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TRANSCRIPT

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Prime Minister

Scott Morrison's secret appointments to different portfolios; PEP-11; Timothy Weeks

E&OE

ANTHONY ALBANESE, PRIME MINISTER: There have been revelations of an extraordinary and unprecedented trashing of our democracy by the former Morrison Government. This has been Government by deception. Government in secret. The appointment of not a Shadow ministry by the Leader of the Opposition but a shadow Government by the Prime Minister. I used to say that Scott Morrison had two jobs as Prime Minister and he botched them both. It turns out I was wrong about there being just two job. He told us he was a bulldozer and his Coalition colleagues just shrugged their shoulders and cheered him on, not in one election but in two elections. Turns out, he was the world's first stealth bulldozer. Operating in secret, keeping the operations of the Government from the Australian people themselves. A misleading of Parliament as to who was holding what portfolios and who was responsible. Our democracy is precious. We should be very proud of the democracy we have put created here in Australia. But the Westminster system relies upon checks and balances. The former Government, Scott Morrison and others who were involved in this, deliberately undermined those checks and balances that are so important and essential for our democracy. I can say that today that I have been informed by the Department of Prime Minister and Cabinet that between March 2020 in May 2021, the Prime Minister, Scott Morrison, was appointed to five additional portfolios in addition to his appointment as the head of Prime Minister and Cabinet. He was appointed to administer the Department of Health on 14 March 2020. The Department of Finance on 30 March 2020. The Department of Home Affairs on 6 May 2021. The Department of the Treasury on 6 May 2021. And the Department of Industry, Science, Energy and Resources on 15 April 2021. Each of these appointments made under Section 64 of the Constitution. It is completely extraordinary that these appointments were kept secret by the Morrison Government from the Australian people. It is completely contradictory, too, for example, the questions that Ministers answered on the floor of the House of Representatives and the Senate. You ask questions of Ministers who are responsible for portfolios. The Prime Minister and the Leader of the Opposition tabled in Parliament a list of portfolios and who is responsible for what. And the implications are still being worked through. We know that there is a legal matter in the issue of resources. I am seeking further advice as to the use of these extraordinary powers by Scott Morrison and other examples of it. And we'll be

receiving a briefing. I've asked for advice from the Solicitor-General. And I'm advised that will be ready next Monday, which I think is August 22, or thereabouts, of this month.

What has occurred here is also a flow-on, I believe, from the fact that Mr Morrison's colleagues sat back and watched power be centralised within the Morrison Government. They ticked off on the arrangements that had Scott Morrison as the only member of a Cabinet committee. Now, that was in place for some period of time. Once you go down that road of creating a Cabinet committee with one member on it, so as to avoid scrutiny, that it's not surprising that further steps will be made. First of all, in the area of Health, but then it continued through Health, Finance, Treasury, Energy, Resources, Home Affairs and more. There are real implications for this. For example, of what the events on May 21 were. Because there, we've asked questions about the role of the then Minister for Home Affairs, and the announcement by the person we thought was just the Prime Minister, but we know was also responsible for administering the Department of Home Affairs during that shocking breach of government policy and the abuse of the information that was put out there with text messages to millions of Australians in order to try to pervert the result of the election on May 21. This is a sad indictment of not just Mr Morrison, but all those Cabinet colleagues of his who sat back and allowed this to happen. It's undermined our democracy. It's an attack on the Westminster system of parliamentary democracy as we know it. And not just Mr Morrison, but others, who were involved in this, need to be held to account in the former Morrison Government.

JOURNALIST: Given part of the reason for this, or there's been reports this morning, is the pandemic. Is it now time that we had a Royal Commission into the state, federal and territory handling of this pandemic? Are you going to call a Royal Commission into this so Australians know exactly what was going on?

PRIME MINISTER: I've said consistently that once we were through the pandemic, it would be inconceivable, regardless of who won the election in May, that you would not have a proper examination of the circumstances around the handling of the pandemic. Importantly, so that you could prepare any lessons from it. Some of those are obvious. One of those, I was in Victoria yesterday announcing the need for us to be more self-reliant with regard to pharmaceuticals and vaccines.

JOURNALIST: You said that it was legal. Can you confirm for us that your advice is that the arrangements were legal? And why are you not more critical of the Governor-General's role in relation to this? Obviously, he was acting on advice. Should he not have asked more questions? What checks need to be put in place for the future?

