



Speech By  
**Leanne Linard**


**MEMBER FOR NUDGE**

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Record of Proceedings, 28 November 2019

**EDUCATION, EMPLOYMENT AND SMALL BUSINESS COMMITTEE**

**Report**

 **Ms LINARD** (Nudgee—ALP) (10.38 am): I lay upon the table of the House report No. 26 of the Education, Employment and Small Business Committee titled *Matter involving committee proceedings—potential breach of standing order 117*.

*Tabled paper:* Education, Employment and Small Business Committee: Report No. 26, 56th Parliament, November 2019—Matter Involving Committee Proceedings—Potential Breach of Standing Order 117 [2172](#).

This report concerns an alleged breach of standing order 117 by the member for Kawana during the committee's estimates hearing on 1 August this year. The committee received a complaint about the alleged breach of standing order 117 from the Minister for Education and Minister for Industrial Relations on 26 August. Standing order 268 empowers a committee of the House to report that a matter involving its proceedings has arisen and recommend that the matter be referred to the Ethics Committee. This report is made under standing order 268.

During the committee's estimates hearing on 1 August this year the member for Kawana initiated a line of questioning of the director-general of the Department of Education and the Minister for Education and Minister for Industrial Relations which had the potential to lead to identification of a child subject to the Child Protection Act. While the member for Kawana did not name the child, he referred to the child's sex and age and named the school at which an alleged rape had occurred. The committee did not have information to ascertain whether or not the child was subject to the Child Protection Act, however, the context suggests that it was indeed possible that was the case.

The committee gave careful consideration to the complaint from the Minister for Education. We invited a response from the member for Kawana and sought information from the Minister for Education and from the Minister for Child Safety.

As the report outlines, the committee reached the view that the member for Kawana's question did contain identifying information that it was conceivable could lead to the identification of the child to whom the member referred. A critical issue in the committee's consideration of whether standing order 117 had been breached, however, was whether the child was in fact subject to the Child Protection Act.

During the committee's consideration of the alleged breach of standing order 117, the committee received advice from the Minister for Child Safety that the confidentiality provisions of the Child Protection Act limit the information the minister could provide to the committee. After seeking clarification from the minister, the committee concluded that it could not determine whether or not the child referred to by the member for Kawana was subject to the act and, thus, whether the member for Kawana breached standing order 117. On that basis, the committee did not recommend, under standing order 268, that the matter be referred to the Ethics Committee.

The committee's report does, however, recommend that the Committee of the Legislative Assembly consider two issues that arise from the consideration of the potential breach of standing order 117: firstly, whether there would be merit in providing further advice to all members about compliance

with standing order 117, with particular reference to the definition in standing order 117(5); and secondly, whether the standing orders or the code of ethical standards and its associated guide could provide additional guidance for members' questions in protecting the identity and privacy of all children as a vulnerable population group. I commend the committee's report to the House.