

EX 2059

DATELINE CEDAR BAY... AUGUST 29 1976... TIME 8:30 a.m... POLICE, FEDERAL AGENTS... HELICOPTER, NAVY COMBAT... ALL THE DRAMA OF A MILITARY INVASION... NOW MR. POLICE MINISTER

# FRONT UP TO THIS SCANDAL

The gobbledegook spouted by the new Police Minister Mr Newbery last week about the raid on Cedar Bay's hippies must strike a chill into all Queenslanders.

## Cedar Bay — we demand honesty

They must wonder how a leader of the stature of Premier Joh Bjelke-Petersen could have entrusted the police portfolio to him.

we

demand honesty

The people of Queensland could be pardoned for thinking Attila the Hun and his hordes had been through Cedar Bay after reading the story and seeing the pictures exclusively in last week's Sunday Sun.

Films of the aftermath of the senseless destruction helped ram the point home.

But all Mr Newbery could do was attack the newsmen who shot the film.

At no time did he deny the allegations, although if they were untrue, he clearly had a duty to do so.

Perhaps Mr Newbery's strangest statement was that he would order no investigation unless he was given written complaints.

Does this mean that in future

a bone-rattling corpse must rise from the grave to give Mr Newbery a written complaint of murder before police can take any action?

The situation is ludicrous. If Mr Newbery took the trouble to read the Police Act he administers he would find there is a legal duty placed on every policeman to act whenever he suspects a crime has been committed.

### Suspicion

And there can be no doubt that the Cedar Bay allegations and films have raised considerable suspicion.

If the acts alleged were committed, then clearly someone is guilty of a crime.

The wilful destruction of people's homes and belongings can be nothing else.

The police hierarchy has shown

### SUN OPINION

no reticence in charging students in the past with such heinous offences as destroying a policeman's cap or damaging a police vehicle — even though these acts have occurred in the anger of confrontation.

Hard on the heels of Mr Newbery's statement that reporters had been biased because they didn't mention the finding of marijuana at Cedar Bay came the announcement of Justice Minister Lickiss that those arrested there had been improperly convicted.

And he ordered the release of two men from prison and the remission of fines imposed on others.

Such a monumental blunder can hardly be excused.

But the straightforward admissions of a politically-embarrassed Mr Lickiss were in sharp contrast to the Newbery nonsense.

Queenslanders are entitled to expect that the law will be observed in their State.

After all, Premier Bjelke-Petersen — himself a former Police Minister — has been pretty voluble on the subject of law and order in recent times.

### Allegations

And policemen are no more above the law than any private citizen.

Sunday Sun was first to report the Cedar Bay allegations last Sunday.

It believes it did so fairly and without accusation.

It still makes no accusations.

But it does demand that Mr Newbery inform a shocked public

immediately whether or not there is any foundation for the allegations.

And if the answer is in the affirmative, it demands that he does his public duty and sees that any wrongdoers are brought to justice.



MR LICKISS MR NEWBERY

REMEMBER YOU READ IT FIRST IN YOUR SUN

# AN ANTI-POLICE PLOT, SAYS JOH

Queensland Premier, Joh Bjelke-Petersen, yesterday accused Cedar Bay hippies of having manufactured evidence after the controversial police raid there.



PREMIER JOH

He said: "The Government will believe the police... Petersen had been reported as having said he would not hold an investigation into the Cedar Bay raid unless there was substantial evidence to warrant it. Sunday Sun asked Mr

Bjelke-Petersen whether published affidavits, TV films... Sunday Sun exclusive report would constitute "substantial evidence". The Premier said: "I haven't seen any evidence that would warrant an inquiry. This is all part of an

orchestrated campaign to legalise marijuana and denigrate the police... the so-called evidence at Cedar Bay was manufactured after the police had left. "The Queensland Government will believe the police. "Southern interests

are trying to turn North Queensland into the drug factory for Australia... moves to legalise marijuana — every time the police carry out a drug raid there's an orchestrated campaign to try the police."

to legalise marijuana were coming from the Labor States of South Wales... "The Queensland Opposition Leader Mr Burns is spearheading the attack on the police. As usual when police set

to uphold the law... cry comes from the o position... cropping up — Dr Peter Wilson, the Communist Noel Preston, the Campaign for Civil Liberties — at the ALP," he said.

