Warwick incident anniversary

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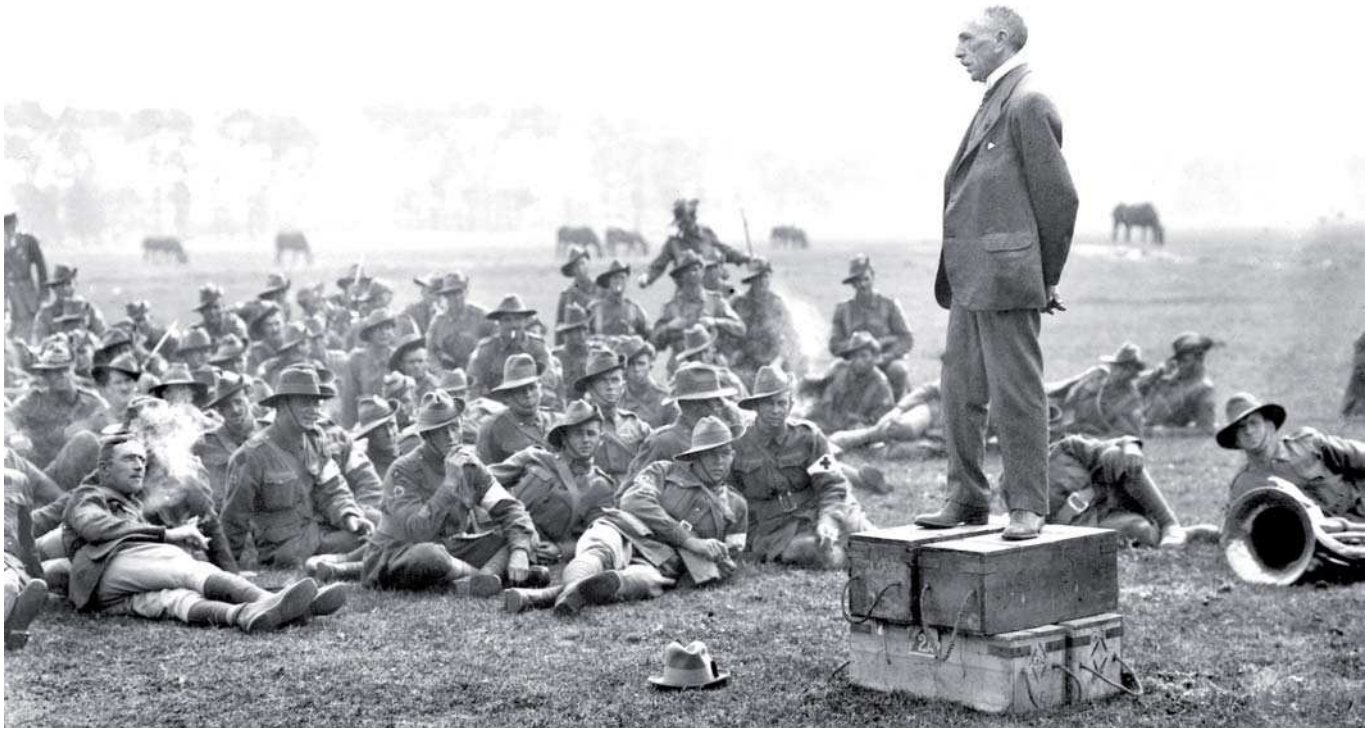

Prime Minister "Billy" Hughes addressing a military ambulance unit in France, 1918. Photo courtesy of the Australian War Memorial.

In recent years there has been a growing awareness in the general community of the AFP's role in contributing to the protection of Australia's national security.

Since the Bali bombings, the AFP's diverse capabilities and unique jurisdiction has been extensively used by the government to combat the threat of transnational crime, both in Australia and overseas.

In late 2003, the Secretary of the Department of Prime Minister and Cabinet Peter Shergold noted the AFP is now firmly located at the centre of government decision making.[a] This has attracted (and will continue to attract) public debate over the role of a national police agency and the powers that such a body should have.

