

on the microwave tender to Professor Pearce. The report, by Deputy Secretary Mike Hutchinson, will go to Professor Pearce on Thursday, when he is to present his satellite-tender report.

The spokesman said Senator Collins intended to table the findings on the satellite tender in the Senate on Monday. He had agreed to table all relevant documents.

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Govt pledges probe on ALP 'mates' deal

By CRISPIN HULL

The ACT Government agreed yesterday to an inquiry into what was described in the Legislative Assembly as a development with "a smell" involving departmental and developer "mates".

The allegations about a proposed development in Torrens Street, Braddon, by Bobunda Pty Ltd and the ACT Housing Trust were put by Independent MLA Michael Moore.

The Minister for Environment, Land and Planning, Bill Wood, said there had to be an inquiry to give an opportunity to those individuals named by Mr Moore to clear their names.

Mr Wood said he did not want to pre-empt the inquiry, but he was confident it would show the integrity of the system.

Mr Moore told the Assembly, "Peter Phillips, the chair of ACT Electricity and Water is one of the developers. Peter Phillips, who worked as a staffer in the Hawke Ministry. His relationship with the [ACT] Department of Environment, Land and Planning as a whole, his ability to move in government circles and to understand government processes, his close relationship with Jeff Townsend [the Secretary of the department] and [lobbyist and former Labor MLA] Paul Whalan, who also worked as staffers in the Hawke ministry, can be clarified by visiting the drinking hole at Kingston on the appropriate evenings ...

Windfall gains

"Departmental representatives have to ensure that they are appropriately distanced from people who are representing the interests of big business."

The issue was windfall gains from change in land use, as distinct from profit from building.

He attacked the methods of the department.

"It is because of the 'mates' that there was an initial use of Section 7(3)(c) Part II of the Land, Planning and Environment Act which provided for consideration of the change of lease purpose to be done concurrently with the design and siting proposals without ever having the design and siting proposal put before this Assembly," he said. "... There is a need to remove the smell associated with this development."

He attacked the methods of Mr Townsend and Mr Wood for what he said was marginalising and insulting community groups and abusing their power in doing so.

Mr Moore drew a strong response from both sides of the House.

Mr Wood said Mr Moore was attacking individuals with no evidence.

"All his evidence is that three or four people who occasionally drink together," Mr Wood said. "That is the evidence he presents to this Assembly to malign people."

Mr Moore had used concerns about design and siting of the development to disguise spurious aspersions. Mr Townsend had acted to ensure departmental integrity. Discussions were always on the basis of what was best for Canberra people.

Continued on Page 2

Keating to push dole tab on NZ

By ROSS PEAKE, Political Correspondent

The New Zealand Government will be asked to contribute towards the \$500 million a year its citizens pick up in Australian social-security benefits.

The firm message will be put by the Prime Minister, Paul Keating, on Friday in his first overseas trip since the election.

The request will be strengthened when Mr Keating links it with the continuation of the long-standing arrangements that allow free travel across the Tasman.

He is expected to tell the New Zealand Prime Minister, Jim Bolger, that he is not happy with the lack of progress in two rounds of talks by officials. It is officially estimated that the New Zealand Government pays Australia \$17 million a year in compensation.

Mr Keating will also tell his hosts that New Zealand should be prepared to play a greater role as a defence partner.

He is expected to point out that, after Budget cuts, New Zealand spends a significantly lower proportion of its GDP on defence than Australia.

Australia wants to have serious discussions on renegotiating the bilateral double tax agreement, to reflect changes since it was signed in 1972.

The agreement which allows New Zealanders to travel across the Tasman without the need for visas is important in that country's political agenda, and NZ officials want Mr Keating to publicly re-affirm the scheme will continue.

Senior Australian Government sources said yesterday Mr Keating was expected to do so but he would make it clear Australia wants much quicker progress in talks to get a "more equitable outcome".

The problem arises from the imbalance generated by the \$3,000 New Zealanders enjoying pensions and social-security benefits in Australia compared with about 700 Australians on similar benefits in New Zealand.

Australian officials said there was a clear linkage between the open travel arrangements and the social-security payments.

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Dangerous to convict after 50 years, judge tells Adelaide jurors

Acquittal in first war crimes trial

ADELAIDE: The defendant in Australia's first European war-crimes trial walked free yesterday — more than three years after he was first charged with World War II atrocities.

After a nine-week trial, the nine-man, three-woman jury took about an hour to find pensioner Ivan Polyukhovich not guilty of murder.

Mr Polyukhovich, 76, had pleaded not guilty to two charges relating to incidents near Nazi-occupied Serniki in Ukraine between May 1942 and September, 1943. He was charged with being knowingly involved in the murder of up to 850 Jews and with the murder of a Jewish woman and two Jewish children.

Mr Polyukhovich, accompanied by his wife, did not speak to reporters

as he left the court. However, his instructing solicitor, Craig Caldicott, said Mr Polyukhovich had waited for this moment for more than three years.

"Tears were coming out of his eyes, he was very, very emotionally upset as he has been through the entire trial process," he said. "It all became too much for him. We must remember he's an old man."

Justice Brian Cox told the jurors they were duty-bound to consider that the charges might have been more strongly defended by the accused if they had been brought against him nearer the time they had allegedly been committed.

"Given that, it would be dangerous to convict on the evidence brought against him," he said.

The prosecution in the multi-mil-

lion-dollar case had alleged Mr Polyukhovich worked as a forest warden in Serniki and helped the occupying German forces in the liquidation of Jews from the area during World War II.

More than 20 witnesses, many of them elderly residents of Serniki, gave evidence. Lawyers travelled this month to Ukraine to tape video evidence from the accused's first wife.

