



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE
PROOF
PRIME MINISTER
SPEECH

Thursday, 13 November 2008

BY AUTHORITY OF THE SENATE

SPEECH

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Speaker	Fielding, Sen Steve	Question No.	

Senator FIELDING (Victoria—Leader of the Family First Party) (9.46 am)—I seek leave to amend general business notice of motion No. 280, standing in my name, before asking that it be taken as a formal motion.

Leave granted.

Senator FIELDING—I have an amendment to the motion, which relates to the establishment of a select committee on the integrity of the Prime Minister's office. I need to circulate that now, if I can. The amendment would change item No. 8. I ask that a copy of it be given to the other parties. The amendment is to item No. 8, in which the words are to be inserted: 'but that no journalist shall be asked to reveal their source'. Item No. 8 would then read:

That the committee have power to send for and examine persons and documents, but that no journalist shall be asked to reveal their source ...

The PRESIDENT—Is there any objection to the motion, as amended, being taken as formal?

Senator Parry—Mr President, on a point of clarification: Senator Fielding was amending item No. 8. We believe it is item No. 9. Could we have clarification?

The PRESIDENT—I am advised by the Clerk that the amendment is in No. 8. Is there any objection to the motion, as amended, being taken as formal? There being no objection, I call Senator Fielding.

Senator FIELDING—I foreshadow that I will move the following motion standing in my name:

(1) That a select committee, to be known as the Select Committee on the Integrity of the Prime Minister's Office, be established to inquire into and report by 3 December 2008 on:

(a) the reported leak of the telephone conversation between the Prime Minister of Australia and the President of the United States of America on 10 October 2008—

The PRESIDENT—Senator, it is not normal procedure to read the motion. It is already on the *Notice Paper*.

Senator Parry—Again, I seek leave to clarify. The motion has been amended—

Senator Bob Brown—On a point of order: I cannot hear what the honourable senator is saying.

The PRESIDENT—That is a fair point of order. I would ask senators in the chamber, particularly those around Senator Brown, to be quiet so that Senator Brown can hear.

Senator Parry—So we are clear on what we are voting for, item 8 in Senator Fielding's notice of motion on today's *Notice Paper*, page 11, relates to the committee quorum. I believe item 9 is the item that should be amended, not item 8.

The PRESIDENT—Senator Parry, I am informed by the Clerk that in the version that Senator Fielding has circulated, which you obviously do not have a copy of, it is paragraph 8. That is as he has amended his motion in the *Notice Paper*, by leave. Leave was granted to amend the notice as per the *Notice Paper*.

Senator Coonan—On a point of order: I appreciate that the Clerk has advised that what Senator Fielding sought to amend is his document but, in the printed notice of motion, paragraph 9 is the one that needs to be amended. Unless what is being circulated is totally different—

The PRESIDENT—Senator Coonan, I can help you out. Senator Fielding, from what I understand, has circulated an amended notice of motion, and in this amended notice of motion, which he has circulated, it is No. 8. You are quite correct as per the *Notice Paper*, but leave was granted for Senator Fielding to amend that motion.

Senator Bob Brown—Mr President, I raise a point of order. In that case, I think we need to have that motion in front of us. I do not have a copy.

The PRESIDENT—That is a reasonable point. I think you are entitled to have a copy of the motion before you. I certainly have not seen the motion. It has been tabled with the Clerk. I would suggest that if a copy can be handed—

Senator Ferguson—I suggest that we defer this formal motion until we have dealt with all other formal motions. People might then have had a chance to read the amended motion.

The PRESIDENT—This is the last formal motion.

Senator FIELDING—I can maybe help. Could we make sure that everybody has the amendment in front of them. On the *Notice Paper* my notice of motion is on page 11. If senators look at page 11, they will see that the amendment I have circulated would change item 9. That is as per what was negotiated behind the scenes. So it is item 9, as I have circulated in the chamber.

The PRESIDENT—Is everyone clear on that? All right. Is there any objection to the motion as amended being taken as formal? Senator Fielding, will you move the motion as amended, now that we have clarified everything.

Senator FIELDING—Can I just check that the coalition are happy with that?

Opposition senators interjecting—

The PRESIDENT—No, Senator Fielding, will you move your motion, as amended.

Senator FIELDING—I move the motion, as amended:

- (1) That a select committee, to be known as the Select Committee on the Integrity of the Prime Minister's Office, be established to inquire into and report by 3 December 2008 on:
 - (a) the reported leak of the telephone conversation between the Prime Minister of Australia and the President of the United States of America on 10 October 2008;
 - (b) the role and any involvement of the Prime Minister's office in relation to the leak;

- (c) the role and any involvement of the 'Note Taker', who was with the Prime Minister listening in on the telephone conversation, and any other person present or listening (if any) in regards to the leak;
 - (d) the role and any involvement of any of the persons, present at the location where and when the telephone conversation was made, in regards to the leak;
 - (e) the role of any ministerial staffer or public servant in regards to the leak;
 - (f) the role of any member of the media in regards to the leak;
 - (g) why the Australian Federal Police have not been asked to investigate the leak, especially if it is the view the conversation was leaked by either a ministerial staffer or public servant without the authority of the Prime Minister;
 - (h) the reported complaint by the United States Ambassador about the leak;
 - (i) the impact of the leak on undermining Australia's reputation and trustworthiness of the Prime Minister's office; and
 - (j) the ongoing consequences of the leak for relationships between Australia and the United States and any other country.
- (2) That the committee consist of 8 members, 3 nominated by the Leader of the Government in the Senate, 3 nominated by the Leader of the Opposition in the Senate, 1 nominated by the Leader of Family First in the Senate and 1 nominated by any other minority party or independent senator.
- (a) On the nominations of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and any minority party and independent senators, participating members may be appointed to the committee;
 - (b) participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of committee, but may not vote on any questions before the committee; and
 - (c) a participating member shall be taken to be a member of the committee for the purpose of forming a quorum of the committee if a majority of members of the committee is not present.
- (3) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.
- (4) That the committee elect a Government member as its chair.
- (5) That the chair of the committee may, from time to time, appoint another member of the committee to be the deputy chair of the committee, and that the member so appointed act as chair of the committee at any time when there is no chair or the chair is not present at a meeting of the committee.
- (6) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.
- (7) That the quorum of the committee be 5 members.
- (8) That the committee have power to send for and examine persons and documents, but that no journalist shall be asked to reveal their source, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken and interim recommendations.
- (9) In exercising its power in accordance with paragraph (8), for the avoidance of doubt, the committee is empowered to send for:
- (a) ministers and ministerial advisers; and
 - (b) officers of the security and police services.

- (10) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.
- (11) That the committee be empowered to print from day to day such documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

Question put.