

Appendix 25

MATTERS RAISED AS MATTERS OF PRIVILEGE IN THE HOUSE

A number of matters which have arisen in the House and which relate to the general subject of privilege are excluded from this appendix as they were not specifically raised as matters of privilege or were not pursued by the House or Speaker as such. Reference as appropriate has been made to some of these matters in the Chapter on 'Parliamentary privilege'.

| Matter | Action by Speaker, House and Privileges Committee |
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| <p>1 4 August 1905 Article in the <i>Age</i> concerning statements of manoeuvring etc. in regard to election of Chairman of Committees. (VP 1905/31)</p> | Matter debated; no further action. |
| <p>2 18 September 1907 Signatures on petition—alleged forgery etc. (VP 1907–08/92)</p> | <p>Referred to Printing Committee. Committee recommended that Crown law authorities be requested to take action with the view to criminal prosecution; report adopted. (VP 1907–08/165) Crown Solicitor advised that prosecution for forgery would be unsuccessful. (VP 1907–08/267)</p> |
| <p>3 13 August 1912 Statement concerning Member (Mr Riley) in the <i>Age</i>. (VP 1912/91)</p> | Notice of motion proposing the exclusion of representatives of the <i>Age</i> from the press gallery withdrawn following apology from newspaper's representatives. |
| <p>4 28 October 1913 Comments in the <i>Argus</i> concerning progress of business of Parliament (Electoral Bill). (VP 1913/115)</p> | Motion, that the editor and the printer and publisher are guilty of contempt etc., negatived. |
| <p>5 11 November 1913 Statement reported to have been made by Member (Mr McGrath) outside the House allegedly to the effect that the Speaker had lost the confidence and respect of (part of) the House. (VP 1913/151–3)</p> | <p>Motion suspending Member for remainder of session (unless he sooner unreservedly retracted words) agreed to. (Member remained under suspension for the remainder of the session.) House ordered that the resolution of 11 November 1913 be expunged from the journals of the House as being subversive of the right of a Member to address his constituents freely. (VP 1914–17/181)</p> |
| <p>6 13 November 1913 Article in the <i>Age</i> stating that Members were able to alter Hansard proofs in any manner that pleased them. (VP 1913/157)</p> | Motion, that the writer of the article was guilty of contempt etc., negatived. |
| <p>7 2 March 1917 Statements made in Senate relating to attempted bribery and corruption etc. (VP 1914–17/575)</p> | Motion, that matter be referred to a royal commission, debated and negatived. |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| <p>8 5 April 1918 Speaker raised matter of seizure at Parliament House of a Member's parcels said to have contained reprints of Member's speech in the House. (Seizure requested initially on ground of use of Commonwealth coat of arms, later on ground of military necessity involving safety of Commonwealth.) (VP 1917–19/177–8)</p> | <p>Motion, that intrusion into and invasion of Parliament House by a military force without the Speaker's consent constituted a breach of privilege of the House, debated and negatived.</p> |
| <p>9 29 May 1918 Military censorship of Members' correspondence. (VP 1917–19/242)</p> | <p>Motion, that the House was of the opinion that the privileges of Members were being interfered with and proposing to appoint a committee to inquire into the matter, debated and negatived.</p> |
| <p>10 24 October 1919 Speaker brought to attention of the House that in the report of the Economies Royal Commission, matters listed for investigation included various parliamentary services. Parliament had not so authorised the tribunal to investigate such matters and Parliament alone could appoint a tribunal in the sphere of parliamentary jurisdiction. (VP 1917–19/587)</p> | <p>Minister stated that he would see that law officers took immediate notice of Speaker's remarks to insure that no privileges which Parliament enjoyed were in any way infringed by operation of the Commissions.</p> |
| <p>11 9 November 1920 Portion of speech alleged to have been made by Member (Mr Mahon) outside the House concerning events in Ireland. (VP 1920–21/423)</p> | <p>Statements made by Members regarding proposed motion of privilege which was delayed owing to Member's absence. (VP 1920–21/425) Motion, that Member be expelled for allegedly seditious and disloyal utterances (making him) unfit to remain Member etc., debated and agreed to (amendment having been negatived); seat declared vacant; Member unsuccessful at by-election. (VP 1920–21/431–3)</p> |
| <p>12 22 September 1922 Portion of speech alleged to have been made by Member (Mr Page) outside the House about operation of the House. (VP 1922/145)</p> | <p>Mr Page stated he was not correctly reported; Prime Minister then said it was not his intention to move motion. Speaker ruled that further discussion without a motion would be irregular and the subject was not further proceeded with.</p> |
| <p>13 6 October 1922 Service of summons on Member (Mr Blakeley) in precincts of Parliament House (concerning industrial dispute). (VP 1922/190)</p> | <p>No motion moved; Speaker made a statement and the Attorney-General having undertaken to consider the matter carefully, the matter rested. Attorney-General made statement. Person who served summons had not intended to breach privilege; concluded that it was not a desirable practice that service should, under any circumstances, be made within the precincts of the House while the House is sitting. (VP 1922/201)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| 14 7 March 1929 Member's (Mr Hunter's) comments in a newspaper article (alleged misrepresentation of proceedings in committee). (VP 1929/49) | Motion, that Member was guilty of a breach of privilege, etc., debated and, by leave, withdrawn. |
| 15 28 August 1929 Report of alleged misuse of parliamentary facilities and precincts (in use of parliamentary stationery in production of certain political propaganda). (VP 1929/105) | Motion, that Speaker make inquiries into matter, debated and negatived. |
| 16 5 November 1930 Alleged misrepresentation in the <i>Advertiser</i> of Member's (Mr Yates') speech in the House. (VP 1929–31/397) | Motion, that editor be declared guilty of contempt etc., debated. Motion further debated and withdrawn. (VP 1929–30/405) |
| 17 13 November 1930 Presence in the House of Member (Mr Theodore) who was subject of royal commission inquiry concerning business interests. (VP 1929–31/413) | Motion, that Member be suspended from service of the House etc., ruled out of order as matter was not one of privilege. |
| 18 23 April 1931 Proposed expulsion of member of press from precincts of the House by Speaker (journalist had been involved in publication of secret cables). (VP 1929–31/592) | Motion, that expulsion was a question for the House to decide, not the Speaker either acting on his own authority or at the suggestion of the Ministry, debated and withdrawn. Motion again moved, debated and negatived on casting vote of Speaker. (VP 1929–31/593) |
| 19 12 May 1931 Statements in the <i>South Australian Worker</i> on actions of Speaker and his control of business of the House. (VP 1929–31/613) | Motion, that comments were gross and malicious misrepresentations of the facts, and that the editor and publisher were guilty of contempt, debated and agreed to. |
| 20 26 October 1933 Article in the <i>Sunday Sun</i> critical of Parliament in respect of allowances of Members. (VP 1932–34/755) | Motion, that comments were mischievous and malicious and constitute a grave and unscrupulous attack upon the honour of the Parliament and its Members, and that the House declares the printer and publishers guilty of contempt, debated and agreed to. |
| 21 27 October 1933 Article in the <i>Sun</i> critical of resolution of 26 October 1933 (<i>see above</i>). (VP 1932–34/757) | Motion, that in view of the printer and publisher having been adjudged guilty of contempt they be called to the Bar of the House etc., debated; debate adjourned. Debate twice resumed and adjourned. (VP 1932–34/767, 779) Debate resumed; motion amended with effect that withdrawal made in letter to Prime Minister be accepted and that no further action be taken in matter. (VP 1932–34/791–2) |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| 22 27 March 1935 Letter to Speaker from Chairman of the Sydney Stock Exchange allegedly reflecting on motives and actions of a Member (Mr Blain) and making a threat (Member had made comments on commercial matters in the House). (VP 1934–37/143) | Motion, that Chairman of Sydney Stock Exchange be adjudged guilty of contempt, debated and adjourned. Debate resumed; leave to withdraw motion not granted; motion amended with effect that letter was in defence of an attack made under parliamentary privilege which was the right of an individual but the Chairman was in error in addressing the letter to the Speaker instead of direct to the Member. Motion, as amended agreed to. (VP 1934–37/149–50) |
| 23 21 November 1939 Criticisms of Member's (Mr Cameron's) speech by public servant. (VP 1937–40/534) | No motion submitted; several Members addressed themselves to question raised; Minister expressed regret at remarks of officer and apologised. |
| 24 3 July 1941 Press censorship of reports of Members' speeches at instruction of censor. Direction allegedly given that no reports be published of any speeches delivered in the House the previous night on the subject of the international situation. (VP 1940–43/157) | Members addressed themselves to question raised; Prime Minister stated that a mistake had been made and that one statement only ought to have been censored and he would inquire into the matter. Matter not further proceeded with. |
| 25 30 June 1943 Alleged breach of conditions permitting filming of proceedings of the House. (VP 1940–43/564) | Motion, that the company concerned was guilty of contempt etc., debated and negated. |
| 26 25 February 1944 Censorship of correspondence addressed to Members (Mr Cameron raised issue). (VP 1943–44/67) | Motion, that such action was breach of privilege etc., moved and debated; amendment moved; motion and amendment debated and withdrawn after it was agreed that a committee be appointed to consider the question (<i>see below</i>). |
| (7 March 1944) | Committee of Privileges established by standing order) |
| 27 7 March 1944 Censorship of correspondence addressed to Members (<i>see above</i>). (VP 1943–44/80) | Matter referred to the Committee of Privileges. Report presented. (VP 1943–44/133) Findings: (a) The opening by censors of letters to Members was not a breach of any existing privilege of the House. (b) There was no evidence that Mr Cameron's correspondence was subject to special scrutiny or any discrimination. H of R 1 (1943–44) |
| 28 14 March 1944 Censorship control of broadcast of proceedings of the House (Member claimed speech he made was not broadcast but government reply was broadcast). (VP 1943–44/89) | Speaker ruled that the matter was not one of privilege; notice of dissent given. Dissent motion withdrawn. (VP 1943–44/107) |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| 29 3 May 1945 Remarks in a newspaper allegedly made by a Member (Mr Cameron) reflecting upon the Chairman of Committees. (VP 1945–46/63) | Motion, that the Member be suspended from service of the House etc., debated and withdrawn following an apology by the Member for the statement. |
| 30 26 July 1946 Replay, at the request of the Speaker, of a recorded broadcast of certain proceedings in the House to a limited number of people. (VP 1945–46/429) | Speaker made an explanation. |
| 31 24 October 1947 Disclosure of committee proceedings. (VP 1946–48/311) | Motion proposed that it was not a breach of privilege for a Member to discuss the decision of a statutory committee when such a decision was not required by statute to be reported to the House. Speaker ruled that it was not a matter of privilege. Notice of dissent given. Dissent moved and debated; debate adjourned. (VP 1946–48/567) (Lapsed at prorogation.) |
| 32 3 December 1947 Alleged wrongful use of parliamentary privileges (gold pass) by Member (Mr Blain) while a prisoner of war. (VP 1946–48/440–1) | Matter referred to the Committee of Privileges. Report presented (not printed). (VP 1946–48/506) Findings: (a) Member did not wrongfully use parliamentary privileges as a prisoner of war. (b) There was no impropriety in Member's use of his parliamentary pass while a prisoner. (c) No breach of privilege of the House had been committed by the Member |
| 33 7 October 1948 Alleged interrogation (or attempted interrogation) of Member by security police at the instigation of the Prime Minister in the precincts of Parliament in respect of matters arising out of the discharge of his public duties in Parliament (speech in the House). (VP 1948–49/67) | Motion, that action was breach of privilege etc., proposed. Deputy Speaker ruled that no claim of breach of privilege could be sustained and no prima facie case made out which would justify precedence. Notice of dissent given. General business motion, that action was a breach of privilege etc., debated and negatived; dissent motion debated and negatived. (VP 1948–49/81–3) |
| 34 16 March 1951 Reports that a federal conference of a political party had given direction to certain Members as to how they should vote and act in Parliament. (VP 1950–51/333–4) | Motion debated and agreed to that any such attempt is a breach of privilege, that every Member should be free to speak and vote according to judgment and conscience, and that these matters be referred to the Committee of Privileges. Committee had not reported when both Houses dissolved on 19 March 1951 |

