



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



## **THE SENATE**

### **QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS**

#### **National Broadband Network**

### **SPEECH**

**Wednesday, 29 March 2017**

BY AUTHORITY OF THE SENATE

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## SPEECH

**Date** Wednesday, 29 March 2017  
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**Questioner**  
**Speaker** Brandis, Sen George

**Source** Senate  
**Proof** No  
**Responder**  
**Question No.**

**Senator BRANDIS** (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:08): That is one of the most foolish and irresponsible speeches I have ever heard in all the years I have sat in this chamber, because what Senator Carr, a former minister of the Crown who ought to know better, has done is attacked the integrity of the Australian Federal Police.

**Senator O'Neill interjecting—**

**Senator BRANDIS:** I will come to the others whose integrity he has attacked in a moment. But, first and foremost, Senator Kim Carr has attacked the integrity of the Australian Federal Police. As the minister with responsibility for the Australian Federal Police, may I say to you, Madam Deputy President, and to anyone who may be listening to this broadcast, that there is absolutely no question whatsoever about the integrity of the Australian Federal Police, and for Senator Carr to attack their integrity is despicable.

**Senator Kim Carr:** Madam Deputy President, on a point of order: I claim to be misrepresented. The allegation I make is against this government, not the Federal Police, and the Attorney-General knows it.

The DEPUTY PRESIDENT: Thank you, Senator Carr. That is a debating point. Senator Brandis, please resume.

**Senator BRANDIS:** Senator Carr, you protest too much. But, in fact, the allegation you make is against the Australian Federal Police, because what you are alleging, Senator Carr—do not scurry out of the chamber like a coward—is that the Australian Federal Police improperly executed a search warrant.

When the Australian Federal Police decide to execute a search warrant they only do so on the basis that they are satisfied that there are reasonable grounds to do so—on the basis, usually, of a complaint made to them. To suggest that the AFP have done something improper or inappropriate, as Senator Carr does, is to say that they made a decision on the basis of a misapplication of the grounds or the test for the issuance of a search warrant, and to say that is disgraceful.

Senator Carr also attacked NBN Co. As he also knows, NBN Co is an independent statutory corporation. These events occurred, incidentally, during the caretaker period of an election campaign. There is no capacity whatsoever, in particular during an election campaign, for a minister to interfere in a decision by the appropriate executives of NBN Co to make a complaint to the police that a crime may have been committed. So the attack on the integrity of NBN Co is equally specious.

Senator Carr also implied, not in the contribution we have just heard but in the question he asked of me, that the Prime Minister may have had some role in these events, to which I can tell you—and this has already been put on the public record by the Minister for Communications, Senator Fifield, the portfolio minister responsible for NBN Co—that, categorically, that is not the truth, and any suggestion or innuendo that it is the case is a lie.

Lastly, Senator Carr referred to the caretaker conventions. Might I remind you, Madam Deputy President, that when Senator Carr was last a minister in a government, the government of which he was a member—the second Rudd government—had such scant respect for the caretaker conventions that the then Attorney General, who was also, as I recall, the Special Minister of State and the Minister for the Public Service and Integrity, of all things, said that the caretaker conventions were 'a matter of political practice'. That was the regard that the then Attorney General and the government of which Senator Carr was a member had for the caretaker conventions—that they regarded them as merely 'a matter of political practice'. What Senator Carr has said, as I said a moment ago, is a despicable smear on the Australian Federal Police and on other innocent Australians.