

Martin Parkinson, secretary of the Prime Minister's department, [has cleared](#) Christopher Pyne and Julie Bishop of breaching the government's code of ministerial standards with their post-politics jobs. But it's doubtful the average voter would take such a literal or generous view of their conduct.

Scott Morrison had flicked to Parkinson the row over the part-time positions the two high flyers have taken that clearly overlap their previous portfolios, when the rules provide for a longer separation period.

Pyne, former defence minister, is advising EY, which operates in the defence area. Bishop, former foreign minister, is joining the board of [Palladium](#), a global group working in aid and development.

The code says:

Ministers are required to undertake that, for an eighteen month period after ceasing to be a Minister, they will not lobby, advocate or have business meetings with members of the government, parliament, public service or defence force on any matters on which they have had official dealings as Minister in their last eighteen months in office.

Ministers are also required to undertake that, on leaving office, they will not take personal advantage of information to which they have had access as a Minister, where that information is not generally available to the public.

The government on Monday was quick to gag an embarrassing opposition move in the lower House calling for Parkinson to probe further into the circumstances of Bishop, who told him she didn't have any contact with Palladium while foreign minister. A video had been posted by the company, labelled "Australia's Foreign Minister, Julie Bishop, commends Shared Value and Palladium's Business Partnership Platform". (Government sources said later that the video - in which Bishop did not use Palladium's name - was a congratulatory one about a Foreign Affairs initiative.)

In the Senate, the government lacked the numbers to prevent the conduct of Pyne and Bishop being [referred to a committee](#). The motion from Centre Alliance's Rex Patrick won support from Labor, Greens and non-Greens crossbenchers, passing 35 to 29. The committee has three opposition members, two government senators and a One Nation representative. Pyne and Bishop will be invited to appear and could be required to do so.

The greyest area of the post-ministerial employment provision is the stipulation not to take advantage of private information acquired as a minister.

Parkinson says in his report to Morrison: "a distinction should be drawn between experience gained through being a minister and specific knowledge they acquire through performing the role. It is the latter which is pertinent to the Standards".

Read more: [*Why Christopher Pyne and Julie Bishop fail the 'pub test' with their new jobs*](#)

In practice, however, this can fade into a distinction without a difference. As Parkinson also says: "It is not reasonable to think that former Ministers can or will 'forget' all information or knowledge gained by them in the course of their ministerial roles".

Pyne initially said he would be "providing strategic advice to EY, as the firm looks to expand its footprint in the Defence Industry". EY initially talked up his role but then quickly qualified it in the face of the controversy.

Parkinson spoke to both Pyne (who had already issued a long public written explanation) and Bishop.

In Parkinson's account, Pyne seems to have done a lot of talking with EY about what he can't

do. EY is paying, of course, for what he can do.

Parkinson says he considers Pyne “has put in place mechanisms to ensure that, whilst his engagement with EY will appropriately draw on his 26 year experience as a parliamentarian, he will not impart direct or specific knowledge known to him only by virtue of his ministerial position”.

Bishop, who will have been out of the ministry for a year next month, has said little publicly about her non-executive directorship. She told Parkinson she had yet to attend a board meeting and that “Palladium does not expect her to engage on any Australian based projects”.

Patrick suggested the terms of reference given to Parkinson were limited - designed to fix a “political problem”.

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This is not new ground. Former trade minister Andrew Robb took up employment (annual remuneration of \$880,000) with the Chinese Landbridge Group soon after he was trade minister. He has strongly rejected criticism of his action (and since left the group).

Two former ministers with responsibility for resources, the Liberals’ Ian Macfarlane and Labor’s Martin Ferguson quickly accepted positions with the sector. Stephen Conroy, a former communications minister overseeing online gambling laws, came under fire on becoming a lobbyist for the gambling industry – he points out this was three years after he was a minister.

Going back further (when the ministerial code of conduct did not include a post-separation provision) [Peter Reith segued](#) from the defence portfolio into advising defence contractor Tenix.

The Senate inquiry, reporting by September 10, will look at “action taken by the Prime Minister and the Department of the Prime Minister and Cabinet to ensure full compliance by former Ministers” with the relevant section of the ministerial standards.

At the end of his letter to Morrison, Parkinson highlights the impotence of a PM once members of his team are out in the wide world.

“While there are certain actions available to you when considering the conduct of a current serving Minister, and a possible breach of the Standards, there are no specific actions that can be taken by you in relation to former Ministers once they have left the Parliament”.

Either some way should be found to make the code enforceable or, if that is too hard, let’s skip the hypocrisy and admit it is no more than an exhortation to departees to act properly – complying with not just its letter but its spirit.

Michelle Grattan does not work for, consult, own shares in or receive funding from any company or organisation that would benefit from this article, and has disclosed no relevant affiliations beyond their academic appointment.

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