



## ETHICS COMMITTEE

### Report No. 156

### 2014-2015 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 54<sup>th</sup> 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. On 6 January 2014, the Acting Governor dissolved, by Proclamation, the 54<sup>th</sup> Parliament of Queensland. The Ethics Committee of the 54<sup>th</sup> Parliament was also dissolved on this date.
5. The Ethics Committee of the 55<sup>th</sup> Parliament was established by the Legislative Assembly on 27 March 2015.
6. This report contains a summary of the activities undertaken by the Ethics Committees of the 54<sup>th</sup> Parliament and 55<sup>th</sup> Parliament during the reporting period, 1 July 2014 to 30 June 2015.

#### ***Annual report of parliamentary committee***

7. 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: section 108(2)(b);
  - a brief description of responses by Ministers to recommendations of the committee: section 108(2)(d);
  - a statement of the committee's revenue and spending for the year: section 108(2)(c); and
  - a list of meetings of the committee and the names of members attending or absent from each meeting: section 108(2)(a).

#### ***Ethics Committee's responsibilities***

8. The committee's areas of responsibility are set out in section 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.
9. Section 104C of the POQA provides that the committee's area of responsibility in relation to 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.
  10. 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.
  11. Pursuant to the Standing Rules and Orders of the Legislative Assembly (Standing Orders)<sup>1</sup>, 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 'citizen's right of reply').
  12. The committee is to advise the Assembly concerning any requests for a citizen's right of reply.

## ***Summary of issues considered by the Ethics Committees of 54<sup>th</sup> and 55<sup>th</sup> Parliaments***

### Alleged breaches of parliamentary privilege

13. During the reporting period, the Ethics Committees of 54<sup>th</sup> and 55<sup>th</sup> Parliaments investigated and reported on the following matters of privilege and possible contempts of parliament:
  - Report - No. 151, *Matters of Privilege referred by the Speaker on 8 and 15 May 2014 relating to an alleged deliberate misleading of the House by a Member* (tabled 16 October 2014);
  - Report - No. 152, *Matter of privilege referred by the Speaker on 28 August 2014 relating to an alleged deliberate misleading of the House by the Leader of the Opposition* (tabled 30 October 2014);
  - Report - No. 153, *Matter of privilege referred by the Speaker on 23 April 2014 relating to an alleged attempt to improperly influence the conduct of a Member* (tabled 30 October 2014);
  - Report - No. 154, *Matter of privilege referred by the Speaker on 16 October 2014 relating to an alleged deliberate misleading of the House by the then Leader of the Opposition* (tabled 21 May 2015); and
  - Report - No. 155, *Matter of privilege referred by the Speaker on 20 May 2014 relating to an alleged inducement offered to a member and associated matters* (tabled 4 June 2015).
14. During the reporting period, the following matters were referred to the committee on which the committee has not reported as at 30 June 2015:
  - on 16 December 2014, former Speaker Simpson referred a matter of privilege relating to an alleged use of a segment from the broadcast of the proceedings of the Parliament in an advertisement in contravention of the Parliament's terms and conditions of broadcast; and

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1 Standing Rules and Orders of the Legislative Assembly, Standing Orders 279 to 283.

- on 27 March 2015, the House referred to the Ethics Committee of the 55<sup>th</sup> Parliament the responsibility of investigating and reporting on matters relating to Dr Ken Levy's evidence to the Parliamentary Crime and Misconduct Committee, formerly the responsibility of the Select Committee on Ethics.

## Complaints relating to the Code of Ethical Standards

15. The *Code of Ethical Standards: Legislative Assembly of Queensland*<sup>2</sup> (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.
16. The Committee of the Legislative Assembly 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.
17. The committee did not deal with any complaints relating to the Code during the reporting period.

## Complaints relating to the registration of interests

18. The Register of Members' Interests and Register of Related Persons' Interests are established under Standing Order 263. Schedule 2 of the Standing Orders contains the rules for the registers. Standing Orders relating to the registers and the conduct of members also form part of the Code.
19. During the reporting period, the committee reported on one complaint relating to the registration of interests: Report No. 149, *Matter of privilege referred by the Registrar on 16 June 2014 relating to an alleged failure to register an interest in the Register of Members' Interests* (tabled 16 October 2014).

## Requests for citizen's right of reply

20. Under the right of reply procedure, persons or corporations 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.
21. During the reporting period, the committee received the following referral from the Speaker for a citizen's right of reply: Report - No. 150, *Report on a Right of Reply No. 27*, which granted a reply on 16 October 2014.

## Ministerial responses to committee recommendations

22. 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 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.
23. In the case of a report of the 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.

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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.

24. A response tabled in accordance with section 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.
25. 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.
26. The committee did not table any reports containing recommendations requiring a ministerial response under section 107 of the POQA during the reporting period.

### **Summary of activities**

27. The following table summarises the committee's activities for the period 1 July 2014 to 30 June 2015.

Description	Total
Committee meetings	21
Privilege matters referred by the Speaker	7
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
Citizen's right of reply	1
Committee reports and documents tabled	7
Committee reports tabled, requiring a ministerial response	0
Ministerial responses to committee reports	0

### **Committee Travel**

28. The committee did not undertake any travel during the reporting period.

### **Committee revenue and expenditure**

29. The committee had a budget of \$18,723.00 during 2014-15. The committee is funded from the appropriation of the Legislative Assembly. The expenditure for the period 1 July 2014 to 30 June 2015 is set out below.