| Matter | Action by Speaker, House and Privileges Committee |
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| <p>35 3 October 1951 Article in the <i>Sun</i> regarding Members' purchases in the parliamentary refreshment rooms. (VP 1951–53/111)</p> | <p>Motion debated and agreed to that truth of article and related matters be referred to the Committee of Privileges. Report presented (not printed); consideration made an order of the day for the next sitting. (VP 1951–53/149) Findings: (a) A breach of privilege had been committed. (b) The article, while not wholly untrue contained statements concerning conduct of Members which were grossly exaggerated and erroneous in their implications. (c) Committee recommended that no punitive action be taken and the House would best serve its own dignity by taking no further action. Motion, that report be agreed to, debated and agreed to. (VP 1951–53/171)</p> |
| <p>36 18 October 1951 Speaker drew attention to newspaper report concerning an alleged criticism of the House Committee by the Prime Minister at a party meeting (decision to restrict use of parliamentary refreshment rooms). (VP 1951–53/131)</p> | <p>Statement in newspaper referred to the Committee of Privileges. Report presented (not printed); no further action by House. (VP 1951–53/165) Finding: Committee felt compelled to express its disapproval of publication, but did not feel publication amounted to a contempt and therefore did not constitute a breach of privilege</p> |
| <p>37 13 March 1953 Speaker drew attention to presence in King's Hall during lunch suspension of Member (Mr Curtin) who that morning had been excluded from the building. (VP 1951–53/609)</p> | <p>Speaker claimed presence of Member was contempt of House; consideration deferred. Motion, that the House was of opinion that contempt of its ruling and authority had taken place by Member, agreed to. Member apologised; House resolved to accept apology. (VP 1951–53/611)</p> |
| <p>38 2 December 1953 Alleged tapping of telephones used by Members. (VP 1953–54/68–9)</p> | <p>Motion, that matter be referred to the Committee of Privileges, debated and negatived.</p> |
| <p>39 17 August 1954 Paragraph in the <i>Melbourne Herald</i> concerning behaviour of Member (Mr Wentworth) at previous sitting. (VP 1954–55/25)</p> | <p>Proposed motion, that reported conduct of Member be referred to the Committee of Privileges, ruled out of order. Motion, that paragraph in newspaper be referred to the Committee of Privileges, debated and negatived.</p> |
| <p>40 26 August 1954 Article in <i>Century</i>—Member alleged that confidential Hansard proofs had been made available to newspaper. (VP 1954–55/43)</p> | <p>Article referred to the Committee of Privileges. Report presented; motion, that it be printed, debated and adjourned. (VP 1954–55/81)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| | <p>Finding: Committee was unable to find any evidence that any person had been guilty of a breach of privilege. (Committee made other comments in relation to Hansard production.)</p> <p>Motion for printing not put; motion, that report be agreed to, debated and agreed to. (VP 1954–55/94)</p> |
| 41 3 May 1955 | |
| Article in the <i>Bankstown Observer</i> (allegation that Member (Mr Morgan) involved in immigration racket). (VP 1954–55/184) | <p>Article referred to the Committee of Privileges.</p> <p>Special report presented (not printed); motion, that committee's request be acceded to, debated and adjourned. (VP 1954–55/225–6)</p> <p>Special report requested authority to consider further articles. Motion further debated and agreed to. (VP 1954–55/239)</p> <p>Report presented; consideration made an order of the day for the next sitting. (VP 1954–55/260)</p> <p>Findings:</p> <p>(a) Mr R E Fitzpatrick and Mr F Browne were guilty of a serious breach of privilege by publishing articles intended to influence and intimidate a Member in his conduct in the House and in attempting to impute corrupt conduct as a Member for express purpose of discrediting and silencing him. Committee recommended that the House take appropriate action.</p> <p>(b) There was no evidence of improper conduct by the Member in his capacity as Member of the House.</p> <p>(c) Some of the references to Parliament and the committee in the articles constituted a contempt of the Parliament. However, the House would best consult its own dignity by taking no action in this regard. H of R 2 (1954–55)</p> <p>Motion, that the House agrees with the committee in its report, debated and agreed to; motion, that Messrs Fitzpatrick and Browne attend at the Bar of the House next day, debated and agreed to. (VP 1954–55/267)</p> <p>Messrs Fitzpatrick and Browne in attendance:</p> <p>(a) Speaker informed Mr Fitzpatrick of the House's decision and gave him opportunity to speak in extenuation of his offence. Mr Fitzpatrick addressed the House, apologised and withdrew.</p> <p>(b) Speaker similarly addressed Mr Browne. Mr Browne addressed the House and withdrew.</p> <p>(c) Motions, that Messrs Fitzpatrick and Browne be committed to custody and kept in custody until 10 September 1955 or until earlier prorogation or dissolution or order of the House for sooner discharge, debated and agreed to. (Amendments proposing the imposition of fines as appropriate action were negatived.) (VP 1954–55/269–71)</p> <p>Motion, that offenders be released forthwith, debated and negatived. (VP 1954–55/287–8)</p> <p>Deputy Speaker informed the House of release of offenders on 10 September 1955. (VP 1954–55/301)</p> |

| Matter | Action by Speaker, House and Privileges Committee |
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| <p>42 25 May 1955 Remarks by Member (Mr Haylen) and report in the <i>Argus</i> alleging that a Member (Mr Keon) had peddled matter to newspapers. (VP 1954–55/223)</p> | <p>Motion agreed to that statements and newspaper report in reference to Mr Keon be referred to the Committee of Privileges. Report relating to this matter (and following complaint) presented (not printed). Motion, that report be taken into consideration forthwith, debated and adjourned. (VP 1954–55/245)</p> <p>Findings: (a) Remarks of Mr Haylen were not a matter of privilege but one of order. Committee stated that all words in the House are privileged, but the House is able to place restraint on conduct of Members including their offensive accusations against other Members. Committee noted that when the words were used no Member required their withdrawal. (b) the <i>Argus</i> report was a fair report of proceedings in the House and did not involve any breach of privilege Motion further debated and debate adjourned. (VP 1954–55/267) (Lapsed at dissolution.)</p> |
| <p>43 25 May 1955 Remarks by Member (Mr Haylen) and reported in the <i>Argus</i> that a Member (Mr W M Bourke) had attempted to sell caucus secrets. (VP 1954–55/223)</p> | <p>Remarks and newspaper report referred to the Committee of Privileges. This matter was considered together with the previous matter and the one report made.</p> |
| <p>44 17 March 1959 Statements in circulated lettergram alleging that Member (Mr Pearce) had acted improperly (as lobbyist etc.). (VP 1959–60/37)</p> | <p>Motion debated that matter be referred to the Committee of Privileges, debate adjourned. Motion further debated and agreed to. (VP 1959–60/45)</p> <p>Report presented (not printed); no further action by House. (VP 1959–60/76)</p> <p>Finding: Committee found that matter disclosed no breach of privilege.</p> |
| <p>45 18 August 1965 Advertisement in the <i>Canberra Times</i> and other newspapers containing photograph of the House in session (Leader of Opposition speaking). (VP 1964–66/347)</p> | <p>Matter referred to the Committee of Privileges. Report presented; consideration made an order of day for the next sitting. (VP 1964–66/373)</p> <p>Findings: (a) Advertisement represented a breach of parliamentary privilege. (b) Ultimate responsibility for publication lay with 10 individuals. (c) Advertisement was published without malice towards the House or any Member or intent to libel any Member and appeared through negligence and lack of appreciation of what was involved. PP 210 (1964–66)</p> <p>Order of the day postponed to 23 September 1965. (VP 1964–66/377)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| | <p>Motion proposed to effect that:</p> <p>(a) House agreed with committee that advertisement involved a breach of parliamentary privilege;</p> <p>(b) Advertisement was also defamatory of the Leader of the Opposition;</p> <p>(c) While the House accepted that the advertisement was published without malice, it was of the opinion that it should record its censure of the advertisement and its reprimand to those concerned in its publication; and</p> <p>(d) Publishers of the advertisement should publish this resolution in full.</p> <p>Motion debated and agreed to. Speaker stated he would transmit resolution to named offenders. (VP 1964–66/386)</p> |
| <p>46 19 March 1969</p> <p>Matters reflecting on Prime Minister raised earlier in debate by Member (Mr James) and based on news sheet <i>Things I hear</i>. (VP 1968–69/376)</p> | <p>Motion proposed to refer matter to the Committee of Privileges. Speaker ruled that motion could not be accepted as a prima facie case of breach of privilege had not been made out.</p> <p>Further motion, that matter be referred to the Committee of Privileges, moved. Speaker of opinion that prima facie case of breach of privilege had not been made out, but would like time to consider the matter.</p> <p>Speaker stated that the matter did not fall easily into any accepted pattern but he would allow debate to proceed on the motion; motion debated and negatived. (VP 1968–69/377–8)</p> |
| <p>47 20 April 1971</p> <p>Commitment to prison of Member (Mr Uren) who had not paid court costs awarded against him. (VP 1970–72/517–8)</p> | <p>Matter referred to the Committee of Privileges.</p> <p>Report presented; consideration made an order of the day for the next sitting. (VP 1970–72/628)</p> <p>Findings:</p> <p>(a) Commitment to prison of Member constituted a breach of parliamentary privilege.</p> <p>(b) Having regard to the complexities and circumstances of the case it recommended that the House best consult its own dignity by taking no further action. PP 40 (1971)</p> <p>Motion, that the report be noted, debated and agreed to. (VP 1970–72/667)</p> |
| <p>48 7 September 1971</p> <p>Article in the <i>Daily Telegraph</i> concerning ‘count out’ of the House. (VP 1970–72/689)</p> | <p>Matter referred to the Committee of Privileges.</p> <p>Report presented; consideration made an order of the day for 8 December 1971. (VP 1970–72/863)</p> <p>Findings:</p> <p>(a) Article constituted a contempt of the House.</p> <p>(b) Writer of article and editor-in-chief were guilty of contempt.</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| | <p>Recommendations:</p> <p>(a) Writer of the article be required to furnish a written apology to the Speaker.</p> <p>(b) Editor-in-chief be required to publish on the front page of the Daily Telegraph a correction and apology with the position and prominence of the original article. PP 242 (1971)</p> <p>Motion, that the House agreed with findings and was of the opinion that it would best consult its own dignity by taking no further action, moved and debated; amendment moved to effect that the recommendations be carried out; amendment negatived after debate; motion agreed to. (VP 1970–72/901–02)</p> |
| 49 13 September 1971 | <p>Letter to the editor published by the <i>Australian</i> accusing Members of accepting bribes etc. (Letter signed “P Wintle”). (VP 1970–72/711)</p> <p>Matter referred to the Committee of Privileges.</p> <p>Report presented; consideration made an order of the day for 4 November 1971. (VP 1970–72/796)</p> <p>Findings:</p> <p>(a) Publication of the letter constituted a contempt of Parliament.</p> <p>(b) Author of the letter and editor were both guilty of breach of privilege.</p> <p>(c) Letter was published without malice to the House or any Member.</p> <p>(d) No evidence to substantiate the allegations in the letter.</p> <p>Recommendations:</p> <p>(a) No further action be taken against editor of the <i>Australian</i> provided a prominent apology is published etc.</p> <p>(b) Above action does not absolve author of letter of guilt. PP 182 (1971)</p> <p>Motion, that the House agrees with committee report, debated and agreed to. (VP 1970–72/818)</p> |
| 50 25 May 1972 | <p>Alleged premature release of press statement by Minister relating to change in excise duty. (VP 1970–72/1106–7)</p> <p>Motion, that the matter be referred to the Committee of Privileges, debated and negatived.</p> |
| 51 20 September 1973 | <p>Premature publication in article in the <i>Sun</i> of matter relating to the contents of a draft report of a parliamentary committee. (VP 1973–74/368)</p> <p>Matter referred to the Committee of Privileges.</p> <p>Report presented; consideration made an order of the day for the next sitting. (VP 1973–74/502)</p> <p>Findings:</p> <p>(a) A breach of privilege had occurred.</p> <p>(b) Editor and journalist were guilty of a contempt of the House.</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| | <p>Recommendations:</p> <p>(a) Editor be required to publish a prominent and adequate apology.</p> <p>(b) As the editor accepted responsibility, no action be taken against the journalist.</p> <p>(c) Speaker communicate with the president of the press gallery and bring to notice of all journalists the long-standing rule against premature publication or disclosure of committee proceedings, evidence or reports. PP 217 (1973)</p> <p>Motion, that the House agreed with the findings, that in view of editor's death no further action be taken regarding publication of an apology, and that the Speaker communicate with the president of the press gallery as recommended, debated and agreed to. (VP 1973-74/518)</p> |
| 52 11 October 1973 | |
| Article in the <i>Daily Telegraph</i> regarding letter allegedly written by the Secretary of the Department of Aboriginal Affairs referring to actions of a Minister and a parliamentary committee. (VP 1973-74/428-9) | <p>Speaker was of opinion that a prima facie case had been made out. Matter referred to the Committee of Privileges. (VP 1973-74/431)</p> <p>Report presented. (VP 1973-74/562)</p> <p>Findings:</p> <p>No breach of privilege. PP 236 (1973)</p> |
| 53 20 November 1973 | |
| Remarks critical of Member (Dr Forbes) allegedly made by the Prime Minister and referred to in an article in the <i>Australian</i> . (VP 1973-74/541-2) | <p>Motion, that the matter be referred to the Committee of Privileges, debated and negatived.</p> |
| 54 6 December 1973 | |
| Allegation that a letter to the editor of the <i>Sun-News Pictorial</i> was fraudulently written in Member's (Mr Mathews') name. (VP 1973-74/619) | <p>Matter referred to the Committee of Privileges.</p> <p>Committee had not reported when Parliament was prorogued on 14 February 1974.</p> <p>Matter again referred to the Committee of Privileges. (VP 1974/34)</p> <p>Report presented; consideration made an order of the day for the next sitting. (VP 1974/84)</p> <p>Findings:</p> <p>(a) Letter was a forgery and as such would appear to constitute a criminal offence.</p> <p>(b) Letter misrepresented Member's attitude clearly displayed in the House.</p> <p>(c) Writer (unknown) of letter was guilty of serious contempt of the House. PP 65 (1974)</p> <p>Motion, that the House agrees with committee report, agreed to. (VP 1974/98)</p> |
| 55 12 December 1973 | |
| Publication by the <i>Australian</i> of an article based on a teleprinter message addressed to a Minister. (VP 1973-74/635) | <p>Motion, that the matter be referred to the Committee of Privileges, moved and debated. Speaker stated he would consider whether a prima facie case made out.</p> <p>Speaker was of the opinion that a prima facie case had not been made out. (VP 1973-74/640)</p> |