PRIME MINISTER: On the former issue of legality, I've asked for advice from the Solicitor-General. And I was advised that that will be available next Monday. With regard to the Governor-General and his role, the Governor-General acts on advice from the Government of the day. He has put out a statement to that effect. And also, it's up to the Government of the day what announcements are made. That's the

declaration that the Governor-General has made. I think it's very clear, here, that the responsibility for this undermining of our parliamentary democracy rests with those people in the Morrison Government, including the former Prime Minister, who were a party to this.

JOURNALIST: Should Scott Morrison be considering his position as the Member for Cook? He's already explained to us that he doesn't have any trust in Government?

PRIME MINISTER: Well, Mr Morrison, I do note, his speech where he said that he didn't have trust in Government. It's not surprising, given that he knew the nature of the Government that he ran. And the others who sat around that Cabinet table and allowed these circumstances to occur. So, Mr Morrison has also said that he doesn't take, doesn't partake in day-to-day political activity. It's a very strange comment for a Member of the House of Representatives to make. And I think the people of Cook deserve to be represented by someone who is interested in our parliamentary democracy and in day-to-day politics.

JOURNALIST: Are you looking to change the law so that there is an obligation on future governments, that when a minister is sworn in to a portfolio, it is publicly revealed? Either gazetted or revealed in some other way so that everybody is clear who the minister is?

PRIME MINISTER: I am open to a range of reforms or suggestions. But let's be clear here - this isn't business-as-usual. Conventions apply to the way that our democracy functions. It also is the case that the Prime Minister of the day tables information saying who is responsible for what. I had a whole week off. I made it clear and put out a statement that Richard Marles would be acting as Prime Minister last week. It's important that people know who is in charge at any particular time.

JOURNALIST: Can you explain if these appointments recorded anywhere? And who recorded them? And where? And just following up on my colleague's question, what kind of reforms or suggestions are you considering?

PRIME MINISTER: This is early days. The report on the weekend for the book, and there's a range of questions about who knew what and when. And the authors of the book who put out the first revelations can answer for themselves on that. But before then, I certainly was not aware of these circumstances. I read about them on Saturday, and frankly, was surprised that it wasn't front page of every newspaper on Sunday. Because I found those revelations quite extraordinary. We'll follow this through. I am giving you the information that I have at this point in time. Clearly, there is more information needed. And we'll be searching for that information in an appropriate way.

JOURNALIST: Are you worried about the vulnerability of our system. And if they were transparent about the moves, would it have been okay?

PRIME MINISTER: I cannot conceive of the mindset that has created this. I cannot conceive of the way that the Government has functioned that have led to a point whereby they said that, 'I'm the Prime Minister of Australia and I'd also like to be in charge of Health, Finance, Treasury, Industry, Science, Home Affairs, Resources'. I

cannot conceive of how that occurs. And I cannot conceive of how a Cabinet allows that to happen. I also cannot conceive of how a Cabinet committee of one is established. And that's an issue that we've been raising for a period of time. I also cannot conceive of the way that this Prime Minister, when he was in charge, consistently avoided scrutiny. Consistently avoided scrutiny. These are serious issues. Serious issues. And the fact that Scott Morrison spent a considerable period of time dismissing things that were fact, as gossip. The fact that he dealt with publicly, what should be publicly available information in the way that he did, and his Cabinet colleagues supported this operating method as the Government for four years.

JOURNALIST: The Treasury portfolio, which I think was May 2021. Scott Morrison was appointed as Treasurer.

PRIME MINISTER: May, 2021.

JOURNALIST: Have you had a chance to talk to Steven Kennedy who of the secretary then? Has he given an explanation of what happened? Was Josh Frydenberg? Because this was a year and a bit into the pandemic. It wasn't like Health and Finance, March 2020, at the beginning?

PRIME MINISTER: I have had discussions with my Secretary of the Department of Prime Minister and Cabinet. I obviously have had limited amount of time for this. But let's be very clear. Decisions here are made by politicians. They're the ones that need to be held to account here. The politicians who made these decisions and who asked, obviously, at the time, they asked that this information be kept secret. It's not up to public servants to release this information. It was up to the decision makers who were the elected representatives.

JOURNALIST: And with misleading Parliament, can I ask what consequences there will be for Scott Morrison and his Cabinet Ministers as a result of this? Will they be referred to the Privileges Committee or some other form of investigation?

