



ETHICS COMMITTEE

Report No. 124

2011-12 Annual Report

Introduction

1. The Ethics Committee (the committee) is a statutory committee of the Queensland Parliament established under the *Parliament of Queensland Act 2001* (POQA).
2. The committee of the 53rd Parliament was appointed by resolution of the Legislative Assembly on 16 June 2011. The 53rd Parliament was dissolved on 19 February 2012 and the committee of the 54th Parliament was appointed by resolution of the Legislative Assembly on 17 May 2012.
3. Section 108(1) of the POQA requires the chairperson of each parliamentary committee to table in the Legislative Assembly a report about that committee's activities during the financial year.
4. This report contains a summary of the activities undertaken by the Ethics Committees of the 53rd and 54th Parliaments during the reporting period, 1 July 2011 to 30 June 2012.

Annual report of parliamentary committee

5. An annual report of a parliamentary committee, tabled in accordance with the POQA, must include:
 - a summary of issues considered by the committee, including a description of the more significant issues arising from the considerations: s. 108(2)(b);
 - a brief description of responses by Ministers to recommendations of the committee: s. 108(2)(d);
 - a statement of the committee's revenue and spending for the year: s. 108(2)(c); and
 - a list of meetings of the committee and the names of members attending or absent from each meeting: s. 108(2)(a).

Ethics Committee's responsibilities

6. The committee's areas of responsibility are set out in s.104B of the POQA as follows:
 - dealing with complaints about the ethical conduct of particular members; and
 - dealing with alleged breaches of parliamentary privilege by members of the Assembly and other persons.
7. Section 104C of the POQA provides the committee's area of responsibility about dealing with complaints about the ethical conduct of particular members is to—

- consider complaints referred to the committee about particular members failing to register particular interests; and
 - consider complaints against particular members for failing to comply with the code of ethical conduct for members, report on complaints to the Assembly and recommend action by the Assembly.
8. A complaint about a member not complying with the code of ethical conduct for members may be considered only by the Assembly or the committee.
 9. Pursuant to the Standing Rules and Orders of the Legislative Assembly (Standing Orders)¹, the committee also has responsibility for considering submissions referred to it by the Speaker concerning a request for a right of reply by non-members (commonly referred to as the 'right of reply').
 10. The committee is to advise the Assembly concerning any requests for a right of reply by non-members.

Summary of issues considered by the committee

Alleged breaches of parliamentary privilege

11. During the reporting period the committee investigated and reported on the following matters of privilege and possible contempts of parliament referred to it by the Speaker:
 - *Report No. 118—Matter of privilege referred by the Speaker on 26 May 2011 relating to alleged insufficient care being taken by a member when tabling documents and on 10 June 2011 relating to an alleged breach of the sub judice rule by a member when tabling documents;*
and
Matter of privilege referred by the Speaker on 18 August 2011 relating to an alleged contempt of impugning the Assembly's ethics processes and by pre-judging an inquiry outcome impugning the Ethics Committee's processes and deliberations (tabled 27 October 2011);
 - *Report No. 119—Matter of privilege referred by the Speaker on 12 October 2011 relating to an alleged deliberate misleading of the House by a member (tabled 1 December 2011);*
 - *Report No. 120—Matter of privilege referred by the Speaker on 27 October 2011 relating to an alleged deliberate misleading of the House by a minister (Hon Wallace) (tabled 16 February 2012);*
 - *Report No. 121—Matter of privilege referred by the Speaker on 27 October 2011 relating to an alleged deliberate misleading of the House by a minister (Hon Dick) (tabled 16 February 2012)*
12. On 7 June 2012, the Speaker referred a matter of privilege to the committee relating to the alleged contempt of non-payment of a fine for contempt of parliament.

Complaints relating to the Code of Ethical Standards

13. The *Code of Ethical Standards: Legislative Assembly of Queensland*² (the Code) as published by the former Integrity, Ethics and Parliamentary Privileges Committee, provides Members with information on managing conflicts of interest and resolving ethical dilemmas and an overview of the current obligations which Members are required to observe.

¹ Standing Orders 279 to 283.

² The Code of Ethical Standards was last amended and published by the former Integrity, Ethics and Parliamentary Privileges Committee on 11 May 2009. The former IEPPC tabled a *Review of the Code of Ethical Standards* tabled 28 October 2010.

14. The Committee of the Legislative Assembly (CLA) has responsibility for publishing the Code and information notices to provide guidance to members about the practical effect of Standing Orders relating to members' conduct.
15. The committee did not deal with any complaints relating to the Code of Ethical Standards during the reporting period.

Complaints relating to the registration of interests

16. The Register of Members' Interests and Register of Related Persons' Interests are established Standing Order 263. Schedule 2 of the Standing Orders contains the rules for the registers. Standing Orders relating to the register and the conduct of members also form part of the Code of Ethical Standards.
17. The committee did not deal with any complaints relating to the registration of interests during the reporting period.