| Matter | Action by Speaker, House and Privileges Committee |
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| <p>56 14 November 1974 Veracity of a statement in the House the previous day by the Prime Minister. (VP 1974–75/310)</p> | <p>Speaker stated that as the matter was not raised at the earliest opportunity it was not in order to proceed with the matter.</p> |
| <p>57 26 February 1975 Article in the <i>Sun</i> (Sydney) regarding staff assistance to Members and stating some Members would employ their wives etc. (H.R. Deb. (26.2.75) 772)</p> | <p>Speaker to consider whether a prima facie case made out. No further action (Speaker resigned office next day).</p> |
| <p>58 27 February 1975 Alleged intimidation of Speaker (Mr Cope) by Prime Minister following the naming of a Member. (VP 1974–75/506–7)</p> | <p>Motion, that the matter be referred to the Committee of Privileges, negatived.</p> |
| <p>59 27 February 1975 Statements and actions of a Minister (Mr C R Cameron) who had been named for refusing to apologise after disregarding the authority of the Chair. (VP 1974–75/510)</p> | <p>Speaker stated prima facie case did not exist, situation had been dealt with by the Chair as a matter of order.</p> |
| <p>60 5 June 1975 Report appearing in the <i>Sun-News Pictorial</i> concerning the removal of a letter from a Minister's office. (VP 1974–75/788)</p> | <p>Speaker stated that the matter did not constitute a prima facie case, it was more a matter of security. (VP 1974–75/793)</p> |
| <p>61 5 June 1975 Alleged threat by Minister to private Member (Mr Wentworth) (Minister had indicated that if Member repeated certain actions he would move for his expulsion from the House). (H.R. Deb. (24.9.74) 1740)</p> | <p>Notice given to refer matter to the Committee of Privileges. Notice not moved when called on and was therefore withdrawn from the Notice Paper. (<i>see</i> NP 82 (5.6.75) 8523)</p> |
| <p>62 20 August 1975 Articles in the <i>Daily Telegraph</i> and <i>Daily Mirror</i> regarding Members' travel arrangements. (VP 1974–75/849)</p> | <p>Speaker was of opinion that while published statements were to be deprecated, matter raised should not be accorded precedence over other business. (VP 1974–75/858)</p> |
| <p>63 24 February 1976 Alleged investigations by Commonwealth Police into a Member's (Mr Fry's) activities. (VP 1976–77/29)</p> | <p>Speaker could not find in the Member's remarks any precise instance of where the performance of his duties in the House had been affected and accordingly in his opinion no prima facie case had been made out. (VP 1976–77/33)</p> |
| <p>64 7 April 1976 Remarks made by Member (Mr Neil) in the House claiming that another Member had abused privilege by attacks on outside persons etc. (VP 1976–77/123)</p> | <p>Speaker stated that there was no question of privilege involved, remarks amounted to a vigorous rebuttal of another speech. (VP 1976–77/129)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| <p>65 7 April 1976 Remarks allegedly made in court by Mr Rofe, QC, concerning a Member's (Mr James') speech in the House and reported in the <i>Canberra Times</i>. (VP 1976–77/123)</p> | <p>Speaker was not satisfied that a prima facie case existed and the matter had not been raised at the earliest opportunity. (VP 1976–77/129)</p> |
| <p>66 18 May 1976 Speech made in House by Member (Mr James)—Speaker requested to consider whether Member had conspired to deceive the House and so breached privilege. (VP 1976–77/179)</p> | <p>Speaker stated that he was not satisfied that a prima facie case had been made out.</p> |
| <p>67 4 June 1976 Inspection of House records and production of documents and attendance of officers at court proceedings. A motion having been moved in response to a petitioner's request to inspect and use in court documents tabled in the House, Member raised, as matter of privilege, that— (a) the motion was not in accord with the request of the petition. (b) production elsewhere of the documents requested would be a breach of privilege. (VP 1976–77/247)</p> | <p>Speaker stated that he could not accept as a ground of breach of privilege either of the issues raised.</p> |
| <p>68 5 May 1977 Proposed motion of censure of Member (Mr Neil) which was claimed to be intimidatory and preventing free speech etc. (NP 21 (24.5.77)1088–9; VP 1977/107)</p> | <p>Speaker stated that the Member had failed to establish a prima facie case.</p> |
| <p>69 28 February 1978 Editorial in the <i>Sunday Observer</i> concerning events of the opening week of the 31st Parliament. (VP 1978–80/27)</p> | <p>Speaker was of opinion that a prima facie case had been made out. Matter referred to the Committee of Privileges. (VP 1978–80/29)</p> <p>Report presented; consideration made an order of the day for the next sitting. (VP 1978–80/110)</p> <p>Findings: (a) The publication of the editorial constituted a contempt of the House. (b) That the editor-in-chief and the editor were both guilty of contempt of the House.</p> |

