

Annual Report

2020-21

Report No. 207, 57th Parliament

Ethics Committee

September 2021

Ethics Committee

Chair Ms Jennifer Howard MP, Member for Ipswich

Deputy Chair Mr Andrew Powell MP, Member for Glass House

Members Mr Linus Power MP, Member for Logan

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1 Ethics Committee

The Ethics Committee (the committee) is a statutory committee of the Queensland Parliament established under the *Parliament of Queensland Act 2001* (POQA) and the Standing Rules and Orders of the Legislative Assembly.¹

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.

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.

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.

Pursuant to Chapter 46 of the Standing Rules and Orders of the Legislative Assembly (Standing Orders)², 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, referred to as the 'citizen's right of reply'.

The committee is to advise the Assembly concerning any requests for a citizen's right of reply.

2 Annual report

In accordance with section 108 of the POQA, the chair of the committee is required to table an annual report within 4 months and 14 days after the end of each financial year. The report must include:

- (a) a list of meetings of the committee and the names of members attending or absent from each meeting, and
- (b) a summary of issues considered by the committee, including a description of the more significant issues arising from the considerations, and
- (c) a statement of the committee's revenue and spending for the year, and
- (d) a brief description of responses by Ministers to recommendations of the committee.

This report provides a summary of the activities of the committee from 1 July 2020 to 30 June 2021.

During the reporting period the committee tabled Report No. 203, Annual Report 2019 – 2020.

3 Summary of issues considered during the reporting period

The Ethics Committee of the 56th Parliament ceased to exist upon the dissolution of the Legislative Assembly on 6 October 2020. The Ethics Committee of the 57th Parliament was appointed on 26 November 2020.

¹ *Parliament of Queensland Act 2001*, Section 88 and Standing Order 194.

² Chapter 46, Standing Orders 279 to 283.

3.1 Alleged breaches of parliamentary privilege

During the reporting period, the Ethics Committee of the 56th Parliament investigated and reported on the following matters of privilege and possible contempts of parliament:

- Report No. 200, Matter of privilege referred by the Speaker on 12 February 2019 relating to alleged contempt by a member, tabled on 11 August 2020
- Report No. 201, Matter of privilege referred by the Registrar on 23 October 2019 relating to the alleged failure to register an interest in the Register of Members' Interests, tabled on 11 August 2020
- Report No. 202, Matter of privilege referred by the Registrar on 25 February 2020 relating to the alleged failure to register an interest in the Register of Members' Interests, tabled on 11 August 2020
- Report No. 203, Matter of privilege referred by the Transport and Public Works Committee on 12 August 2020 relating to alleged unauthorised disclosure of committee proceedings, tabled on 2 October 2020
- Report No. 204, Matter of privilege referred by the Speaker on 15 April 2020 relating to an alleged failure to declare a conflict of interest in committee proceedings in accordance with Standing Order 261, tabled on 2 October 2020.

During the reporting period, the Ethics Committee of the 57th Parliament investigated and reported on the following matters of privilege and possible contempts of parliament:

- Report No. 205, Matter of privilege referred by the Registrar on 11 March 2021 relating to the alleged failure to register an interest in the Register of Members' Interests, tabled on 13 May 2021
- Report No. 206, Matter of privilege referred by the Speaker on 13 August 2021 relating to the alleged behaviour of a visitor signed into the parliamentary precinct by a member, and the failure of the member to adequately supervise that visitor, tabled on 27 May 2021.

3.2 Complaints relating to the Code of Ethical Standards

*The Code of Ethical Standards together with The Guide to the Code of Ethical Standards and Rules Relating to the Conduct of Members*³ (the Code of Ethical Standards) 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.

The Committee of the Legislative Assembly has responsibility for publishing the Code of Ethical Standards and information notices to provide guidance to members about the practical effect of Standing Orders relating to members' conduct.

During the reporting period, the committee did not deal with any complaints about breaches of the Code, except where they may have also constituted contempt of Parliament.

3.3 Complaints relating to the registration of interests

The Register of Members' Interests and Register of Related Persons' Interests are established under Standing Order 263. Schedule 2 of the Standing Orders sets out the rules for the registers. Standing Orders relating to the registers and the conduct of members also form part of the Code of Ethical Conduct.

³ The Code of Ethical Standards was last updated by the Committee of the Legislative Assembly on 15 June 2018.

The committee reported on the following matters relating to the Register of Members' Interests during the reporting period:

- Report No. 201, Matter of privilege referred by the Registrar on 23 October 2019 relating to the alleged failure to register an interest in the Register of Members' Interests, tabled on 11 August 2020
- Report No. 202, Matter of privilege referred by the Registrar on 25 February 2020 relating to the alleged failure to register an interest in the Register of Members' Interests, tabled on 11 August 2020
- Report No. 205, Matter of privilege referred by the Registrar on 11 March 2021 relating to the alleged failure to register an interest in the Register of Members' Interests, tabled on 13 May 2021.