The majority of Australians would be unaware of the long historical links between national security issues including the threat of terrorism and the AFP (and its predecessors). Indeed, most of the critical developments in federal policing have occurred either as the result of, or within the context of, periods of significant national security threats. For example, the AFP was created in 1979 in the wake of the 1978 terrorist attack on the Commonwealth Heads of Government Regional Meeting being held at the Sydney's Hilton Hotel. In his 1978 report recommending the establishment of the AFP, Sir Robert Mark stressed that the new organisation was needed to provide Commonwealth leadership in combating serious crime and terrorism.[b]

The Commonwealth Police (COMPOL) was established 50 years ago during the Cold War, just after the Petrov spy scandal and a royal commission into foreign espionage that had highlighted the Soviet threat in Australia. Tensions at the time were high between the Liberal national government and the Labor Opposition: the former accused of leveraging public fear of the communist threat for electoral gain, while the latter had just undergone an internal schism over the party's relationship to the communist movement. The goal of the *Commonwealth Police*

Cartoon courtesy of the Australian National Library

Bill 1957 was to formally merge the then Commonwealth Investigations Service (CIS) and the Peace Officer Guard to create a "principal investigational and law enforcement authority" capable of fostering cooperation with other police agencies "so as to bring about a more efficient economical working in the conduct of investigations of offences against Commonwealth law".[c] Parliamentary debate over the Bill was vitriolic and uncompromising. The Opposition attacked the proposed Commissioner, criticised COMPOL's potentially "unlimited" scope for expansion[d] and claimed the Bill (and the new force) could prepare the way for a "vile dictatorship".[e] The Opposition resented the political surveillance and counter espionage duties that the CIS had previously performed and suspected that COMPOL would continue that work.

The Peace Officer Guard itself had been created in 1925 in direct response to the national security threat posed by striking merchant sailors[f] and the refusal of the NSW Government to use its police to enforce special Commonwealth legislation enabling the deportation of foreign born (Australian resident) strike organisers. The Commonwealth Government hastily introduced legislation authorising the establishment of the Peace Officer Guard. It was passed only after a marathon parliamentary debate attracting strident criticism that the new group's mission was to union smash[g] and body-snatch.[h]

The first significant example of national security impacting on federal policing occurred 90 years ago with the establishment of a Commonwealth Police Force (CPF). While the causes leading to the creation of this force have since been overshadowed by the somewhat comical events in Warwick, Queensland, in November 1917, they nevertheless reveal a fascinating period where the Commonwealth Government feared open domestic revolution.

On 29 November 1917, then Prime Minister William "Billy" Hughes, a passenger on a mail train from Brisbane to Sydney, briefly stopped at the rural Darling Downs town of Warwick to address a large crowd about the pending referendum on military conscription. Two eggs were thrown at Hughes by local scallywags, one of the eggs knocked the Prime Minister's hat off. Immediately there was "tumult, excitement and confusion"[i] during which "arms and fists could be seen working vigorously"[j] on one of the offenders. The Prime Minister attempted to involve himself in the donnybrook but was dragged to safety by a plain clothed Queensland Police Senior Sergeant. Although ushered away from the Prime Minister, one of the offenders returned and gesticulated at the flustered Prime Minister as he commenced his speech. Hughes again attempted to set upon the man, an action that resulted in another brief mêlée in which the offender was arrested. As he was leaving, Hughes demanded that the offender be charged with a Commonwealth offence. The Senior Sergeant indicated that a state offence was preferable, a position that enraged Hughes to the point where he told the Sergeant that he would be "dealt with".[k]

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News of the "Warwick incident" was greeted with much mirth and merriment by Hughes' critics. Cartoons of the Prime Minister and eggs became widespread and even his biographer would later laconically write that "from the Warwick egg was hatched the Commonwealth Police Force".[l] A few days after the incident, Hughes authorised the establishment of the CPF and appointed a Commissioner to recruit personnel. Although often cited in itself as the reason for the creation of the CPF, the apparent failure by the Queensland Sergeant to prefer a Commonwealth charge was to Hughes the last straw in a series of events which when combined, challenged the very existence of Australian democracy and rule of law.