| Matter | Action by Speaker, House and Privileges Committee |
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| | <p>Recommendations:</p> <p>(a) As the editor-in-chief had published an apology no further action be taken.</p> <p>(b) Actions of editor not worthy of occupying the time of the House. PP 120 (1978)</p> <p>Motion, that the House agrees with committee's finding and recommendations in relation to the matter, debated and agreed to. (VP 1978–80/147–8)</p> |
| <p>70 15 March 1978 Cessation of mail services to Parliament House due to industrial dispute. (VP 1978–80/75)</p> | <p>Speaker stated that although important issues were involved affecting the efficiency and workings of the House and its Members, the matter did not constitute a prima facie case of breach of privilege. (VP 1978–80/76)</p> |
| <p>71 8 June 1978 Alleged conspiracy by Prime Minister and other Ministers to mislead the Parliament (concerning recent electoral redistribution). (VP 1978–80/317–8)</p> | <p>Motion, that the Prime Minister had committed a breach of a privilege etc., debated; Speaker stated that no prima facie case existed; motion negated.</p> |
| <p>72 16 August 1978 Question of whether improper pressure had been used to influence a Minister (Mr E L Robinson) in the performance of his parliamentary duties (article in the <i>Bulletin</i> claimed Prime Minister had asked Minister to write a certain letter). (VP 1978–80/341–2)</p> | <p>Speaker stated that Mr Robinson had not raised the matter and had denied the basis of the allegation. Speaker stated that no prima facie case had been established. (VP 1978–80/346)</p> |
| <p>73 17 October 1978 The reported removal of a Hansard proof from the desk of a Member (Mr Goodluck), its copying and the possible intimidation of the Member (based on an article in the <i>Sun Herald</i>). (VP 1978–80/469)</p> | <p>Speaker stated that no complaint had been received from the Member, and that he had indicated he had not been intimidated. Speaker ruled that no prima facie case had been made out. (VP 1978–80/471)</p> |
| <p>74 14 November 1978 Declaration of High Court relating to Crown privilege and the possible application of the principle as declared to the production of ministerial documents in the House. Member proposed that the Speaker ought to determine any claims concerning the status of documents in the future. (VP 1978–80/529)</p> | <p>Speaker stated that the course proposed by Member could not be adopted and noted differences between role of the Speaker and judicial authorities. (VP 1978–80/541)</p> |
| <p>75 29 March 1979 Alleged misconduct of Member (Mr Gillard) in writing to the Chief Justice of NSW regarding case. (Chief Justice had criticised action.) (VP 1978–80/714)</p> | <p>Speaker stated there was no substance in the alleged breach of privilege. (VP 1978–80/717)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| <p>76 30 August 1979 Petition of John Fairfax & Sons regarding the use of documents in court in case involving Member (Mr Uren). (VP 1978–80/972)</p> | <p>Petition referred to the Committee of Privileges. Resolution referring petition to the Committee of Privileges rescinded (advice received that case had been settled). (VP 1978–80/975)</p> |
| <p>77 11 September 1979 Use of House records in court (issue raised following order of Supreme Court of NSW in case involving Mr Uren). (VP 1978–80/975)</p> | <p>Matter referred to the Committee of Privileges. Report presented; consideration made an order of the day for 17 September 1980. (VP 1978–80/1613)</p> <p>Recommendations:</p> <p>(a) The practice of petitioning the House for leave to produce documents in court should be maintained.</p> <p>(b) Such petitions be referred by the House to the Committee of Privileges.</p> <p>(c) Members and former Members, referred to in such petitions, be heard on their own behalf by the committee.</p> <p>(d) In reporting to the House its views on the petition the committee should recommend any conditions on the production of records or Hansard report.</p> <p>(e) The House should resolve that the broadcast of proceedings of the House and the publication of those proceedings in Hansard do not amount to a waiver of privilege.</p> <p>(f) The House reaffirms that—</p> <p>(i) In law there is no such thing as a waiver of parliamentary privilege.</p> <p>(ii) The House has the right to impose conditions on the production of documents.</p> <p>(iii) Such conditions are binding on the courts. PP 154 (1980) Motion, that (a) the report be considered early in the 32nd Parliament and (b) the order of the day for the consideration of the report be discharged, debated and agreed to. (Amendment proposing that the House agree to detailed procedures as recommended by the committee negatived.) (VP 1978–80/1672)</p> |
| <p>78 13 September 1979 Claim by Member (Mr Morris) that he had been threatened by the Leader of the House. (VP 1978–80/987)</p> | <p>Acting Speaker stated that, as the Member indicated he did not wish to pursue the matter and the Leader of the House had made an explanation, it would be idle of the House to pursue the matter. (VP 1978–80/990)</p> |
| <p>79 27 September 1979 Allegation that a report in the <i>Age</i> reflected on the Chair in stating that, at the previous sitting, the Speaker had lost control of the House. (VP 1978–80/1035)</p> | <p>Speaker stated that a prima facie case of breach of privilege did not exist.</p> |
| <p>80 23 October 1979 Alleged refusal of the Secretary to the Treasury to supply certain information to Standing Committee on Environment and Conservation. (VP 1978–80/1100)</p> | <p>Speaker of opinion that no prima facie case existed. (VP 1978–80/1101)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| 81 8 November 1979 Allegation that a report in the <i>Australian</i> reflected on the Parliament and its Members. (VP 1978–80/1165) | Speaker stated that no part of the article was of sufficient relevance or directness to amount to breach of privilege or a contempt, nor was matter raised at earliest opportunity. (VP 1978–80/1168) |
| 82 1 April 1980 Alleged discrimination against and intimidation of a witness (Mr Berthelsen) who had given evidence to a parliamentary subcommittee. (VP 1978–80/1372) Matter again raised and additional documentary evidence presented. (VP 1978–80/1417) | Speaker stated that from the material produced he was unable to conclude that a prima facie case existed. (VP 1978–80/1375) Speaker to consider papers and report to the House. Speaker allowed precedence to motion to refer matter. Matter referred to the Committee of Privileges. (VP 1978–80/1422) Report presented; consideration made an order of the day for 17 September 1980. (VP 1978–80/1648–9) Findings: (a) Committee was not satisfied that a breach of privilege was proven against any person. (b) Witness had been disadvantaged in public service career because of involvement with subcommittee. (The committee was also critical of the actions of the Department of Defence.) Recommendations: (a) Attention of the Public Service Board be drawn to the circumstances of the case. (b) Witness's career prospects in public service be restored. (c) Public Service Board to ensure witness suffers no further disadvantage as a result of the case. PP 158 (1980) |
| 83 27 November 1980 Withholding from circulation to Members by the Parliamentary Library of a copy of a book, <i>Documents on Australian Defence and Foreign Policy 1968–1975</i> , pending a decision in a relevant matter before the High Court. (VP 1980–83/26) | Speaker stated there was no prima facie case of breach of privilege as would warrant precedence, but he would be willing to re-examine the matter after the court decision. Speaker made statement that consequent on the decision of the High Court the Parliamentary Library had been directed to make the book available to Members on certain conditions. (VP 1980–83/37) |
| 84 2 December 1980 Conditions under which <i>Documents on Australian Defence and Foreign Policy, 1968–1975</i> would be made available. (VP 1980–83/37) | Speaker stated that in his opinion no prima facie case existed. |
| 85 8 September 1981 An article concerning Members by journalist (Mr Oakes) in the <i>Daily Mirror</i> . (VP 1980–83/449) | Speaker stated that in his opinion a prima facie case existed but he would exercise his discretion not to give the matter precedence immediately, to give Member time to consider form of motion. Matter referred to the Committee of Privileges. (VP 1980–83/458–9) |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| | <p>Report presented; consideration made an order of the day. (VP 1980–83/632)</p> <p>Findings:</p> <p>(a) Printed references constituted a contempt by the author, editor and publisher</p> <p>(b) The article was irresponsible and reflected no credit on its author, the editor or the publisher.</p> <p>(c) While a contempt had been committed, the matter was not worthy of occupying the further time of the House.</p> <p>(Three dissenting reports also presented.) PP 202 (1981)</p> <p>Motion that House take note of report, made an order of the day for the next sitting. (VP 1980–83/655)</p> <p>Motion that House take note of report, debated, agreed to. (VP 1980–83/805)</p> |
| 86 20 October 1981 | |
| Alleged breach of confidentiality of material prepared for Member (Dr Theophanous) by Parliamentary Library. (VP 1980–83/605) | Speaker did not believe that the Member was being influenced in any way in his conduct by the matter; no prima facie case of breach of privilege existed. (VP 1980–83/605) |
| 87 20 October 1981 | |
| Advertisement on front page of the <i>Melbourne Herald</i> . (VP 1980–83/605) | <p>Speaker prepared to allow precedence to motion. Matter referred to the Committee of Privileges. (VP 1980–83/608)</p> <p>Report presented; consideration made an order of the day. (VP 1980–83/652)</p> <p>Findings:</p> <p>(a) The type of advertising involved could constitute a contempt.</p> <p>(b) The particular reference should not be further inquired into by the committee.</p> <p>(c) This type of advertising should be considered in context of general inquiry into privilege matters already recommended. PP 297 (1981)</p> <p>Motion that House take note of report, debated, agreed to. (VP 1980–83/805)</p> |
| 88 20 October 1981 | |
| Advertisement in the <i>Australian Financial Review</i> . (VP 1980–83/608) | Speaker stated that a prima facie case had not been established, and even if a breach of privilege did exist the matter could not be given precedence as it had not been raised at the earliest opportunity as required by standing order 96. (VP 1980–83/610) |
| 89 27 October 1981 | |
| Advertisement in <i>News Weekly</i> in which purported comments and photographs of former Prime Minister Menzies and current Prime Minister Fraser were used to solicit financial contributions to News Weekly Fighting Fund. (VP 1980–83/629) | Speaker stated that no prima facie case of breach of privilege existed. To refer matter to committee would duplicate existing reference. (VP 1980–83/629, 635) |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| 90 13 October 1982 Article in the <i>Australian</i> of deletions from documents tabled by Leader of Opposition (Mr Hayden). (VP 1980–83/1089) | Speaker held that there was no breach of privilege as there was no obstruction of, or impediment to, the performance of the duties of the Member. (VP 1980–83/1095) |
| 91 20 October 1982 Certain remarks and actions of Member (Mr Dawkins) in Chamber. (VP 1980–83/1119) | Matter not proceeded with. |
| 92 20 October 1982 Whether Member (Mr D M Cameron) had gained access to confidential correspondence concerning overseas travel by Member (Mr Dawkins) and his wife. (VP 1980–83/1119) | Speaker stated that no prima facie case existed. |
| 93 6 September 1983 Article published in the <i>Daily Telegraph</i> under the heading ‘Speaker probes spy in MP drama’. (VP 1983–84/183) | Speaker stated no complaints had been raised in the House and he was not pursuing investigations into it. Speaker added that, while he would defend the privileges of the Parliament, he would not interfere in the normal processes of the law in respect of any Member. (VP 1983–84/187) |
| 94 1 November 1983 Alleged political party advertising on cover of certain copies of proposed ministerial statement. (VP 1983–84/323) | Speaker stated that no question of privilege was involved. |
| 95 8 November 1983 Alleged intimidation of Members in course of their duties (government party decisions on uranium mining). (VP 1983–84/343) | Speaker held that no prima facie case had been made out, referred to principle of restraint in raising matter of privilege, referred to views that arrangements made within political parties were unlikely to raise questions of contempt and noted that no Member had claimed to have been intimidated in the discharge of his duties. (VP 1983–84/350) |
| 96 8 May 1985 Claim that a union ban on mail despatches would affect Members’ mail to constituents. (VP 1985–87/198) | Acting Speaker stated that as the union bans affected all mail and that Members were not being subjected to particular action in their capacity as Members, the matter did not constitute a prima facie case. Policy of restraint noted. Dissent moved and negatived. (VP 1985–87/203) |
| 97 13 May 1985 Distinction between Members of the House of Representatives and Senators serving on joint committees in respect of the requirement to declare certain interests. (VP 1985–87/227) | Acting Speaker stated that the arrangements applying had come about by decision of the House itself; no breach of privilege had been established. (VP 1985–87/232) |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| <p>98 22 May 1985 Provision to outside counsel of a final draft of a report of the Standing Committee on Expenditure without approval of the committee. (VP 1985–87/306)</p> | <p>Speaker held that there were no precedents paralleling the case, but he was willing to accord precedence to a motion. Member who had raised matter said, in the circumstances, he would not move a motion. (VP 1985–87/319; H.R. Deb. (23.5.85) 3081)</p> |
| <p>99 20 August 1985 Alleged authorisation by Minister of distribution of information contained in answer to question on notice asked by a Member (Mr Braithwaite) before the answer had been submitted to the Clerk and transmitted to the Member. (VP 1985–87/350)</p> | <p>Speaker stated that breaches of standing orders or practices were not ordinarily dealt with as contempts and actions of the Minister would not actually obstruct the Member in the course of his duty; matter did not constitute a prima facie case of breach of privilege. (VP 1985–87/367)</p> |
| <p>100 19 September 1985 Delays in the production of daily Hansard arising from alleged direction from Government to Government Printer to give priority to printing of taxation documents. (VP 1985–87/441)</p> | <p>Speaker stated that comments of Member did not contain grounds on which he could consider that a prima facie case had been established. (VP 1985–87/441)</p> |
| <p>101 9 October 1985 Question of fees required of Members in respect of their requests under the Freedom of Information Act. (VP 1985–87/465)</p> | <p>Speaker stated that no obstruction or impediment of a Member was indicated such as would constitute contempt; no prima facie case established. (VP 1985–87/473)</p> |
| <p>102 28 November 1985 Article in the <i>Sydney Morning Herald</i> relating to contents of Select Committee on Aircraft Noise report not yet presented to the House. (VP 1985–87/635)</p> | <p>Speaker said he would allow precedence to a motion, but matter not further proceeded with. (VP 1985–87/649)</p> |
| <p>103 29 November 1985 Press reports which appeared to have knowledge of the contents of a report of the Joint Committee on the National Crime Authority to be presented to the House later that day. (VP 1985–87/650)</p> | <p>Speaker said he would allow precedence to a motion, but matter not further proceeded with.</p> |
| <p>104 11 March 1986 Report in the <i>Sun Weekend</i> indicating that the Treasurer had intimidated the Chairman of Committees. (VP 1985–87/741)</p> | <p>Speaker stated that since events reported had been denied by person allegedly intimidated, matter did not constitute a prima facie case. (VP 1985–87/745)</p> |
| <p>105 18 March 1986 Claim concerning alteration of Hansard transcripts by a Member. (VP 1985–87/769)</p> | <p>Speaker stated matter should not be pursued as a matter of privilege, but she would examine it and advise House. Speaker later repeated that no question of privilege was involved. (VP 1985–87/772)</p> |