3.4 Requests for a citizen's right of reply

Under the right of reply procedure, persons or corporations named in the Legislative Assembly or by a committee, in a manner that adversely affects their reputation, may make a submission to the Speaker to have a response to those comments incorporated in the Record of Proceedings, or published in some other manner.

The committee did not receive any referrals from the Speaker seeking a citizen's right of reply during the reporting period.

3.5 Ministerial responses to committee recommendations

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.

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.

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.

The POQA requires the relevant 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.

The committee did not table any reports containing recommendations requiring a response under section 107 of the POQA during the reporting period.

4 Committee expenditure

The committee had no revenue during 2020-21. The committee is funded from the appropriation made to the Legislative Assembly. The expenditure of the committee for the period 1 July 2020 to 30 June 2021 is shown in the table below.

Item	\$
Employee expenses ⁴	263,816
Meeting expenses	231
Technology	1,701
Supplies	558
Miscellaneous expenses	199
Expenditure Total	266,505

5 Committee travel

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

6 Meeting attendance record

The table below shows the attendance of committee members at committee meetings and other activities during the reporting period.

Standing Order 202(1) provides that in the case of a committee members' illness or inability to attend, another member may be appointed to attend that meeting or stand in for a particular inquiry.

Standing Order 272 provides:

(1) Any member of the ethics committee who is directly concerned in a matter referred to the ethics committee or who has made any statements in the House revealing a prior judgement in the matter shall not be involved in any consideration of that matter.

(2) The Speaker shall appoint another member to replace a member who has stood down in accordance with (1) and shall notify the ethics committee in writing.

56 th Parliament Meeting Dates	Mr Joe Kelly MP (Chair)	Mr Tim Nicholls MP (Deputy Chair)	Ms Leanne Linard MP	Mr Mark McArdle MP	Mr Ray Stevens MP	Mr Chris Whiting MP
16.07.20	✓	✓	✓	✓	✓	✓
11.08.20	✓	✓	✓	✓	✓	✓
13.08.20	✓	x ⁵	✓	✓	✓	✓
10.09.20	✓	✓	x	x	✓	✓
10.09.20	✓	✓	x	x	✓	✓

⁴ This figure reflects two positions funded from the Committee Office budget. The committee's staffing resources are shared between the Office of the Clerk, the Office of the Deputy Clerk and the Committee Office

⁵ Mr John Paul Langbroek MP, Member for Surfers Paradise replaced Mr Nicholls MP under SO 202

56 th Parliament Meeting Dates	Mr Joe Kelly MP (Chair)	Mr Tim Nicholls MP (Deputy Chair)	Ms Leanne Linard MP	Mr Mark McArdle MP	Mr Ray Stevens MP	Mr Chris Whiting MP
17.09.20	✓	✓	✗	✗	✓	✓
28.09.20	✓	✓	✓	✓	✓	✓
28.09.20	✓	✓	✓	✓	✓	✓
01.10.20	✓	✓	✓	✓	✓	✓

57 th Parliament Meeting Dates	Ms Jennifer Howard MP (Chair)	Mr Andrew Powell MP (Deputy Chair)	Mr Linus Power MP	Mr Daniel Purdie MP	Ms Kim Richards MP	Mr Ray Stevens MP
03.12.2020	✓	✗ ⁶	✓	✓	✓	✓
25.02.2021	✓	✓	✓	✗ ⁷	✓	✓
11.03.2021	✓	✓	✓	✓	✓	✓
25.03.2021	✓	✓	✓	✓	✓	✓
22.04.2021	✓	✓	✓	✓	✓	✓
13.05.2021	✓	✓	✓	✗	✓	✓
13.05.2021	✓	✓	✓	✓	✓	✓
27.05.2021	✗ ⁸	✓	✓	✓	✓	✗ ⁹
27.05.2021	✗ ¹⁰	✓	✓	✓	✓	✗ ¹¹
18.06.2021	✓	✓	✓	✓	✓	✓
18.06.2021	✓	✓	✗ ¹²	✓	✓	✓



Ms Jennifer Howard MP
Chair
 September 2021

⁶ Mr Steve Minnikin MP, Member for Chatsworth, replaced Mr Powell MP under SO 202

⁷ Mr Michael Hart MP, Member for Burleigh, replaced Mr Purdie MP under SO 202

⁸ Mr Power MP was appointed as Chair under SO 202 for the meeting; Mr Adrian Tantari MP, Member for Hervey Bay, replaced Ms Howard under SO 202

⁹ Mr Michael Crandon MP, Member for Coomera, replaced Mr Stevens MP under SO 202

¹⁰ Mr Power MP was appointed as Chair under SO 202 for the meeting; Mr Adrian Tantari MP, Member for Hervey Bay, replaced Ms Howard under SO 202

¹¹ Mr Michael Crandon MP, Member for Coomera, replaced Mr Stevens MP under SO 202

¹² Ms Corrine McMillan MP, Member for Mansfield, replaced Mr Power under SO 272(2)