



PAUL FLETCHER MP

Shadow Minister for Science and the Arts
Shadow Minister for Government Services and the Digital Economy
Manager of Opposition Business in the House

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CHRIS SMITH: We're expecting to see the National Integrity Commission front and centre in all its forms and in all its formats. Every party and every crossbencher seems to have a different view. One thing you can bank on, though, is the commission with more tentacles than the NSW ICAC and based on its record that cannot be a good thing. Meanwhile, as the Attorney-General Mark Dreyfus orchestrates the integrity debate, he's got an integrity issue of his own to deal with at the moment. The Opposition alleges that the Attorney-General's own super fund has legal connections, which may constitute a breach of the ministerial code. Shadow Government Services Minister Paul Fletcher joins me now to discuss this and more. Thank you very much for coming in.

PAUL FLETCHER: Good to be with you, Chris.

SMITH: Before we get to this week's prime issue in the parliament, just on Optus, you're a former Communications Minister. This has mammoth ramifications and must have damage to the trust customers have in companies who store our private information.

FLETCHER: I am a former Communications Minister and full disclosure, also a former Optus executive.

SMITH: That's right.

FLETCHER: And look, this has been obviously a tough few days for Optus, but more importantly for their customers. I think Optus did do the right thing in coming out pretty quickly and advising Australians of this. Frankly before they necessarily had all the details themselves. I think that was the right call.

SMITH: It was about a day after they knew about it.

FLETCHER: Well, they moved pretty quickly and that's important because amongst other things, the risk is that if your personal data falls into the hands of unscrupulous people, they might then use it to, for example, try and get control of your bank account. So certainly some

of the practical advice in this situation is change your password on your bank account if you don't have two factor authentication on your bank account, ask your bank whether you can have it. So that's when as well as you're having to put in a password. And then they will, for example, send a text to your mobile phone. So there are two separate means of validation. But look, yes, these issues are always difficult. But and as I understand it, Optus is working with the Australian Signals Directorate, with the Australian Cyber Security Centre and other relevant government organisations. It was a bit surprising that we didn't see home Affairs Minister Clare O'Neil come out more quickly on this because these are issues. I mean Optus is the second biggest telco. Many millions of Australians have service with Optus, so...

SMITH: I think Mark Dreyfus is trying to get a meeting with Optus sometime earlier in the week. He's got integrity issues to deal with as well, but just back on Optus again though, they could have some real legal ramifications heading their way because when you think about it, we've got the ABC, we've also got Jeremy Kirk, an Internet Security expert who's been in contact with a hacker who says he's from the inside.

FLETCHER: Well look, I don't want to comment on the details. You know, I've mainly seen what's been in the news. I have spoken to one or two people at Optus, people known to me I'm aware that Optus is engaging closely with government on this, as they should the appropriate authorities, including the Australian Signals Director.

SMITH: Is it an inside job?

FLETCHER: I don't have information that allows me to comment on that. The most important thing is protecting customers. Getting that information out is important. Optus has said that people who have concerns should contact the company through their My Optus app or their call centre 133937. And of course if you do have bank accounts and most of us do that online banking, then changing your password is one practical step you can take to reduce the risk.

SMITH: Okay. Integrity Commission. Big Debate, could be a debate a thon. As a matter of fact. Unless, of course, the opposition turn around and come to some agreement with Labor over the model of an integrity commission and then all of a sudden minor parties, crossbenchers, they get no say which way will it go in terms of that, do you think?

FLETCHER: Well, the first thing to say is, you know, we have supported a Commonwealth Integrity Commission now known as the National Anti-Corruption Commission. The leader of the Opposition has made that clear. But there's a lot of detail to work out. One thing that's very important is that we don't see in the House of Representatives the government using these new gag powers they've given themselves to rush this through very quickly. There's a lot of detail that needs to be worked out here. What rights will witnesses have when they're called before this commission? Who can refer matters as is the fact of referrals made public? Because if that happens, we might just see a series of political stunts, you know, Mark Dreyfus when he was Shadow Attorney-General, I think on seven separate occasions might have been more referred matters to the Australian Federal Police. He had a standard practise. He'd go out in front of the cameras. 'I've referred this to the Australian Federal Police'. Each time the Australian Federal Police said there was nothing there that merited...

SMITH: Reputations get sullied.

FLETCHER: They do through that process. So these are important issues that need to be worked through. They need to be worked through thoroughly. We would certainly not want to see the government using its gag processes in the House of Representatives. And bear in mind, we're only going to see the legislation this week. So you know, for all of Labor's huffing and puffing on this throughout all of the last term, they only had a few short words. They didn't have the detail. This will be the first time we'll see the detail. There's a lot that needs to be worked through because reputations can be destroyed. People have committed suicide because of the way they've been dealt with by these commissions in states like Victoria and South Australia. Yes we must have mechanisms to deal with corruption, but there's a lot of factors to balance up here.

SMITH: And then the Attorney-General is balancing something else, which is something that the Opposition you've alleged is a breach of the ministerial code, a connection between his super fund and legal connections. How serious is this?

FLETCHER: Well we have asked questions, about the ministerial code. You know, Anthony Albanese said that his new minister, Ged Kearney, he said there was going to be strict adherence to it. Now the code says it has a blanket prohibition on owning shares. We know three ministers in fact have admitted owning shares that Kristy McBain has admitted that. Bill Shorten has admitted that. Tim Ayres so in fact we haven't had strict adherence. But a second issue is there are very tight restrictions on when you can own managed funds, which in turn own shares in Australia in companies. Now Ged Kearney disclosed that she had a series of managed funds which had investments in turn in big health care companies like CSL, Ramsay Health Care and others. We asked a question about that on the last day of Question Time, a week or so ago, and the Prime Minister said, 'Oh, the minister has the assistant minister has divested herself of these shareholdings'. Now, just the night before, only that just the night before, Mark Butler, Health Minister, had been on Sky defending Ged Kearney holding those managed funds.

SMITH: What's Mark Dreyfus got to do here?

FLETCHER: Well, he owns a series of managed funds that he's disclosed, which in turn own shares in Australian companies. One we pointed out was Omni Bridgeway, a list of litigation funder. So the question is the Prime Minister tells us there's going to be strict adherence with his ministerial code. The code says that if a fund, if a minister owns a fund and the fund owns shares and those shares in those funds that that fund invest to any significant extent in a company which might give rise to a perception of a conflict of interest. The minister needs to notify the Prime Minister and, if requested, divest it. Now we want to understand what's going on here. Mr. ALBANESE has said that there's going to be strict adherence with his code, we haven't seen that so far.

SMITH: Alright Paul Fletcher thanks very much for coming in.

FLETCHER: Thanks.

Further information: Jack Abadee 0403 440 099