| Matter | Action by Speaker, House and Privileges Committee |
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| <p>106 18 March 1986 Excerpts of proceedings of the House reported on radio and television news included remarks which were later withdrawn. (VP 1985–87/769)</p> | <p>Speaker stated that the matter was one for the Joint Committee on the Broadcasting of Parliamentary Proceedings, and she had arranged for this to occur; she was not prepared to accord precedence to a motion. (VP 1985–87/772)</p> |
| <p>107 29 April 1986 Article in the <i>Sydney Morning Herald</i> which alleged that Australian Trade Commission attempted to inhibit the Opposition's actions in connection with the Minister for Trade (Mr Dawkins). (VP 1985–87/881)</p> | <p>Speaker stated actions did not constitute an attempt by improper means to influence Members in their parliamentary conduct; she had not found that a prima facie case had been made out. (VP 1985–87/887)</p> |
| <p>108 6 May 1986 Reported consideration by the High Court of Australia in respect of the future of Mr Justice Murphy. (VP 1985–87/919)</p> | <p>Speaker found no evidence of a prima facie case of breach of privilege. (VP 1985–87/924)</p> |
| <p>109 21 May 1986 Response received by a Member (Mr N A Brown) from the Department of Foreign Affairs to a request for material under the Freedom of Information Act. (VP 1985–87/956)</p> | <p>Speaker stated that no action had been taken or statement made which would constitute a prima facie case. (VP 1985–87/961)</p> |
| <p>110 16 September 1986 Reported statements by Minister for Immigration and Ethnic Affairs in the <i>Daily Telegraph</i> (allegations re disciplining certain Members). (VP 1985–87/1101)</p> | <p>Speaker stated that, on the basis of the material before her and in light of such precedents as were available, she would not accord precedence to a motion. (VP 1985–87/1110)</p> |
| <p>111 18 September 1986 Letter from Presiding Officers to President of the Parliamentary Press Gallery relating to the activities of journalists at Parliament House. (VP 1985–87/1123)</p> | <p>Speaker stated that matter was one of parliamentary administration, not of privilege. (VP 1985–87/1128)</p> |
| <p>112 22 September 1986 Disruption caused to work of electorate office of Member (Mr Coleman) as a result of telephone calls made in response to false advertisements in the <i>Sydney Morning Herald</i>. (VP 1985–87/1139)</p> | <p>Speaker prepared to accord precedence to a motion. Matter referred to the Committee of Privileges. (VP 1985–87/1143) Report presented; no further action by House. (VP 1985–87/1272) Findings: (a) Harassment of a Member in the performance of his work by repeated, nuisance or orchestrated telephone calls could be judged a contempt. (b) In all the circumstances and bearing in mind the general reluctance to extend the ambit of Parliament's penal jurisdiction, further action would be inconsistent with the dignity of the House. (Two dissenting reports also presented.) PP 282 (1986)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| <p>113 17 November 1986</p> <p>Press reports relating to purported contents of report of Joint Select Committee on Telecommunications Interception yet to be presented to House. (VP 1985–87/1315)</p> | <p>Speaker prepared to accord precedence to a motion. Matter referred to the Committee of Privileges. (VP 1985–87/1321).</p> <p>Special report presented. (VP 1985–87/1361)</p> <p>Asking House to consider sending message to Senate asking it to grant leave for Senators who served on the joint select committee to attend before the Committee of Privileges of the House.</p> <p>House resolved that a message be sent to the Senate asking it to grant leave to Senators to attend before House Committee of Privileges for examination. (VP 1985–87/1365)</p> <p>Senate granted leave for four Senators to attend committee if they thought fit. (J 1985–87/1576)</p> <p>Report presented; consideration made an order of the day. (VP 1985–87/1654)</p> <p>Findings:</p> <p>(a) Confidential committee deliberations had been disclosed, without authorisation, by persons with access to information. These persons were guilty of contempt.</p> <p>(b) The various acts of publication revealing confidential deliberations constituted contempts.</p> <p>Recommendations:</p> <p>(a) Having been unable to identify the person(s) responsible for the disclosure, the committee could make no recommendation on that matter.</p> <p>(b) If the House believed penalties were warranted, it should refer the matter back to the committee for consideration of an appropriate penalty, in which case the committee would recall witnesses.</p> <p>(Four dissenting reports also presented.) PP 135 (1987)</p> <p>House had not considered matter further when both Houses dissolved on 5 June 1987.</p> |
| <p>114 23 March 1987</p> <p>Reported statements by Secretary of the Australian Council of Trade Unions—regarded by Member (Mr Braithwaite) as threat to intimidate him. (VP 1985–87/1533)</p> | <p>Speaker stated evidence available to her did not disclose evidence of a prima facie case. (VP 1985–87/1535)</p> |
| <p>115 26 November 1987</p> <p>Arrangements for lunch for the King and Queen of the Belgians which caused Members not invited to the lunch to be excluded from dining room. (VP 1987–89/270)</p> | <p>Speaker concluded that no question of privilege was involved. The Government was responsible for guest lists; she would draw Member's remarks to the Prime Minister's attention. (VP 1987–89/277–8)</p> |
| <p>116 21 December 1988</p> <p>Reported statements by a spokeswoman for the Leader of the House on Government's intention to curtail debate in the House. (VP 1987–89/989)</p> | <p>Speaker stated report did not appear to constitute a threat or attempt to interfere with the free exercise of the functions of the House or the free performance of Members' duties; a prima facie case of contempt had not been made out. (VP 1987–89/1016)</p> |

| Matter | Action by Speaker, House and Privileges Committee |
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| <p>117 24 October 1989 Alleged misleading of House—questionnaire issued to persons involved in the Australian Bureau of Statistics 1989–90 National Health Survey required answers to be provided to certain questions on women’s health matters, which was contrary to advice presented to the House. (VP 1987–89/1489)</p> | <p>Speaker stated that he was unable to find that a prima facie case of contempt or breach of privilege had been made out. (VP 1987–89/1514)</p> |
| <p>118 23 November 1989 Allegation made by Member (Mr Aldred) during the grievance debate concerning another Member (Mr Kent). (VP 1987–89/1646)</p> | <p>Speaker stated that the matter could be decided either by him or by a motion being moved that the matter be referred to the Committee of Privileges. Matter referred to the Committee of Privileges. (VP 1987–89/1646)</p> <p>Report presented. (VP 1987–89/1686)</p> <p>Findings:</p> <p>(a) Matter ought to have been put forward in a substantive motion.</p> <p>(b) Members’ attention should be drawn to the requirements of the standing orders and practices of the House which govern reflections on and charges against Members.</p> <p>(c) Member had offended against rules of the House.</p> <p>Recommendation:</p> <p>That Member be required to apologise to House and withdraw allegation.</p> <p>(Two dissenting reports also presented.)</p> <p>PP 498 (1989)</p> <p>Motion, that the House agrees with the findings, calls upon the Member (Mr Aldred) to withdraw allegation and apologise to the House, or be suspended for two sitting days, debated and agreed to.</p> <p>Speaker invited Member to withdraw allegation and apologise to House. Member declined to do so.</p> <p>Motion, that the Member be suspended from the service of the House for 2 sitting days, agreed to. Member suspended for 2 sitting days. (VP 1987–89/1695–8)</p> |
| <p>119 16 May 1990 Publication of letter by the <i>Sydney Morning Herald</i> from Member (Mr N A Brown) to Minister (Senator Bolkus) and of the Minister’s reply concerning one of his parliamentary entitlements (on the basis that the disclosure was intended to denigrate him and inhibit him in the proper exercise of his parliamentary duties). (VP 1990–92/85)</p> | <p>Speaker stated that he was unable to find that a prima facie case of contempt or breach of privilege had been made out. (VP 1990–92/93)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| 120 21 August 1990 Article published in the <i>Sydney Morning Herald</i> , which contained an allegation concerning a Minister. (VP 1990–92/137) | Speaker stated that he was unable to find that a prima facie case of contempt or breach of privilege had been made out. (VP 1990–92/165) |
| 121 11 September 1990 Press reports relating to private deliberations and purported contents of report of Joint Standing Committee on Migration Regulations yet to be presented to House. (VP 1990–92/169) | Speaker prepared to accord precedence to a motion but matter referred back to Joint Standing Committee to further investigate in first instance. (VP 1990–92/172) Joint Standing Committee concluded that the articles did not constitute substantial interference and would not persist in seeking to have the matter referred to the Committee of Privileges. (VP 1990–92/191–2) |
| 122 13 September 1990 Letter to Member (Mr Scholes) from solicitors regarding the circulation by Member of papers concerning the Farrow/Pyramid Group of Building Societies, which Member considered constituted interference with his duties as a Member of the House. (VP 1990–92/183) | Speaker stated the matter was a borderline case upon which the House would benefit from the advice of the Committee of Privileges. Matter referred to the Committee of Privileges. (VP 1990–92/187) Report presented. (VP 1990–92/283) Finding: Terms of letter to Member did not constitute contempt. Recommendation: That the House take no further action on the matter. PP 428 (1990) |
| 123 17 September 1990 Article published in the <i>Sunday Herald</i> (Melbourne) appeared to reveal a knowledge of a confidential submission to Joint Standing Committee on Migration Regulations. (VP 1990–92/187) | Speaker prepared to accord precedence to a motion. Referred matter back to Joint Standing Committee to further investigate in first instance. (VP 1990–92/188–89) Committee concluded the article had seriously impeded its deliberations and work. (VP 1990–92/191–92) Matter referred to the Committee of Privileges. (VP 1990–92/195–96) Report presented. (VP 1990–92/398) Findings: (a) One or more persons involved with the disclosure(s) of the submission may have committed a contempt. (b) Persons responsible for the disclosure(s) did not act with deliberate intent to breach the prohibition on unauthorised disclosure. Recommendation: That no further action should be taken by the House. (Dissenting report also presented.) PP 429 (1990) |
| 124 17 April 1991 Alleged intimidatory threats to a person as a result of his submission to Standing Committee on Legal and Constitutional Affairs. (VP 1990–92/686) | Speaker prepared to accord precedence to a motion. Matter referred to the Committee of Privileges. (VP 1990–92/698) Report presented. (VP 1990–92/920) |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| | <p>Finding: No contempt had been committed—person had felt intimidated but this did not establish that intimidation had been intended.</p> <p>Recommendation: That the House take no further action on this matter. PP 455 (1991)</p> |
| 125 31 May 1991(am) Issues concerning arrangements between Prime Minister and Deputy Prime Minister regarding leadership of the majority party, allegedly infringing upon the privileges of individual members of the majority party. (VP 1990–92/813) | Speaker stated no question of privilege or contempt had arisen. (VP 1990–92/831) |
| 126 3 June 1991 Possible intimidation of Members by Mr Bill Ludwig, Secretary, Queensland Branch, Australian Workers' Union regarding possible ALP leadership ballot. (VP 1990–92/817) | Speaker stated that he was not aware of any exact precedents, and noted that no Member had claimed intimidation. Precedence not granted. (VP 1990–92/858) |
| 127 3 September 1991 Alleged threats to members of the Australian Labor Party caucus during recent leadership challenge to the Prime Minister. (VP 1990–92/977) | Speaker reaffirmed the view expressed in his statement of 5 June 1991. (VP 1990–92/981) |
| 128 10 September 1991 Possible misleading evidence given by witness to Standing Committee on Finance and Public Administration. (VP 1990–92/1003) | Speaker prepared to accord precedence to a motion. Matter referred to the Committee of Privileges. (VP 1990–92/1012) Report presented. (VP 1990–92/1186) |
| | <p>Finding: Answer had been ambiguous, but no intention to mislead; no contempt had been committed.</p> <p>Recommendation: That the House take no further action on this matter. PP 456 (1991)</p> |
| 129 25 February 1992 Letter from a firm of solicitors threatening to sue Member (Mr Nugent) following representations by Member to a Minister on behalf of a constituent. (VP 1990–92/1311) | Speaker prepared to accord precedence to a motion. Matter referred to the Committee of Privileges. (VP 1990–92/1322) Report presented. Motion moved, that the House take note of the report. (VP 1990–92/1487) |
| | <p>Finding: The terms of the letter and the circumstances of its receipt had a tendency to impair the Member's independence in the performance of his duties. PP 118 (1992)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| | Motion debated; amendment, requiring solicitors to apologise to Member and Parliament, proposed and debated. (VP 1990–92/1540) |
| | Amendment agreed to, motion, as amended, agreed to. (VP 1990–92/1551) |
| | Speaker presented copies of a letter from solicitors to Member, apologising to the Member and Parliament, in response to resolution. (VP 1990–92/1633) |
| 130 5 March 1992 | |
| Article in the <i>Sydney Morning Herald</i> concerning Speaker's preselection in the seat of Grayndler. (VP 1990–92/1359–60) | Speaker did not consider a prima facie case had been made out. |
| 131 24 March 1992 | |
| Comments attributed to Senator Ray allegedly reflecting upon the Speaker reported in the <i>Sydney Morning Herald</i> . (VP 1990–92/1367) | Speaker not prepared to accord precedence to a motion. |
| 132 26 March 1992 | |
| Remarks by former Senator concerning the Speaker reported in the <i>Sydney Morning Herald</i> , and another article in the <i>Sydney Morning Herald</i> . (VP 1990–92/1391) | Speaker not prepared to accord precedence to a motion. |
| 133 28 April 1992 | |
| Possible contempt relating to Standing Committee on Legal and Constitutional Affairs (alleged unauthorised disclosure). (VP 1990–92/1429) | Speaker indicated he would await committee's further consideration of matter. Speaker stated Standing Committee had concluded there had been no breach of standing order 340. (VP 1990–92/1489) |
| 134 27 May 1992 | |
| Article in the <i>Sunday Age</i> (Melbourne) open to the interpretation that Member (Dr Theophanous) had been subject to possible interference and intimidated in the performance of his duties as a Member. (VP 1990–92/1514) | Speaker not prepared, at this stage, to accord precedence to a motion, but would consider any further information. (VP 1990–92/1517–18) |
| 135 9 September 1992 | |
| Article in the <i>Melbourne Age</i> concerning forthcoming report of Joint Standing Committee on Migration Regulations. (VP 1990–92/1684) | Acting Speaker indicated he would await Committee's further consideration of matter. Committee had not reported before both Houses dissolved on 8 February 1993. |