Item	Expenditure
Stationery & Consumables	696.00
Hospitality	1,122.00
Books	240.00
Telephone Costs	917.00
Printing and Production	575.00
<b>Total</b>	<b>\$3,550.00</b>

## Meetings

30. During 2014-15, the committee held 21 meetings during the reporting period. An attendance schedule is set out below.

### 2014-15 MEETING ATTENDANCE RECORD 54th Parliament

	Crandon	Kaye	Pucci	Miller	Trad	Wellington
1 07/08/2014 at 1:01pm	✓	✓	☒	☒	✓	✓
2 07/08/2014 at 1:06pm	✓	✓	☒	✓	✓	✓
3 07/08/2014 at 1:14pm	✓	✓	✓	✓	✓	✓
4 28/08/2014 at 1:04pm	✓	✓	☒	☒	☒	✓
5 08/09/2014 at 5:06pm	✓	✓	✓	✓	✓	✓
6 11/09/2014 at 1:04pm	✓	✓	✓	✓	✓	✓
7 11/09/2014 at 2:40pm	✓	✓	✓	✓	✓	☒
8 11/09/2014 at 2:46pm	✓	✓	☒	✓	✓	✓
9 11/09/2014 at 2:48pm	✓	✓	☒	☒	✓	✓
10 16/10/2014 at 1:03pm	✓	✓	✓	✓	✓	✓
11 16/10/2014 at 1:51pm	✓	✓	✓	✓	✓	☒
12 16/10/2014 at 1:53pm	✓	✓	☒	✓	✓	✓
13 16/10/2014 at 1:59pm	✓	✓	☒	☒	✓	✓
14 29/10/2014 at 6:44pm	✓	✓	☒	☒	✓	✓
15 30/10/2014 at 1:00pm	✓	✓	✓	✓	✓	✓
16 30/10/2014 at 1:14pm	✓	✓	✓	✓	✓	☒
17 27/11/2014 at 1:13pm	✓	✓	✓	☒	✓	✓

#### Notes

07/08/2014 at 1:01pm	Mr Gulley MP attended as replacement for Mr Pucci MP for consideration of a particular matter
07/08/2014 at 1:01pm	Mrs D'Ath MP attended as replacement for Mrs Miller MP for consideration of a particular matter
07/08/2014 at 1:06pm	Mr Shuttleworth MP attended as replacement for Mr Pucci MP for consideration of a particular matter
28/08/14 at 1:04pm	Mr Gulley MP attended as replacement for Mr Pucci MP for consideration of a particular matter
28/08/14 at 1:04pm	Mrs D'Ath MP attended as replacement for Mrs Miller MP for consideration of a particular matter
28/08/14 at 1:04pm	Mr Byrne MP attended as replacement for Ms Trad MP
11/09/14 at 2:40 pm	Mrs Scott MP, the replacement for Mr Wellington MP for consideration of a particular matter, was an apology
11/09/14 at 2:46 pm	Mr Shuttleworth MP, the replacement for Mr Pucci MP for consideration of a particular matter, was an apology
11/09/14 at 2:48 pm	Mr Gully MP, the replacement for Mr Pucci MP for consideration of a particular matter, was an apology
16/10/2014 at 1:51pm	Mrs Scott MP attended as replacement for Mr Wellington MP for consideration of a particular matter
16/10/2014 at 1:53pm	Mr Shuttleworth MP, the replacement for Mr Pucci MP for consideration of a particular matter, was an apology
16/10/2014 at 1:59pm	Mrs D'Ath MP attended as replacement for Mrs Miller MP for consideration of a particular matter
16/10/2014 at 1:59pm	Mr Gulley MP attended as replacement for Mr Pucci MP for consideration of a particular matter
29/10/2014 at 6:44pm	Mrs D'Ath MP attended as replacement for Mrs Miller MP for consideration of a particular matter
29/10/2014 at 6:44pm	Mr Gulley MP attended as replacement for Mr Pucci MP for consideration of a particular matter
30/10/2014 at 1:14pm	Mrs Scott MP attended as replacement for Mr Wellington MP for consideration of a particular matter
27/11/2014 at 1:13pm	Hon Tim Mulherin MP attended as replacement for Mrs Miller MP

### 55th Parliament

	Ryan	Elmes	Boyd	McEachan	Madden	Robinson
18 23/04/2015 at 4:31pm	✓	✓	✓	✓	✓	✓
19 07/05/2015 at 1:05pm	✓	✓	✓	✓	✓	✓
20 21/05/2015 at 1:30pm	✓	✓	✓	✓	✓	✓
21 04/06/2015 at 1:05pm	✓	✓	✓	✓	✓	✓

**Membership — 54<sup>th</sup> Parliament**

Mr Michael Crandon MP, Chair  
*Member for Coomera*

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

Mr Ian Kaye MP  
*Member for Greenslopes*

Mr Michael Pucci MP  
*Member for Logan*

Ms Jackie Trad MP  
*Member for South Brisbane*

Mr Peter Wellington MP  
*Member for Nicklin*

**Membership — 55<sup>th</sup> Parliament**

Mr Mark Ryan MP, Chair  
*Member for Morayfield*

Mr Glen Elmes MP, Deputy Chair  
*Member for Noosa*

Ms Nikki Boyd MP  
*Member for Pine Rivers*

Mr Jim Madden MP  
*Member for Ipswich West*

Mr Matt McEachan MP  
*Member for Redlands*

Dr Mark Robinson MP  
*Member for Cleveland*

**Secretariat**

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**Mr Mark Ryan MP**  
**Chair**

October 2015