Requests for non-members' right of reply

18. Under the right of reply procedure, persons or corporations (non-members) who are the subject of adverse comment made in parliament that affects their reputations are able to make a submission to have a response to those comments incorporated in the Record of Proceedings or otherwise published by the Legislative Assembly.
19. The Ethics Committee secretariat received one right of reply request on 23 February 2012.
20. At that stage, due to the dissolution of the Legislative Assembly the Ethics Committee of the 53rd Parliament ceased to exist. The current committee resolved to continue to deal with the matter. The committee finalised the matter, granting the reply, tabled on 19 June 2012.

Ministerial responses to committee recommendations

21. Section 107 of the POQA provides that where a committee recommends the government or a minister should take particular action, or not take particular action, about an issue; or a report of the CLA or Ethics Committee recommends a motion be moved by the Assembly to implement a recommendation of the committee, the minister responsible is required to provide the Legislative Assembly with a response.
22. In the case of a report of the CLA or Ethics Committee recommending a motion be moved by the Assembly to implement a recommendation of the committee, the Premier or the Premier's nominee is to provide a response.
23. A response tabled in accordance with s. 107 must set out any recommendations to be adopted, and the way and time within which they will be carried out, and any recommendations not to be adopted and the reasons for not adopting them.
24. The POQA requires the minister to table the response within three months after the report is tabled. If the minister cannot comply with this requirement, they are required to table an interim response within three months and a final response within six months.
25. The committee did not table a report containing recommendations requiring a ministerial response under s. 107 of the POQA during the reporting period.

Summary of activities

26. The following table summarises the committee's activities for the period 1 July 2011 to 30 June 2012.

Committee Activities 1 July 2011 – 30 June 2012	
Description	Total
Committee meetings	12
Privilege matters referred by the Speaker	5
Privilege matters referred by the Speaker, reported on	5
Pecuniary interests matters referred by the Registrar	0
Pecuniary interests matters referred by the Registrar, reported on	0
Non-members' right of reply	1
Committee reports and documents tabled	6
Committee reports tabled, requiring a ministerial response	0
Ministerial responses to committee reports	0

Committee revenue and expenditure

27. The committee had no revenue during 2011-12. The committee is funded from the appropriation of the Legislative Assembly. The expenditure for the period 1 July 2011 to 30 June 2012 is set out below.

Committee Expenditure 1 July 2011 – 30 June 2012	
Item	\$
Staff salaries and related expenses	139,255.21
Business travel allowances	Nil
Legal advice	Nil
Telecommunication costs	1,462.87
Meeting expenses, stationery, consumables, and miscellaneous expenses	1,046.13
Printing of reports and publications	1,390.00
Total	143,154.21

Meetings

28. During 2011-12, the committee held 12 meetings during the reporting period. An attendance schedule is set out below.

MEETING ATTENDANCE RECORD

53RD PARLIAMENT	E Moorhead	A DOUGLAS	G GRACE	A POWELL	M RYAN	P WELLINGTON	V JOHNSON
3 August 2011	✓	✓	✓	✓	✓	✓	
24 August 2011	✓	✓	✓		✓	✓	✓
10 October 2011	✓	✓	✓		✓	✓	X
10 October 2011	✓	✓	✓		✓	✓	X
12 October 2011	✓	✓	✓		✓	✓	X
26 October 2011	✓	✓	✓		✓	✓	X
16 November 2011	✓	✓	✓		✓	✓	✓
30 November 2011	✓	✓	✓		✓	✓	X
15 December 2011	✓	✓	✓		✓	✓	✓
54TH PARLIAMENT	A Douglas	I Berry	I Kaye	J-A Miller	J Trad	P Wellington	
31 May 2012	✓	✓	✓	✓	✓	✓	
7 June 2012	✓	✓	✓	✓	✓	✓	
21 June 2012	✓	✓	✓	✓	✓	✓	

Alex Douglas

Dr Alex Douglas MP

Chair

September 2012

Membership 53rd Parliament

Mr Evan Moorhead MP, Chair, *Member for Waterford*

Dr Alex Douglas MP, Deputy Chair, *Member for Gaven*

Ms Grace Grace MP, *Member for Brisbane Central*

Mr Vaughan Johnson MP, *Member for Gregory* [from 4 August 2011]

Mr Andrew Powell MP, *Member for Glass House* [until 4 August 2011]

Mr Mark Ryan MP, *Member for Morayfield*

Mr Peter Wellington MP, *Member for Nicklin*

Membership 54th Parliament

Dr Alex Douglas MP, Chair, *Member for Gaven*

Mrs Jo-Ann Miller MP, Deputy Chair, *Member for Bundamba*

Mr Ian Berry MP, *Member for Ipswich*

Mr Ian Kaye MP, *Member for Greenslopes*

Ms Jackie Trad MP, *Member for South Brisbane*

Mr Peter Wellington MP, *Member for Nicklin*

Secretariat

Mr Michael Ries, *Research Director*

Ms Kellie Moule, *Principal Research Officer* [until 14 October 2011]

Ms Erin Pasley, *Principal Research Officer* [from 10 October 2011]

Ms Andrea Musch, *Executive Secretary*

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