
The Parliament of the Commonwealth of Australia

Report concerning an application for the publication of a response to a reference made in the House of Representatives

House of Representatives
Committee of Privileges

September 1999
Canberra



Membership of the Committee

Chair Hon A M Somlyay MP

Deputy Chair Mr R W Sawford MP

Members Mr K J Andrews MP
 Mr M Danby MP
 Hon D F Jull MP
 Mr R B McClelland MP¹
 Hon L B McLeay MP
 Mrs M A May MP
 Mr P C Neville MP
 Mr R C G Sercombe MP
 Dr A J Southcott MP²

1 Nominee of the Deputy Leader of the Opposition

2 Nominee of the Leader of the House



1. Ms Anne Henderson of Sydney has made an application, under the procedure adopted by the House on 27 August 1997, for the publication of a response to references made in the House on 12 August 1999.
2. In considering Ms Henderson's submission, the Committee has had regard to the terms of the House's resolution and the guidelines which the Committee has developed under paragraph 9 of the resolution (copy of guidelines at Appendix A). Paragraph 8 of the guidelines states:

In considering applications, the committee will have regard to the existence of other remedies that may be available to a person referred to in the House...

The Committee notes that Ms Henderson has written to the editor of the *Adelaide Review* refuting the claims made by Mr Latham in his review of Ms Henderson's book *Getting Even* and also referred to by Mr Latham in his references in the House on 12 August 1999.

3. The Committee, noting the circumstances of the matter, recommends that no further action be taken by the House or the Committee on the submission.

HON A M SOMLYAY MP
Chair

September 1999



Appendix A

Protection of persons referred to in the House

**Guidelines made under clause 9 of the resolution of the House of 27 August 1997
Supplementary to the provisions of the resolution of the
27 August 1999**

The Committee of Privileges will consider each application for the publication of a response on its merits, but proposes that the following guidelines apply to the procedure:

- (1) an application must be received within 3 months of the making of the statement to which the person wishes to respond unless, because of exceptional circumstances, the committee agrees to consider an application received later;
- (2) applications should only be considered from natural persons, they should not be considered if lodged by or on behalf of corporations, businesses, firms, organisations or institutions;
- (3) applications should only be considered from persons who are Australian citizens or residents;

- (4) an application must demonstrate that a person, who is named, or readily identified, has been subject to clear, direct and personal attack or criticism;
- (5) applications must be concise, must be confined to showing the statement complained of and the person's response and must not contain any offensive material;
- (6) applications concerning statements made in the Main Committee may be considered;
- (7) applications should not be considered from persons who wish to respond to a statement or remarks made in connection with the proceedings of a standing or select committee – such persons should contact the committee direct on the matter; and
- (8) in considering applications, the committee will have regard to the existence of other remedies that may be available to a person referred to in the House – for example, a Member of any Parliament in Australia would be considered to have a forum within which he or she could respond to remarks; media personnel similarly have means by which to make a response to any remarks about them.