PRIME MINISTER: I am providing you with information at the earliest possible opportunity. I suspect this won't be the last time that I deal with these issues.

JOURNALIST: Can you clarify, is that because these appointments were a process through executive council? And if that's the case, doesn't that suggest that at least one other Cabinet Minister must have known about this? And do you know who that was?

PRIME MINISTER: I'm not privy to that information. I've had a briefing this morning that each of the appointments was made under Section 64. Appointments were made by the Governor-General following the Prime Minister's recommendations.

JOURNALIST: And did you have any information about that?

PRIME MINISTER: Clearly, some people knew about it because it's been discussed, including by Minister Pitt. Mark and then Clare and Karen.

JOURNALIST: We're learning a lot about the process here that we didn't know. The former Prime Minister said this morning that he wasn't aware of any other portfolios that he held other than the three that were revealed yesterday. One assumes that you would know if you were sworn in as Treasurer and Home Affairs Minister. Are there signed instruments that prove that? And could there be any validity in the possibility that this was done without his knowledge?

PRIME MINISTER: This is formal advice from the Department of Prime Minister and Cabinet. I wasn't there at the time. The former Prime Minister Morrison didn't invite me to any of these events. But that is the advice that I've received. I received preliminary advice yesterday afternoon. I asked that be confirmed this morning. I've had that confirmed and I'm making this announcement in an expeditious fashion. Karen?

JOURNALIST: You spoke about the mindset of someone who does this. We know that there was more than one mind set because the Attorney-General was involved as well. What's your view of the role of the first law officer in an arrangement like this? And what have you established, if anything, about which officials in which departments knew about this?

PRIME MINISTER: I find this whole exercise quite extraordinary. And apart from some members of Prime Minister and Cabinet, that detail, as I said, I mean, I had a choice of not coming out here, finding out everything and doing a press conference in a week. What I've done is giving you the information as soon as it was available.

JOURNALIST: Some people in PM&C aside from the previous Secretary were aware, is that what you're saying?

PRIME MINISTER: Yes.

JOURNALIST: Is it your understanding that any of the actions that the former PM might have wanted to take, either by signing an appropriations order to order PPE as a Finance Minister, if the then-Finance Minister got COVID, or making an action under the Biosecurity Act if the Health Minister got COVID, is it your understanding that there would have been another way to get those things done without having to have sworn himself into those roles? I think Australians feel that maybe there was an emergency situation that needed to be accounted for, but could there have been another way?

PRIME MINISTER: Quite clearly, there is no explanation that satisfies the swearing in, in my view. Australians will make their own judgement. But why the former Prime Minister was appointed as the co-head of Treasury on May 6, 2021. Or Industry, Science, Energy and Resources, on April 15, 2021. Or the Department of Finance on March 30. One of the things that has occurred here, and I'll make two points that are important. One is that we and I, as Leader of the Opposition, agreed to special powers, for example for the Minister for Finance, to make payments in an emergency circumstance because of the pandemic. We had discussions, explicitly, with Mathias Cormann, as Finance Minister. We weren't aware that we were giving authority to someone else as well, potentially, to make payments. And we did that on the basis of Mathias Cormann giving commitments about consultation should

any of that expenditure be necessary. You also have the circumstances around May 21, around Home Affairs. You had the legal case that's there that's been dealt with resources. But these appointments are quite extraordinary. And this is not business-as-usual. And I'll make the other point. Across a range of areas, Ministers have particular responsibilities that they and they alone are given. The Minister for Home Affairs, that, of course, covers immigration as well, has particular powers around migration. We saw that with the Djokovic case. On environment, the Environment Minister, Tanya Plibersek, made a decision or a preliminary decision a couple of weeks ago. She did that and made that decision by herself as required by law based upon the merits. The Resources Minister had particular responsibility. In that case, it was Keith Pitt. What we know is that if you look at the footage of the announcement by Scott Morrison at that time, Scott Morrison did not say that he was making it as the person who was administered to be in charge of the Department of Resources as well as Minister Pitt. There's a very clear reason why you do that. Because if you had two people who had contradictory positions, then that can create real issues. Just here and then Andrew and then there.

JOURNALIST: Was there an end date to any of the appointments? And can you tell Australians now whether there was any additional pay given to Scott Morrison for any of the appointments?

PRIME MINISTER: No is the answer to the first question in terms of no end date that I've been given anyway. So, to my knowledge, to give that caveat, no end date in the briefing that I've been given. And secondly, I'm not aware of any financial issues arising from it. Andrew and then here.