Hughes' fears were shaped by the significant military, social and political developments that were then straining Australian society. When World War I had broken out in 1914, most Australians enthusiastically supported 'mother' England in its struggles. Australian forces quickly seized German New Guinea and thousands volunteered to serve in Australia's military forces in the Middle East and Western Europe. By 1917 victory had not come quickly, thousands of men were dying and troubles were brewing domestically.

At the outbreak of war, Billy Hughes was 51. He was wiry, short with ongoing

debilitating medical conditions including dyspepsia and severe deafness. He was prone to considerable periods of intensive work fuelled by nervous energy, followed by illness requiring sustained recuperation. This notwithstanding, Hughes had a notable record as a union organiser, political orator and he developed much of the policy framework for the early federal Labor Party. As his biographer has noted[m] Hughes was dedicated to improving the conditions of workers, he was an ardent Australian nationalist (within the context of the British Empire) and an adept negotiator. He was above all else a ruthless political opportunist; a man with an "itch for an audience" and a "gargantuan appetite for lying".[n] Having obtained a law degree in his 40s, Hughes was the Commonwealth Attorney-General in the early war period and played a significant role in developing and implementing a range of national security legislation and regulations. His work did not go unrewarded and he assumed the Prime Ministership in October 1915.

During 1916 the Prime Minister became increasingly concerned about the Australia's place in the post-war world. The threat of Japanese trade and military expansion was very real and Hughes was not convinced that Great Britain (then a Japanese ally) fully appreciated Australia's vulnerabilities. Hughes sensed that the only way Australia could earn the right to argue its case on the international stage was to conspicuously contribute to military victory.[o] British authorities had also requested additional troops for planned operations in 1917. This was becoming more difficult with mounting casualty rates and declining numbers of new volunteers. Hughes was convinced that military conscription was the only logical and compelling option. He passionately argued his case to the Australian public and put the matter to a referendum on 28 October 1916. Hughes lost the referendum and was forced to leave the Labor Party which was vehemently opposed to conscription.[p] After forming a new party, Hughes remained Prime Minister after comprehensively winning a federal election in May 1917.

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While Hughes had promised that the question of conscription was dead after the first referendum, he dramatically revived the proposal in late 1917 because of the high military casualty rates[q] and the likelihood that one of Australia's five infantry divisions would be disbanded to provide troops for the others.[r] In Australia there was widespread but localised industrial unrest and strikes over issues ranging from pay to food prices. Some groups, such as the Industrial Workers of the World (IWW) actively advocated social revolution and the government felt compelled to pass special legislation outlawing the group until the end of the war.[s] Notable overseas acts of rebellion which left an impression on Australian authorities included the 1916 Easter uprising against British rule in Ireland and the two 1917 revolutions in Russia. Meanwhile Japan continued international lobbying for a greater presence in the Pacific. To Hughes, Australia faced dangers from within and without; he needed more troops to win the war and obtain a peace dividend beneficial to Australian security. Hughes was not alone in his views and in general the leader was liked and admired (or at least tolerated) by the nation.[t] On the issue of conscription, however, Australian society was dramatically polarised. Opposition to Hughes' second conscription referendum (set for 20 December 1917) came from a variety of sources. Two of his most vocal critics were Melbourne's Catholic Archbishop (and Irishman) Daniel Mannix and Queensland State (Labor) Premier Tom Ryan. To Hughes – impatient, cantankerous and determined– those who disagreed with his conscription position were in effect pro-German and engaged in traitorous behaviour. The Prime Minister saw a Sinn Fein plot in Mannix's stance of opposing conscription and also supporting an independent Ireland.[u] He also suspected that the (now outlawed) IWW was continuing its subversive activities. A number of anti-conscription advocates were equally extreme in their dim views on Hughes.