Senior defence lawyer Michael David, QC, said Mr Polyukhovich was "very relieved" to be acquitted but "upset" by his ordeal.

"It's been a very long trial," he said. "I'm sure my client's very relieved."

A spokesman for the Australian Council of Jewry, Jeremy Jones, said the result showed there had been no interest in staging a show trial.



Ivan Polyukhovich leaves court yesterday after his acquittal. "We must remember he's an old man."

After \$22.6m, one case remains

By CRISPIN HULL

The Federal Government has spent \$22.6 million on war-crimes investigation since 1987.

Of that \$19.2 million was by the special investigations unit; \$2.2 million by the Director of Public Prosecutions and \$1.2 million in legal aid to the accused.

There is now only one case before the courts. A trial is expected later this year. After that, there will be no more war-crimes trials or investigation by Australian authorities, though there have been calls to change the War Crimes Act to make it apply to all conflicts. At present it applies only to the European theatre of World War II.

Bob Greenwood, QC, who headed the now disbanded special investiga-

tions unit on war crimes until April, 1991, recently criticised the Government for dropping one case of alleged multiple murders by a man, now an Australian citizen who lives in Melbourne. It only required a little money to wrap up the evidence, but "the Government pulled the rug out."

"He could have stood trial for thousands of deaths," he said. "There is a time when you say there is a price for justice beyond which it is not acceptable to go." However, Parliament passed the legislation and the Government had a responsibility to investigate.

"If it thought it too costly, it should have gone back to Parliament for it to be done in the democratic way," he said.

Compared with other cases, Mr

Greenwood argued the costs were not great, given the crimes, and that the allegations were being made against people now Australian citizens.

Mr Greenwood says eastern European countries could start seeking extradition of Australian citizens that Australian authorities won't deal with.

He was sure they would get a fair trial now and would not be executed. He wants to see war-crimes legislation for all conflicts. He fears there are probably Cambodians in Australia, possibly now citizens, who had taken part in the Pol Pot horrors and citizens who might have taken part in ethnic cleansing in the former Yugoslavia.

Femocrats to get numbers, but not say

By MIKE TAYLOR, National Affairs Writer

Women may outnumber men in the Public Service by the year 2000 under "targets" in the Government's new equal-employment-opportunity strategy.

But while women might make up more than half Australia's public servants in seven years' time, they will still be a minority in the Senior Executive Service, according to the strategy. It envisages the number of SES women rising from the existing 13.1 per cent to 15 per cent by 1995 and to 20 per cent by 2000.

The new targets (not "quotas") for women, Aboriginal and Torres Strait Islanders, people with disabilities, and people of non-English speaking background are laid down in the *Equal Employment Opportunity Strategic Plan for the APS for the 1990s*, launched by the Minister for

THE EQUALITY PLAN FOR THE PUBLIC SERVICE

GROUP	1988	1992	2000
	(percentages)		
Women (overall).....	42.4	46.6	50
Women in Senior Executive Service.....	N/A	13.1	20
Women senior officers (grades A & B).....	N/A	16.9	28
Aboriginal and Torres Strait Islanders.....	1	1.2	2
People with disabilities.....	5.2	4	5
Non-English-speaking background.....	12	12.2	15

Industrial Relations, Laurie Brereton, yesterday.

Women will do slightly better in middle management: women in senior officer grades are targeted to go from 16.9 per cent to 20 per cent by 1995 and 28 per cent by 2000.

The good news for women is, however, that over the past three years they have been filling an increasing percentage of the SES and senior offi-

cer positions advertised.

Under the strategy, the target employment level for Aboriginal and Torres Strait Islanders in the APS would rise from 1.2 per cent currently to 2 per cent in 2000, and the level for people with disabilities would rise from the 4 per cent to 5 per cent.

Non-English-speaking people would increase to 15 per cent, and women are expected to rise from 46.6

per cent to more than 50 per cent by 2000.

Mr Brereton was careful to emphasise that the Government and the Public Service Commission had not sought to establish APS employment "quotas". The document contained "targets" and the merit principle was integrated in the EEO strategy.

The strategy document describes the "targets" as "performance indicators" and says that they assume that "with EEO principles being actively incorporated into people management and with the continued implementation of appropriate EEO measures" higher EEO outcomes would come.

"Of course, the application of the merit principle to individual recruitment and advancement decisions, and to employment processes generally, will determine the pace of change at agency level."

It said that "given the APS's legislative and policy framework and achievements to date, it is reasonable to expect further progress" in EEO.

Recruitment patterns in the APS had changed dramatically in the past decade with basic level recruitment at its lowest ever.

The public service average age has risen from 35 in 1982 to 38 in 1992 and is expected to reach 40 by 2002.

Increased school retention had meant more qualified applicants and combined with study leave arrangements, meant agencies were increasingly looking for better qualified staff in the merit selection processes.

In a separate development yesterday women politicians rejected a plan by Liberal back-bencher, Jim Carlton, for a equal male-female representation in Parliament.

Women dismiss Carlton plan — Page 15

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WEATHER

CANBERRA: Early fog, then fine. Max 16. Yesterday 16. Last year 16.
LAKES: Winds variable, under 15km/h.
OUTLOOK: Fine.
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Melbourne: Becoming fine, 19
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The Canberra Times

Classifieds	280 3055
Switchboard	280 2122
Editorial FAX	280 2282
Advertising FAX	280 4884
46 pages	Vol 67, No 21,218

Canberra's No.1 News

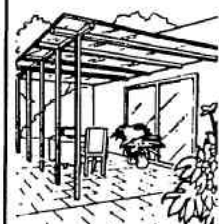


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