



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE
MATTERS OF PUBLIC IMPORTANCE

Telstra

SPEECH

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Questioner
Speaker Brandis, Sen George

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Senator BRANDIS (Queensland) (4.39 pm)—I am sorry to say that we have heard in the performance of Senator Conroy, and now Senator Wortley, an example of just how shabby the Labor Party's approach to this issue has become. And it really is an extraordinary height of hypocrisy that Senator Conroy, on behalf of the opposition, should table an MPI discussion today attacking the government for 'hurting the prospects of the company'—that is, Telstra—when, throughout question time today and yesterday, and in the public statements he has made since the T3 float was announced, talking down the share price of Telstra has been Senator Conroy's only game. That is all he has been doing—talking down the share price. So has Mr Beazley. So has Mr Tanner. So, to their shame, has the Labor shadow ministry. And yet these are the people who would run communications policy were the Australian public so unwise as to elect them to government next year.

I want to come back to that, but first of all let me say a word in defence of Mr Cousins. I do not know Mr Cousins; I have never met him. I know only so much about him as I have read in the newspapers. But we do know that he is an experienced company director with extensive experience in this industry and that he is a candidate proposed by the government for the board—the government which at the moment has 51 per cent of the shares in Telstra and, even after the T3 float, will continue to be the largest single shareholder in Telstra. There is absolutely nothing unusual about the majority shareholder, or the shareholder which will continue to be the largest single shareholder in Telstra, having its nominee elected to the board. In fact, there are other directors of Telstra who are there at the moment because the government recommended them. Not only is there nothing unusual about that but it would be extremely surprising and entirely at variance with Australian commercial practice were that not the case. But we hear Senator Conroy—who has never been able to master detail and therefore is reduced to boilerplate political rhetoric and his trademark character assassination—attack Mr Cousins and use wild claims such as he would be the government spy and that he would not bring an independent mind to bear.

Mr Cousins is a reputable businessman and he knows much better than Senator Conroy seems to know that as a director of a public company he will be subject to fiduciary obligations, both statutory and at law. On the basis of this man's quarter-century experience as a company director, there is absolutely no reason to believe that he will not in good faith discharge those statutory and fiduciary obligations. We have not heard one suggestion against Mr Cousins that in his entire history as a company director and as a businessman he has behaved inappropriately or unlawfully or in any other untoward fashion.

There has been no substance to these wild character attacks on this man to suggest that he cannot be trusted to discharge the fiduciary and statutory duties with which, after 25 years experience as a company director, he is well familiar. So that is why I say this attack is shabby. If you have something to say against Mr Cousins as to why he is not a fit and proper person to be the director of a public company, then come out and say it. But if you have nothing to say—as you obviously do not—then accept that this man will fulfil his duties which he has obviously done in a quarter-century career as a businessman. The only objection to Mr Cousins is that he is the nominee of the Australian government—the 51 per cent shareholder, the shareholder which after the sale of T3 will still be the largest shareholder of the company. As I said before, there is nothing wrong with that.

Senator Conroy and Senator Wortley gave themselves away when they both said in their speeches that this legislation is in pursuit of an ideological agenda. All of a sudden ideology, the implementation of policy in accordance with a set of political beliefs and values, has become a pejorative. Why is the privatisation of Telstra any more ideological than the privatisation of Qantas, the privatisation of CSL or the privatisation of the Commonwealth Bank? All three of them, particularly the Commonwealth Bank and Qantas, I suppose, are iconic Australian companies, every bit as much as Telstra is, and the privatisation of all was implemented by the previous Labor government.

They were good decisions, not ideological in the rather pejorative sense that has been wound around the privatisation of Telstra by Senator Conroy and Senator Wortley. They were sound public policy decisions borne of the shared belief—the memory of the Labor Party has obviously lapsed on this point at the moment—of both sides of politics in this country for the last 20 or 30 years, and of my side of politics for its entire history,

that trading corporations are best governed by the market, and their capital is best traded on stock exchanges and privately held. In this day and age, trading corporations should not ordinarily be owned and regulated by governments. Australia remains the only country in the OECD and one of the only countries in the world in which the principal telecommunications company is a government owned enterprise. That is what we are trying to set to rights. We are trying to bring Australian telecommunications policy into conformity with policy everywhere else in the world, superintended by non-labour governments and, in Britain, by the Labour government. There is nothing untoward about it.

Opposition senators say its ideological, but I say to them that there is nothing wrong with implementing good public policy in accordance with a set of principles. Rather than argue the public policy, we have this shabby, *ad hominem*, disgusting attack on the integrity of an individual.