The second referendum was conducted "in an atmosphere of violence quite unusual for Australia" at that time.[v] Tens of thousands of supporters attended rallies for and against the proposal, debates were stymied and people arrested because of strict censorship regulations.[w] In such a passionate, sectarian influenced and emotionally charged atmosphere, eggs

and other missiles were regularly thrown at speakers. Brawls requiring police intervention were common. On at least one occasion Hughes required an armed police escort through a Victorian town that supported the anti-conscription campaign, and by November he had taken to carrying a handgun in his suit pocket for protection!

It was in Queensland in particular where Hughes sensed imminent insurrection. He had information of 'disloyal' activities in remote parts of the state and for months had been frustrated by what amounted to a "nasty personality-power brawl" with State Premier Tom Ryan[x] over the issues of industrial arbitration processes, sugar pricing and the controlling of meat exports. Events came to a head in November 1917 when Ryan, widely recognised as the unofficial leader of the anti-conscription movement, attempted to subvert the censorship regulations by reading into Hansard the contents of an anti-conscription pamphlet. On 26 November Hughes ordered a raid on the state government printing office; the censor and soldiers seized what copies of Hansard they could find. By coincidence Hughes was in Brisbane to campaign for the referendum (to which he had staked the political life of his government) and to meet Ryan over sugar issues. When Ryan intimated over a cup of tea that some copies of Hansard may have been missed, the censor was ordered to raid the building again but was prevented from doing so by a party of armed Queensland police. Outraged with the affront to the Commonwealth, Hughes had Ryan charged with conspiracy to publish a misleading statement. Ryan later replied with a contempt charge against the Prime Minister.[y] It was in the immediate wake of the raids, and with only three weeks left until the referendum, that the tired and anxious Prime Minister headed south to Sydney by rail and stopped at Warwick.

Once back in Sydney after the Warwick incident the Prime Minister argued that there was a state of latent rebellion in Queensland – the state's police were "honeycombed with Sinn Feiners" while other radicals and IWW members openly flouted Commonwealth laws. Short of deploying the army, Hughes felt the best way to protect Commonwealth interests and prevent insurrection was the establishment of a Commonwealth Police Force (CPF).[z] The body was promptly established by a regulation issued under the *War Precautions Act*. Parliament was not consulted.

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The CPF remit was to enforce laws of the Commonwealth. Hughes focused the body's attention on Queensland where "the law is not a thing to be kept but rather despised."[aa] Within only a couple of weeks, sufficient numbers of men were recruited to enable the deployment of plain-clothed officers in Warwick on the day of the referendum.[ab] Over the following two years the CPF, never more than about 40 men in total, focused on the surveillance and reporting of subversive activities. Members were plain clothed, received little training and faced difficulties in obtaining logistic support in many of the remote locations they worked.[ac]

The CPF was disbanded in 1919; its functions were transferred to the newly created Commonwealth Investigations Branch (CIB). It was no coincidence that the disbanding was approved while Hughes was in France representing Australia at peace negotiations. The war was over and the threat of rebellion had subsided. The CPF had lacked a clear direction beyond the generalities of surveilling politically subversive activities. As a policing body the CPF did not embrace Sir Robert Peel's principles of policing including obtaining the public's acceptance and willing cooperation, nor was it seen to provide impartial services.[ad] Indeed the CPF was more akin to the security surveillance agencies that evolved in mainland Europe in the 18th and 19th centuries. The CPF also failed to foster a spirit of cooperation with state police agencies, a philosophy which has become the cornerstone of modern AFP operations. Records show that while some key policy makers immediately grasped these lessons in 1919,[ae] it would nevertheless take another 60 years for a sound, effective and sustainable model of federal policing to be implemented in the form of the AFP.