Police "crimes" list — P3



# Top police probe on Cedar Bay

THE Police Commissioner (Mr. Whitrod) has ordered the Police Department's top investigator to Cairns to question two Cedar Bay people who have accused police of arson and destruction of property.

A Cairns report said that Chief Superintendent Don Becker would be in Cairns today to interview a man and a woman who made official complaints against the police last week.

In Brisbane last night, Mr. Whitrod confirmed that Chief Superintendent Becker had been put on the case.

Mr. Whitrod refused to elaborate.

But asked why he decided to send Chief Superintendent Becker to Cairns, Mr. Whitrod said: "Yes."

## Processed

"All I can say is that the complaints made by the two people about the incident will be processed by the Queensland Police Department like any other complaint of an alleged offence," he added.

"When Chief Superintendent Becker and his staff have completed their inquiries, they will report to me and I will make a statement as to the result of their investigations.

"I cannot say anything beyond that at this stage."

The Premier (Mr. Bjelke-Petersen) from Cape Flattery, north of Cooktown last night, declined to comment.

He said he had flown over the Cedar Bay area yesterday on his way from Cairns.

The people Chief Superintendent Becker will seek to question are Janice Lauren Lambert and

Michael Steven Ballister who were living at Cedar Bay when police raided the commune there on August 29.

Miss Lambert complained that police had poured kerosene on baby clothing belonging to her

five-month-old daughter, and set them alight.

Ballister said police had destroyed his house and other houses at Cedar Bay, destroyed personal property, destroyed vegetable plots and cut down fruit trees.



CHIEF SUPT. BECKER

## Law men protest

THE Queensland Law Society will protest to the Justice Minister (Mr. Lickiss) about the treatment of a solicitor interviewing clients at the Cairns watchhouse.

Law Society president (Mr. H. E. Peterson) said yesterday he did not know of any other instance where a person in custody was denied his right to interview his legal adviser out of police hearing.

Mr. Peterson said he had investigated statements that Cairns solicitor Mr. J. Gayler was prohibited from interviewing his clients, Mr. and Mrs. Robert Clive Elliott, out of hearing of the watchhouse keeper.

"Mr. Gayler has confirmed this to me," he said.

## The right

"A person in custody must have the right to interview his legal adviser out of hearing of a police officer.

"This right is conferred by regulation 29A of the Prison Regulations.

"The position in the Cairns watchhouse should confer no lesser right.

"The right is not usually denied and should not have been denied in this case."

Mr. Peterson said it seemed the watchhouse keeper was acting under instruction from a senior police officer.

## Affidavits

Last night in Cairns, Mr. Gayler said he went to the watchhouse to see the Elliotts on Monday night to obtain urgently needed affidavits.

The Elliotts, who the Cedar Bay defence claims are important witnesses, were remanded in custody by Mr. Scanlan S.M., on Monday until Wednesday for extradition to Western Australia.

Mr. Gayler said he was in too much of a hurry to

argue the case with the watchhouse keeper, but it was indicated to him that the order came from a senior officer.

## Bail

He said there also were abnormalities about the granting of bail for minor offences at the watchhouse.

"Section 69A of the Justice Acts says anyone charged with a simple offence can be granted bail by the watchhouse keeper," he said.

"A number of watchhouse keepers in Cairns have told me they have been ordered not to consider bail."

Mr. Lickiss said last night that as far as he was aware, it was a matter for the Police Minister (Mr. Newbery). He said the police had control of the watchhouse. Mr. Newbery could not be contacted in Cairns.

Two to W.A., Page 2.