| Matter | Action by Speaker, House and Privileges Committee |
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| <p>136 17 September 1992</p> <p>Article in the <i>Australian</i> concerning alleged remarks by the Prime Minister about the Acting Speaker's conduct of proceedings in the Chamber. (VP 1990–92/1718)</p> | <p>Acting Speaker stated he felt completely free in conducting his duties in the Parliament.</p> |
| <p>137 26 May 1993</p> <p>Comments by Member (Mr Dawkins) concerning an Auditor-General's report. Member queried whether an attempt had been made to interfere with the reporting of the Auditor-General's report to Parliament. (VP 1993–95/107)</p> | <p>Speaker stated that the information available to him did not indicate that a matter of privilege or contempt existed and, as no prima facie case had been made out, he was not willing to give precedence to a motion in relation to the matter. (VP 1993–95/124)</p> |
| <p>138 26 May 1993</p> <p>Member allegedly pushing his way past a staff Member locking the Chamber doors for a division. (VP 1993–95/116)</p> | <p>Speaker stated that after having made inquiries with regard to the matter, he did not believe any issue of privilege or contempt was involved. However, he would not tolerate any mistreatment of staff of the Parliament in carrying out their duties. (VP 1993–95/124)</p> |
| <p>139 27 October 1993</p> <p>Articles in the <i>Australian</i> and the <i>Financial Review</i> which made reference to a draft report of Joint Committee of Public Accounts. One of the articles in the <i>Financial Review</i> and an item on WIN television evening news purported to reveal private proceedings of the committee. (VP 1993–95/436)</p> | <p>Speaker prepared to accord precedence to a motion. Matter referred to the Committee of Privileges. (VP 1993–95/444)</p> <p>Chairman of Privileges Committee made statement to House regarding the committee's wish to take evidence from Senators. Motion to send message to Senate, requesting leave be given to Senators to appear before the committee, agreed to. (VP 1993–95/596)</p> <p>Message from Senate reported, authorising Senators to appear before the committee. (VP 1993–95/649)</p> <p>Report presented; ordered to be printed. (VP 1993–95/939)</p> <p>Findings:</p> <p>Confidential deliberations of the Joint Committee had been disclosed without authorisation by a person or persons with access to the information. If such a person or persons acted deliberately he or she (or they) were guilty of a serious breach of the prohibitions. Unfortunately the committee was unable to ascertain the identity of the person or persons responsible on this occasion.</p> <p>Recommendation:</p> <p>The committee was unable to make any recommendation on the particular matters complained of, although it went on to make proposals for the consideration of the House in order to assist any future cases. PP 77 (1994)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| <p>140 27 October 1993 Article published in the <i>Sydney Morning Herald</i> relating to the contents of a forthcoming report of Standing Committee on Procedure. (VP 1993–95/436)</p> | <p>Speaker indicated he would await the committee’s further consideration of the matter. (VP 1993–95/444) Chairman of the committee, by indulgence, made statement to the effect that the committee had concluded that publication of the article did not interfere substantially with its work. (VP 1993–95/534)</p> |
| <p>141 16 November 1993 Remarks and actions of the Prime Minister, reported in the <i>Bulletin</i>, allegedly calculated to deny the Speaker independence in his office. (VP 1993–95/453)</p> | <p>Speaker stated that he had not felt that there had been any attempt at improper interference with the performance of his duties as speaker. No information presented which would cause him to allow precedence to a motion. (VP 1993–95/460)</p> |
| <p>142 17 November 1993 Serving on a Member (Mr Sciacca) of a writ seeking damages for libel arising out of a letter from him to a Minister. (VP 1993–95/463)</p> | <p>Speaker prepared to accord precedence to a motion. Matter referred to the Committee of Privileges. (VP 1993–95/469–70) Report presented; ordered to be printed. (VP 1993–95/939) Conclusions: (1) that Mr Sciacca regarded his action in writing to the Minister as an action taken in the course of the performance of his duties as a Member; (2) that as a result of plaintiff’s actions in causing the writ of summons to be issued and served on Mr Sciacca, Mr Sciacca felt intimidated; (3) that as a result of plaintiff’s actions in causing the writ of summons to be issued and served on Mr Sciacca, Mr Sciacca felt constrained in making further representations on behalf of his constituents in relation to decisions about COMCAR; (4) that no evidence had been presented to the committee which would establish that plaintiff had intended to interfere improperly with the free performance by Mr Sciacca of his duties as a Member. Findings: Having regard to all the circumstances of this case and, in particular to the fact that it had received no evidence that plaintiff had intended to interfere improperly in the performance of Mr Sciacca’s duties as a Member, a finding of contempt should not be made. PP 78 (1994)</p> |
| <p>143 25 November 1993 Article in the <i>Canberra Times</i> purporting to disclose draft recommendations of Joint Committee on Migration Regulations. (VP 1993–95/557)</p> | <p>No further action taken.</p> |
| <p>144 13 December 1993 Ban by the Communication Workers’ Union on delivery of mail to electorate offices of Members of Parliament. (VP 1993–95/569)</p> | <p>Speaker prepared to accord precedence to a motion. Matter referred to the Committee of Privileges. (VP 1993–95/593) Report presented; ordered to be printed. (VP 1993–95/1107)</p> |

| Matter | Action by Speaker, House and Privileges Committee |
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| | <p>Findings:</p> <p>(1) actions taken in December 1993 by and on behalf of members of the Communications Workers' Union caused the delivery of mail to the electorate offices of a number of Members of the House to be stopped;</p> <p>(2) actions complained of resulted in disruption of the work of electorate offices of a number of Members of the House;</p> <p>(3) actions complained of impeded the ability of constituents of a number of Members of the House to communicate with those Members; and</p> <p>(4) actions complained of were not taken with any specific intention to infringe the law concerning the protection of the Parliament.</p> <p>Conclusions:</p> <p>While the actions complained of ought not to be regarded as an acceptable means of expression and were to be deprecated and although it would be open to it to make adverse finding in respect of those responsible, for the reasons outlined in the report such a finding should not be made. PP 122 (1994)</p> |
| <p>145 2 February 1994</p> <p>Articles published in the <i>Australian</i> and the <i>Canberra Times</i> appearing to reveal details of a submission to Standing Committee on Environment, Recreation and the Arts. (VP 1993–95/700)</p> | <p>Speaker stated he would await the results of the committee's deliberations on the matter.</p> <p>Committee considered the matter and decided not to seek to refer the matter to the Committee of Privileges. (VP 1993–95/787)</p> |
| <p>146 24 February 1994</p> <p>Articles published in several newspapers purporting to reveal conclusions reached by Standing Committee on Environment, Recreation and the Arts. (VP 1993–95/811)</p> | <p>Speaker prepared to allow precedence to a motion, although before a motion was moved the committee should attempt to ascertain the source(s) of disclosure. (VP 1993–95/818)</p> <p>Committee stated that it had been unable to identify the source of the disclosure. Speaker stated that as the committee had now reported substantial interference with its work, he would allow precedence to a motion. Matter referred to the Committee of Privileges. (VP 1993–95/981)</p> <p>Report presented; ordered to be printed. (VP 1993–95/1902)</p> <p>Findings:</p> <p>The committee found that information concerning the draft report of the standing committee was disclosed without authorisation by a person or persons with access to the information. If such person or persons acted deliberately he or she (or they) were guilty of a serious breach of the prohibitions. The committee took a serious view of such actions.</p> <p>Unfortunately the committee was unable to ascertain the identity of the person or persons responsible on this occasion</p> <p>Recommendation:</p> <p>In light of its findings, the committee was unable to make any recommendation on the particular matters complained of, although it again made proposals for the consideration of the House in order to assist in any future cases. PP 26 (1995)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| 147 24 February 1994 Remarks made by a Member of Standing Committee on Environment, Recreation and the Arts on a radio program allegedly revealing details of meetings. (VP 1993–95/811) | Speaker did not find that a prima facie case had been made and would not allow precedence to a motion. (VP 1993–95/819) |
| 148 23 March 1994 Allegations that a witness before Standing Committee on Industry, Science and Technology had been denied access to defence premises on the grounds that he had appeared before the committee. (VP 1993–95/862) | Acting Speaker stated that a prima facie case existed and he was willing to allow precedence to a motion. Matter referred to the Committee of Privileges. (VP 1993–95/868–9) Report presented; ordered to be printed. (VP 1993–95/1164–5) Findings: Complainant did not proceed with complaint. PP 136 (1994) |
| 149 24 March 1994 Article in the <i>Sydney Morning Herald</i> which allegedly represented an unauthorised disclosure of a small portion of a Standing Committee on Employment, Education and Training report. (VP 1993–95/900–1) | Committee informed House that it had determined that substantial interference with its work had not occurred. (VP 1993–95/931) |
| 150 3 May 1994 Allegations that a witness to a Senate committee had not been appointed to a position in the Industrial Relations Commission because of evidence given to the committee. (VP 1993–95/909) | Speaker stated that he did not see that the allegations went to the powers, privileges or immunities of the House or its Members. He was not willing to allow precedence to a motion on the matter. (VP 1993–95/921) |
| 151 2 June 1994 Member's (Mr Tuckey's) entitlement to a more considered response to a question the Member asked about alleged discrimination. (VP 1993–95/1047) | Speaker stated that the matter did not involve an issue of privilege. |
| 152 2 June 1994 Allegations of sexual harassment against a Member of Parliament. (VP 1993–95/1047) | Speaker stated that the matter did not involve an issue of privilege. |
| 153 8 June 1994 The service of writs for defamation against certain persons who had been involved in an affidavit read to the House by a Member (Mr Katter). (VP 1993–95/1074) | Speaker stated that while information had not been presented which would lead him to conclude absolutely that there was prima facie evidence of an attempt to interfere improperly in the performance of a Member's duties, it was a borderline case and he was prepared to allow precedence to a motion. Matter referred to the Committee of Privileges. (VP 1993–95/1092) Report presented; ordered to be printed. (VP 1993–95/1697) |