JOURNALIST: You've accused Scott Morrison of undermining parliamentary democracy. Will you move, or will the Government support, a censure motion on the member for Cook? And secondly, with regards to these portfolios, the one with Finance in particular, did it extend right to the election? Because I'm thinking here about the investigation into Brittany Higgins' allegations, which I think some of which was overseen by the Finance Department?

PRIME MINISTER: My advice is that it did extend. That these appointments were made and they did not end. So, that's the advice that I have at this point in time. With regard to actions in the Parliament or any other actions that might take place, I'm not here to announce any of those things this morning. I'm not here to announce any of those actions. Parliament is not sitting for a couple of weeks. I'm busy trying to run an orderly Government. Cabinet met this morning. I can confirm that no-one was appointed to different portfolios in secret. I can confirm that we had proper processes and papers presented before that Cabinet. We'll have a Jobs and Skills Summit coming up where we're doing extensive work with all those of good will who want to participate in the business community, the union movement, parliamentarians. It's a pity that Peter Dutton has chosen to not participate in that. But that's a decision for him. I'll continue to run a good, orderly Government that stands in stark contrast to the rabble and the chaos and the undermining of parliamentary democracy of our predecessors.

JOURNALIST: One of the outstanding questions that we have is why? In your briefings with the Department, have they given any justification for why Scott Morrison wanted to take on these portfolios? And have you asked the Governor-General what Scott Morrison's justification was in seeking to be sworn in to these other portfolios?

PRIME MINISTER: No. If you work it out, let me know.

JOURNALIST: There was already action against the decision Mr Morrison made to veto the PEP-11 exploration. I know that you don't want to comment on anything before the courts. But separate to that, is there a case given what we know motivated that decision? Will your Government revisit that separate to the court decision and reassess that exploration licence?

PRIME MINISTER: Good attempt to pretend that the question was separate to the court action. But, of course, you and I and everyone else here knows that it wasn't.

JOURNALIST: You ran on a platform of transparency. Will you do something to make sure that this can't happen again? Following on from that question, you know that everything has to get gazetted? And will you release the documentation where Scott Morrison signed the orders?

PRIME MINISTER: I think I'm being pretty transparent here. And my Government has been transparent and will continue to do so. We will deal with this issue. I'm being transparent by holding a press conference as soon as possible to let you know some more information so that it doesn't just drip out.

JOURNALIST: Will you release the documentation?

PRIME MINISTER: I'll tell you a big contrast that will happen. We will get proper advice. We will then have proper deliberations of our proper processes, and then you make an announcement. What you don't do is come to a press conference and just make an announcement on the basis of a question. We are going to run a proper Government. Australia voted for a return to good governance on May 21.

JOURNALIST: If I can ask, Timothy Weeks was returned to Afghanistan and welcomed by the Taliban regime. Do you think that he should be allowed to return to Australia?

PRIME MINISTER: Sorry, I missed the beginning of the question. You threw me with the curve ball.

JOURNALIST: So, this Australian man who returned to Afghanistan was welcomed by the Taliban regime. Do you think that he should be allowed to return to Australia if he wants to?

PRIME MINISTER: Australian citizens have rights, of course. And they remain. And they're also not ruled out, those Australian rights at a press conference. Can I say this, though? The Australian Government advice is very clear. People should not travel to Afghanistan, point one. Point two is the Taliban regime has seen human rights trashed, particularly for women in Afghanistan. I find it an abhorrent regime, and one that I have no truck with.

JOURNALIST: Will you and the Department be speaking to Scott Morrison as part of the investigation? And can you explain, is it your understanding is there is any record of the secret appointments being made?

PRIME MINISTER: Quite clearly, there are instruments that were dealt with. One there?

JOURNALIST: Were the secretaries of the departments you mentioned aware that the Prime Minister had been appointed as Minister for those departments?

PRIME MINISTER: I have just given the information that I've received from the Department of Prime Minister and Cabinet. We will produce more information over a period of time. This won't be the last time I speak about it. Last one here.

JOURNALIST: Scott Morrison said this morning that he only exercised his powers as a Minister for Resources. Have you been able to confirm that yet? And are your staff looking into that?

PRIME MINISTER: We'll have more to say about that over a period of time. Thanks very much.

PRIME MINISTER OF AUSTRALIA