## Couple to go to W.A.

An attempt to block extradition of two possible Cedar Bay drug case witnesses to Western Australia failed in the Supreme Court yesterday.

Mr. S. B. Martin, Robert Clive Elliott, unemployed, and his wife Kerry Jay Elliott, 25, South Road, Cooktown made an application against the extradition order.

Late yesterday, Justice Douglas refused the application.

In Cairns Magistrate Court on Monday, Scanlan, S.M., remanded the Elliotts in custody until 10 a.m. today for extradition to West Australia.

Robert Clive Elliott appeared on warrant having escaped from gal custody in West Australia. Kerry Jay Elliott appeared on warrant for having failed to appear in the W.A. District Court to answer charge of breaking and entering.

Mr. Martin was instructed by Elliott & Co.

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## A crisis over Cedar Bay?

**W**HETHER or not there will be a major crisis in Queensland's coalition Government could depend on how the Government handles the question of Cedar Bay — that vexing thorn in its side which refuses to go away.

Ministers surely must recognise that the Government's continued refusal to hold an inquiry into the Cedar Bay police raid has caused a wave of distrust in the Government to run through the Liberal Party's rank-and-file membership.

The Government has taken the attitude that the courts should find out what happened at Cedar Bay. But unless there is an inquiry into the written complaints about the raid made to Cairns police last week, what can the courts do?

The Premier (Mr. Bjelke-Petersen) said at the outset that there would be no inquiry unless there was "substantial evidence". Now there are precise and specific complaints. Surely these complaints provide that "substantial evidence," even if it may be disputed.

It is not sufficient for the Premier to say, as he did yesterday, simply that the Government would not be rushed into an inquiry. There is no question of a rush. Demand for an inquiry has been mounting for weeks.

The dangers in the Premier's attitude are quite real, and indeed, frightening. Has he brought Queensland to a position where complaints against the police are to be ignored?

The State Cabinet has been showing signs recently of treating public opinion with contempt. Ministers pledged to protect individual rights seem to be in danger of drifting away from their base.

The Lockyer by-election will provide a test on how the public feels on these issues affecting the coalition.

While the Labor Party has no chance of winning the seat the by-election nevertheless gives Lockyer voters the chance to express an opinion on how they expected the Government to act in these matters.

# Joh agrees to Cedar Bay inquiry

By Political Reporter PETER TRUNDLE

THE Premier (Mr. Bjelke-Petersen) said last night that he had approved a police investigation into allegations made by two Cedar Bay people.

The Police Minister (Mr. Newbery) said he had also approved it.

The Police Commissioner (Mr. Whitrod) confirmed on Tuesday that he had ordered the Police Department's senior investigator to ask the Cedar Bay people about allegations of police arson and destruction of property.

Chief Superintendent Don Becker was in Cairns yesterday to interview a man and a woman who made official complaints against police last week.

Mr. Bjelke-Petersen

said from Herberton last night that he had spoken to Mr. Whitrod at the new Cairns police station on Monday.

## Interviews

Mr. Whitrod had said he was sending Superintendent Becker to interview the two people.

Mr. Bjelke-Petersen said he had approved of this.

He said now that two people had put their names to complaints the normal processes were going forward.

"For the first time, of-

ficial complaints have been made to the police," Mr. Bjelke-Petersen said.

He said he was not backing down in approving the inquiry.

Asked about his statement that there would be no investigation until after the two Cedar Bay drug charges had been heard, the Premier said this was a different matter.

## Complaints

"This is a matter of complaints against police," he said. "Those were drug cases.

"If it were a question of a general inquiry into the police force, it would not be on at this stage."

The Premier is on a meet-the-people trip in north Queensland.

Mr. Newbery said: "The decision to investigate the allegations involved a three-way discussion between the Premier, myself, and Mr. Whitrod in Cairns on Monday."

A Cabinet meeting was held there.

"I would expect to see a report on the investigation at the end of this week," Mr. Newbery said.

He said he had stated that if specific complaints were made to police, they would be investigated.