(Endnotes)

a P. Shergold, "New Challenges for the AFP", Platypus, No.84, March 2004, pp.13-19.
b Sir Robert Mark, Report to the Minister for Administrative Services on the organisation of police resources in the Commonwealth area and other related matters, 1978, p.2.
c Senator William Spooner, Hansard, 8 May 1957.
d Senator Nicholas McKenna, Hansard, 15 May 1957.
e Senator William Aylett, Hansard, 15 May 1957.
f In the 1920's all Australian trade and passenger movements into and out of the country were dependant upon Australian and British liner and merchant companies.
g Albert Green MP, Hansard, 28 August 1925.
h Frank Brennan MP, Hansard, 28 August 1925.
i The Warwick Argus, Saturday December 1 1917, p.5.
j The Warwick Argus, Saturday December 1 1917, p.5.
k L. Fitzhardinge, The Little Digger 1914 – 1952, 1979, p.292.
l L. Fitzhardinge, The Little Digger 1914 – 1952, 1979, p.294.
m L. Fitzhardinge, The Little Digger 1914 – 1952, 1979.
n Donald Horne, Billy Hughes, 2000, p.18.
o L. Fitzhardinge, The Little Digger 1914 – 1952, 1979, p.173.
p Hughes' leadership style also enraged key party figures. Hughes left the party immediately prior to being formally expelled.
q There were 55,000 Australian casualties in 1917.
r Les Carlyon, The Great War, 2006, p.531.
s See the Unlawful Associations Act 1916.
t Hughes won two general elections as Prime Minister; 1917 and 1919, and was widely hailed for his efforts in representing Australia's interests at the Versailles Peace Conference in 1919.
u L. Fitzhardinge, The Little Digger 1914 – 1952, p.286.
v L. Fitzhardinge, The Little Digger 1914 – 1952, p.289.
w Hughes was ironically prevented from talking frankly about his concerns of Japanese militaristic aggression because the War Precautions Act banned critical comments against the allies of the King.
x Australian Dictionary of Biography, viewed in August 2007 at http://www.adbonline.anu.edu.au/biogs/A110509b.htm
y Both cases amounted to nothing, although Ryan was awarded costs for his matter.
z Draft Telegram to Governor-General R.M. Ferguson, Hughes Papers, National Library of Australia, 3 December 1917.
aa The Telegraph, Sydney, 5 December 1917.
ab The Warwick Argus, Saturday December 22 1917, p.5.
ac In Queensland CPF personnel were deployed in remote locations such as Gladstone, Maryborough, Rockhampton, Cairns and Townsville.
ad Sir Robert Peel established the London Metropolitan Police in 1829; his principles have formed the basis for policing in western democratic nations such as Australia.
ae David Crawford, Purpose expanded: An outline of Commonwealth Policing 1911 – 1987, AFP, 1987.

Peace officer 80th anniversary

An extract from Peter Donovan's *Changing the Guard**.

"On 25 July 1927, Cabinet agreed that the time was appropriate for establishing a separate Federal Capital Territory police force to enforce local laws in the Territory and also to guard Government House. The initial establishment was of 18 men.

Peace Officers from Sydney formed the backbone of this new police force...These Peace Officers were sworn in as police officers on 28 September when the new force was gazetted..."

The original members of the Federal Capital Territory Police in 1927 soon after the force was established. Two of the civilians on the left are Major-General Charles Cox (Senator for New South Wales) and Sir John Butters (Chief Commissioner for the Federal Capital Commission). The officers are, from left to right, front row: Sgt Philip Cook, Edwin Bailey, Alfred Davies, Augustus Weiss, Roy Hughes, Edward Bresnan and the Chief Officer, Colonel Harold Jones. Back row: Charles Priestly, William Fellowes, William Tandy, Ivan Perriman, Roy Brodribb and Bottrell.

*P. Donovan, Changing the Guard - A history of the Australian Protective Services, 1994, p.10.