| Matter | Action by Speaker, House and Privileges Committee |
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| | <p>Conclusion: Whether actions of Member's informants were covered by absolute privilege would be determined in court; no evidence had been produced which would establish that actions taken amounted to or were likely to amount to improper interference in the free performance of Member's duties.</p> <p>A Member's privilege of freedom of speech should be used judiciously where the reputation or welfare of persons may be an issue; Members would be judged according to their actions in such matters.</p> <p>Finding: A contempt was not committed in respect of the initiation of the action complained of. PP 407 (1994)</p> |
| <p>154 27 June 1994 Articles published in the <i>Herald-Sun</i> and the <i>Daily Telegraph-Mirror</i> purporting to disclose the contents of a draft report of Joint Select Committee on Certain Family Law Issues. (VP 1993-95/1099)</p> | <p>Speaker stated that the committee should endeavour to ascertain whether substantial interference had occurred and the source of any disclosure.</p> <p>The committee announced that it had determined that there was no serious interference with its work. Deputy Speaker stated that he would bring this statement to the attention of the Speaker. (VP 1993-95/1147)</p> |
| <p>155 20 September 1994 The requirement of the Australian Electoral Commission that Members present any objections to revised electoral boundaries for Victoria on a certain day, which was a sitting day. Member asked Deputy Speaker to write to the Australian Electoral Commission drawing its attention to the right of the House to the services of its Members. (VP 1993-95/1303)</p> | <p>Speaker did not consider that a prima facie case had been made out; nevertheless the issue was an important one and he had written to the Australian Electoral Commissioner. (VP 1993-95/1330-1)</p> <p>Speaker tabled correspondence from Australian Electoral Commission explaining the facts in relation to the matter and made a statement; motion, that the House take note of the papers, made an order of the day for the next sitting. (VP 1993-95/1352)</p> |
| <p>156 7 December 1994 Release of bills to media prior to presentation. (H.R. Deb.(7.12.94) 4213)</p> | <p>Speaker stated he did not consider that prima facie evidence of an issue of privilege was involved. (VP 1993-95/1682)</p> |
| <p>157 28 February 1995 Injunction reportedly sought to prevent the Commonwealth Ombudsman from publishing a report concerning Aboriginal and Torres Strait Islander Commission. (VP 1993-95/1840-1)</p> | <p>Speaker stated that no prima facie case of privilege or contempt had been made out.</p> <p>Member asked Speaker if he would be prepared to allow precedence to a motion to require the Commonwealth Ombudsman to have a copy of the report presented to the House. Speaker stated that he would consider the matter and report back to the House. (VP 1993-95/1857)</p> <p>Speaker stated that as no prima facie case of breach of privilege or contempt had been made out there was no basis for allowing precedence to such a motion. (VP 1993-95/1900)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| 158 27 March 1995 Article in the <i>Financial Review</i> , which allegedly revealed details of Standing Committee on Banking, Finance and Public Administration report. (VP 1993–95/1971) | Acting Speaker stated that he would await the results of the committee’s deliberations on the matter. Committee reported that it had determined that substantial interference with its work had not occurred. (VP 1993–95/2012) |
| 159 29 March 1995 Content of articles in an Australian Associated Press report and in the <i>Australian</i> , <i>Herald Sun</i> and <i>Sydney Morning Herald</i> which attributed remarks to Prime Minister relating to the Speaker and Deputy Speaker and the performance of their duties. (VP 1993–95/2001–2) | Acting Speaker advised the House that he did not believe anything improper had occurred or that there was evidence of an attempt to intimidate either the Speaker or himself. Acting Speaker stated that he did not believe that there was prima facie evidence of a breach of privilege or contempt and that he was not willing to allow precedence to a motion on the matter. (VP 1993–95/2011) |
| 160 22 August 1995 Matter raised under SO 97A on 28 July 1995 by Member (Mr E Cameron) concerning actions of Australian Federal Police in searching his electorate office on 26 July 1995. (VP 1993–95/2303–4) | Matter referred to the Committee of Privileges by Speaker. When House next met, Speaker stated that he had concluded that it would be proper for the complaint to be referred to the Committee of Privileges. House endorsed response. Report presented, ordered to be printed. (VP 1993–95/2567) |
| | Findings: (a) that the execution on the electorate office of Mr E H Cameron, MP on 26 July 1995 of a search warrant issued to a member of the Australian Federal Police caused disruption to the work of Mr Cameron’s electorate office; (b) that the execution of the search warrant did impede the ability of constituents to communicate with Mr Cameron and apparently had a prejudicial effect on the willingness of some persons to do so; (c) that the disruption caused to the work of Mr Cameron’s electorate office amounted to interference with the free performance by Mr Cameron of his duties as a Member; (d) that there was no evidence that the actions of the AFP officers involved were taken with any intention to infringe against the law concerning the protection of the Parliament; and (e) that there was no evidence that the interference caused to the work of Mr Cameron’s electorate office should be regarded as improper. |
| | Conclusion: Although the work of Mr Cameron’s electorate office was undoubtedly disrupted by the actions complained of, and although these actions amounted to interference in the free performance by Mr Cameron of his duties as a Member, this interference should not be regarded as improper interference for the purposes of s.4 of the <i>Parliamentary Privileges Act 1987</i> . Accordingly, the committee concluded that no contempt was committed by the AFP officers involved. |

| Matter | Action by Speaker, House and Privileges Committee |
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| <p>161 28 August 1995 Words used by Member (Dr Wooldridge) in making a personal explanation to the House on 24 August 1995 (allegedly misleading House). (VP 1993–95/2332)</p> | <p>Recommendation: That the House request the Speaker to initiate discussions with the Minister for Justice with the object of reaching an understanding in respect of search warrants. PP 376 (1995) [Memorandum of understanding presented VP 2002–05/222]</p> <p>In response to comments from an Opposition Member that the matter was frivolous, Speaker stated that he did not believe it to be a frivolous matter when any issue of privilege or contempt was raised. (H.R. Deb. (29.8.96) 694)</p> <p>Speaker stated that matter was best left to the judgement of the House and accordingly allowed precedence to a motion. Motion to censure Member moved and debated, amendment moved to censure Government, debated and negatived. Motion agreed to. (VP 1993–95/2345–9)</p> |
| <p>162 30 August 1995 Issue of whether there had been prior disclosure to the Government of the Speaker’s response to the Prime Minister’s complaint of breach of privilege. (VP 1993–95/2347–8)</p> | <p>Speaker made comments on his actions, but stated that he did not wish to be a judge in his own cause in such a matter and in the circumstances he would not prevent Member from moving a motion on the matter. Motion to refer matter to Committee of Privileges moved and negatived, after debate. (VP 1993–95/2351–3)</p> |
| <p>163 25 September 1995 Allegations raised against certain persons by Member (Mr Aldred), documents referred to and used in raising the allegations later having been declared forgeries by Australian Federal Police. (VP 1993–95/2405)</p> | <p>Speaker referred to the responsibility of Members to have regard to the rights and interests of citizens in their use of the privilege of freedom of speech, but advised the House that whilst acknowledging that some Members may take exception to the actions complained of, on the information available to him there was no evidence to support a conclusion that a prima facie case of contempt had been made out. Accordingly, he was not willing to allow precedence to a motion on the matter. (VP 1993–95/2422)</p> |
| <p>164 18 October 1995 Work bans allegedly imposed in connection with the work of the electorate offices of certain Members in Western Australia. (VP 1993–95/2468)</p> | <p>Speaker stated that it was not clear from the information presented that there was evidence of improper interference or attempted or intended improper interference with the free performance by Members of their duties as Members. Accordingly, he was not willing to allow precedence to a motion on the matter. (VP 1993–95/2512)</p> |
| <p>165 23 November 1995 Article in the <i>Sunday Age</i> allegedly revealing details of deliberations of Joint Committee on the National Crime Authority on a report, the committee concluding that its work had been interfered with. (VP 1993–95/2626)</p> | <p>Speaker stated that, in accordance with the practice of the House, before the complaint could be considered any further, the committee would be required to take whatever steps it could to ascertain the source or sources of disclosure. The Speaker further stated that it would assist if any additional information could be provided on the question of whether substantial interference had occurred. (VP 1993–95/2649)</p> <p>(No information presented to House before dissolution on 29 January 1996.)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| 166 27 June 1996 Claims that allegations made in previous Parliament by Member (Mr Aldred) were based on false and fabricated information (<i>and see</i> matter 163 above). (VP 1996–98/339) | Speaker responded: Members must take responsibility for their own actions; if a Member makes accusations and it later emerges that they are false, Member would have duty to withdraw and apologise, it may be considered a matter of regret that this did not happen in present case. Prima facie case not found. (VP 1996–98/360) |
| 167 6 November 1996 Threatening and offensive letter received by Member (Dr Theophanous) (VP 1996–98/791) | Speaker noted letter was anonymous and, while it was irrational and offensive, he was not prepared to allow precedence. Speaker asked any other Members who had received such letters to advise his office so he could consider appropriate action. (VP 1996–98/803) |
| 168 3 June 1997 Article published in the Australian concerning the presidency of the Queensland Liberal Party and reports that Members had their pre-selections threatened. (VP 1996–98/1585) | Speaker stated that he endorsed the view that the House should not intervene in arrangements made within political parties and as no Member had claimed to have been intimidated or subject to improper interference he was not prepared to allow precedence to a motion on the matter. (VP 1996–98/1587) |
| 169 30 September 1997 Articles in the Australian and the Weekend Australian revealing details of a report of the Standing Committee on Financial Institutions and Public Administration. (VP 1996–98/2067) | The committee was unable to ascertain the source of the disclosure. It considered that the disclosure did not constitute a substantial interference in the work of the committee and did not seek further action on the matter. (VP 1996–98/2110) |
| 170 1 October 1997 Letter to a Member threatening ‘treason trials’. (VP 1996–98/2101) | Speaker stated that Members were sometimes subject to such extravagant and irrational representations. He concluded that a prima facie case of improper interference had been made out and he was willing to allow precedence to a motion. Member stated he did not wish to refer the matter to the Committee of Privileges. (VP 1996–98/2109) |
| 171 2 October 1997 Article in the Age revealing details of a report of the Standing Committee on Employment, Education and Training. (VP 1996–98/2109) | The committee had considered the matter and resolved to report the matter to the House, but did not consider that its work had been substantially interfered with and therefore did not request a Committee of Privileges investigation. |
| 172 2 October 1997 Allegations against the Attorney-General in respect of the presentation by the Australian Law Reform Commission of a submission to the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund. (VP 1996–98/2110) | Attorney-General referred to the matter. (VP 1996–98/2123) Speaker stated that he was unable to form the opinion that a prima facie case of contempt had been made out and he did not consider that the papers presented to the House constituted evidence of improper interference. (VP 1996–98/2155) |

| Matter | Action by Speaker, House and Privileges Committee |
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| <p>173 20 October 1997</p> <p>Presentation by the Attorney-General of certain papers purportedly from the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund. (VP 1996–98/2123)</p> | <p>Speaker stated that it was not clear that in fact either document would be covered by the provisions of relevant standing orders dealing with the unauthorised disclosure of documents and, and that accordingly, in his opinion a prima facie case had not been made. (VP 1996–98/2156)</p> |
| <p>174 28 October 1997</p> <p>Alleged unauthorised disclosure of information concerning the deliberations of the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund. (VP 1996–98/2199)</p> | <p>The committee would consider the matter and report to the House.</p> <p>The committee had considered that the disclosures constituted substantial interference to its work. (VP 1996–98/2462)</p> <p>Speaker stated that it was neither desirable nor practicable for him to make an assessment of the validity of any assessment and, as the committee had concluded that substantial interference had occurred, he was willing to allow precedence to a motion on the matter. Matter referred to the Committee of Privileges. (VP 1996–98/2487)</p> <p>(Committee had not reported when Parliament was dissolved on 31 August 1998)</p> |
| <p>175 25 November 1997</p> <p>Articles published in Australian, Australian Financial Review and Daily Telegraph concerning a video recording involving a Member (Ms Hanson). (VP 1996–98/2503)</p> | <p>Speaker stated that the information available did not establish a prima facie case of improper interference and he was not prepared to allow precedence to a motion on the matter. (VP 1996–98/2505)</p> |
| <p>176 8 February 1999</p> <p>Subpoena from the Family Court of Australia ordering the production of records held by Member (Mr Price). (VP 1998–2001/278)</p> | <p>Speaker undertook to look in detail at the issue raised and, if necessary and appropriate, to raise it with an appropriate committee.</p> <p>The matter was not pursued as an individual case, however, following representations by the Member, the Leader of the House moved that the question of the status of records and correspondence held by Members be referred to the Committee of Privileges. Motion debated and agreed to. (VP 1998–2001/483)</p> <p>Committee reported no extension of privilege was justified, but practical measures, such as the development of guidelines to cover the execution of search warrants, should be taken. PP 417 (2000)</p> <p>[Guidelines presented VP 2002–05/222, <i>see also</i> Chapter on ‘Parliamentary privilege’]</p> |
| <p>177 22 March 1999</p> <p>Premature publication on the AM radio program and other media of the contents of report of the Standing Committee on Economics, Finance and Public Administration. (VP1998–2001/412)</p> | <p>Speaker stated that the issues must be considered in the first instance by the committee itself. Speaker also stated that if the committee concluded that substantial interference had occurred, it must explain why it reached this conclusion. (VP 1998–2001/417)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| | <p>Committee reported that it had been unable to identify the source of the disclosure and had resolved that the disclosure did not constitute a substantial interference to its work but that it did constitute a substantial interference with the committee system, and recommended that the matter be referred to the Committee of Privileges. (VP 1998–2001/433-4)</p> <p>Speaker allowed precedence to a motion. Matter referred to the Committee of Privileges. (VP 1998–2001/445)</p> <p>Report presented; ordered to be printed. (VP 1998–2001/712)</p> <p>Findings:</p> <p>The committee found that a person or persons with access to the information disclosed such information concerning the report without authorisation. If such person or persons acted deliberately, then he or she (or they) were guilty of a serious breach of the prohibitions. The committee viewed such unauthorised disclosures very seriously as they, in the words of a predecessor committee ‘display an offensive disregard for the committee itself and others associated with it, and ultimately a disregard for the rules and conventions of the Houses’.</p> <p>Unfortunately, it had not been possible to ascertain the identity of the person or persons responsible.</p> <p>Recommendation:</p> <p>The committee was unable to make any recommendation on the particular matters complained of, although it reiterated proposals made by a predecessor committee for the consideration of the House. The committee hoped that those proposals would assist in any future cases of a similar nature.</p> <p>PP 149 (1999)</p> |
| 178 29 June 1999 | |
| <p>Actions of National Crime Authority officers in relation to inquiries involving Member (Dr Theophanous), who stated that the actions constituted an improper and substantial interference in the discharge of his duties as a Member. (VP 1998–2001/681)</p> | <p>Speaker stated that it did appear that information obtained from tapped telephone calls had been used in the questioning of people and that alleged actions of, or statements by, the Member had been referred to in interviews. Speaker further stated that, as he comprehended it, the information provided to that point did not reveal evidence that the National Crime Authority was acting other than in accordance with lawful authority, or evidence of an improper purpose on the part of those involved. Speaker concluded that, in the circumstances known to him, he would not be justified in allowing precedence to a motion. (VP 1998–2001/702)</p> |
| 179 15 February 2000 | |
| <p>An article published in the Sun Herald of 9 January 2000 reported that a person who had provided information to the Joint Standing Committee on Foreign Affairs, Defence and Trade could face disciplinary action by the Australian Federal Police. (VP 1998–2001/1186)</p> | <p>Speaker stated that, before giving a decision on the matter, it would be desirable that he had the benefit of any information the Joint Committee itself could provide and that he had taken action to seek such information. (VP 1998–2001/1201)</p> <p>Speaker referred to importance of the protection of witnesses but said that given the statement by the Australian Federal Police Commissioner that issues being pursued with the witness did not relate to his involvement with the committee he was not convinced that improper interference had occurred and that a prima facie case had not been made out. Speaker said that because of the seriousness of the matter if further evidence came to light he would be prepared to reconsider the matter. (VP 1998–2001/1298)</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| <p>180 3 October 2000</p> <p>Alleged intimidation or interference with Mr Wayne Sievers following his involvement in an inquiry of the Joint Standing Committee on Foreign Affairs, Defence and Trade (VP 1998–2001/1750)</p> | <p>Speaker stated that while the Member had informed the House of further developments in relation to Mr Sievers, and while the protection of committee witnesses was most important, as far as he could see no new information concerning any issue of privilege had been presented. If the Committee wished to present further information, he would consider it. (VP 1998–2001/1775)</p> |
| <p>181 4 April 2000</p> <p>Alleged improper interference with the performance of his duties as a Member (Dr Theophanous) by officers of National Crime Authority. (VP 1998–2001/1350)</p> | <p>Speaker stated that while there appeared to be a number of unresolved issues in respect of the matters complained of, it was not clear to him at that stage that there was evidence of an offence against parliamentary privilege such as would allow him to give precedence to a motion. Speaker further stated that the Committee of Privileges currently had a general inquiry into the status of records held by Members, and that the Member might feel that he could take up aspects of his current concerns with the committee in connection with that inquiry. (VP 1998–2001/1389)</p> |
| <p>182 12 April 2000</p> <p>Actions of an officer of the Australian Taxation Office in relation to questions a Member (Ms J S McFarlane) had placed on the Notice Paper. (VP 1998–2001/1401)</p> | <p>Speaker stated that he had had some discussions with the Member on her complaint and that the information available to him to that point was not such as to establish that priority should be given to a motion to refer the matter to the Committee of Privileges. Speaker stated that, with the Member's concurrence, he would seek more information from the Australian Taxation Office through the Treasurer. (VP 1998–2001/1413)</p> <p>Speaker stated that he had discussed the advice he had received from the Office of the Treasurer with Ms McFarlane and that the advice confirmed that the matter did not constitute a contempt. (VP 1998–2001/1527)</p> |
| <p>183 7 September 2000</p> <p>Alleged deliberate misleading of the Standing Committee on Family and Community Affairs and alleged intimidation of a prospective witness before the Committee. (Matter raised by committee) (VP 1998–2001/1731)</p> | <p>Speaker stated that in light of the committee's finding that it had not been able to reconcile different accounts in respect of the possible intimidation of a witness and its conclusion that that matter should be pursued, he was willing to allow precedence to a motion on the matter. Matter referred to the Committee of Privileges. (VP 1998–2001/1812)</p> <p>Report presented; ordered to be printed. (VP 1998–2001/2653)</p> <p>Finding:</p> <p>Whilst stating that the inquiry was made difficult due to the time lapsed and the differing evidence given, the Committee concluded that an interference with the free exercise of the Standing Committee on Family and Community Affairs authority and functions had occurred. However it did not find that this conduct amounted to improper interference with the Committee's inquiry and functions.</p> |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| | <p>Recommendation:</p> <p>The Committee recommended that all governments ensure that managers and staff of their departments are advised of the rights and responsibilities of witnesses appearing before parliamentary committees. In particular departments/authorities should make clear the distinction between staff appearing as a representative of the department/authority or in a private capacity. PP 208 (2001)</p> |
| <p>184 3 October 2000</p> <p>Actions of Australian Federal Police officers in the execution of a search warrant at the home of an adviser to Shadow Minister (Mr Brereton). (VP 1998–2001/1750)</p> | <p>Speaker stated that the warrant had been issued under the Crimes Act and authorised certain actions. Speaker stated that while he understood the Member’s concerns and his claim that the execution of the warrant had meant that officers involved had seen confidential material relating to his parliamentary duties, he had seen no evidence that improper interference, as required by section 4 of the Parliamentary Privileges Act, had occurred. Accordingly, he was not able to allow precedence to a motion on the matter. (VP 1998–2001/1772)</p> |
| <p>185 6 November 2000</p> <p>Publication in <i>Time</i> magazine of an article dealing with matters under consideration by the Defence subcommittee of Joint Standing Committee on Foreign Affairs, Defence and Trade which appeared to reveal confidential information. (VP 1998–2001/1857)</p> | <p>Chair of subcommittee stated that the matter would be considered by the subcommittee and the full committee and the outcome would be reported to the House. Speaker stated that he would await the results of the committee’s deliberations. (VP 1998–2001/1857)</p> <p>The committee concluded that substantial interference had occurred but was not able to ascertain the source or sources of disclosure. Speaker stated that in light of the committee’s conclusions and having regard to the practice and precedents of the House, he was willing to allow precedence to a motion.</p> <p>Matter referred to the Committee of Privileges. (VP 1998–2001/1884-5)</p> <p>Report presented; ordered to be printed. (VP 1998–2001/2342–3)</p> <p>Findings:</p> <p>The committee found that a person or persons with access to the proof transcript of in camera evidence had inadvertently or deliberately disclosed such information. Unfortunately, it had not been possible to ascertain the identity of the person or persons responsible.</p> <p>The committee also found unauthorised disclosure to an officer in the Department of Defence of a copy of the proof transcript of in camera evidence. The committee expressed concern that certain committee staff had not been frank with the committee regarding this matter, and about circumstances surrounding the retrieval of this transcript.</p> |

Recommendation:

The committee was unable to make recommendations on the particular matter complained of, but recommended that the following procedures be adopted in the handling of in camera transcripts:

- A minimum number of copies be made to meet the needs of witnesses, committee members and secretariat staff;
- Copies be made on a distinctively coloured paper to stand out from other material and be appropriately labelled as confidential;
- Copies be numbered and a register be kept of the issuing of copies;
- Both committee members and secretariat staff retain in camera material in a lockable cabinet that is locked at times when the area is not occupied;
- Committee members return in camera evidence to secretariats when they have no further use for it; and
- Secretariats destroy copies of in camera evidence when they have no further use for them. PP 105 (2001)

Later action:

Speaker reported to the House that the department had reviewed procedures adopted by committee secretariats for the handling of in camera evidence and had taken a number of steps to ensure that secretariats fully complied with the Privileges Committee recommendation. An independent review commissioned by the Clerk of the House had concluded that there had been a series of cumulative errors in judgment by different persons, most not serious in themselves but having a serious cumulative effect. The matter was being considered within the context of performance improvement processes of the department. The Clerk had directed that work be commenced as a matter of urgency relating to the conduct of staff appearing before parliamentary committees and the terms and conditions of staff seconded from outside the parliamentary service to assist committees. (VP 1998-2001/2501)

186 **8 November 2000**

Alleged intimidation or interference with Corporal Craig Smith following his involvement in an inquiry of the Defence subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade concerning the conduct of military justice. (VP 1998-2001/1872-3)

Speaker stated that the matter should first be considered by the committee. (VP 1998-2001/1872-3)

The Defence subcommittee reported that the witness had confirmed that he had been harassed and received death threats and the committee had concluded that the matter should be referred to the Committee of Privileges. **Matter referred to the Committee of Privileges.** (VP 1998-2001/1885)

Report presented; ordered to be printed. (VP 1998-2001/2342-3)

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| | <p>Findings:</p> <p>The committee was unable to find that a breach of parliamentary privilege had been proved against any person or persons. However, it did not regard the report as necessarily concluding its inquiry into the matter. Should the committee be provided with information during the current Parliament that suggested to it that the matter was ongoing, then it might seek further evidence and report to the House on the evidence and its conclusions. The committee also wished to see that Corporal Smith had every opportunity to complete his career with the ADF with safety and confidence.</p> <p>Recommendation:</p> <p>The committee recommended that the attention of the Director General Personnel – Army and the equivalent officers in the Navy and Air Force be drawn to the circumstances of this case and that the Director General and equivalent officers do all within their power to accommodate any request for a service transfer by Corporal Craig Smith. PP 104 (2001)</p> |
| 187 8 November 2000 | |
| Alleged unauthorised disclosure of Joint Committee of Public Accounts and Audit deliberations on IT outsourcing. (VP 1998–2001/1873) | Member stated that subsequent inquiries indicated that there was no substance to the matter and he apologised for any time spent on consideration. (VP 1998–2001/1895) |
| 188 8 February 2001 | |
| Alleged improper interference with the performance of his duties as Chair of the Joint Standing Committee on Electoral Matters and as a Member. The Member (Mr Pyne) claimed that he had been threatened and intimidated by the Members for Rankin and Lilley. (VP 1998–2001/2079, 2080) | <p>Speaker stated that he had considered the matter and consulted with many people. At the Speaker's request a temporary record taken for security purposes by the establishment at which the alleged intimidation had occurred, had been examined and the result was inconclusive.</p> <p>Speaker also had had regard to the matter raised in 1979 by the then Member for Shortland. In that instance, in slightly different circumstances, the Speaker had stated that it would be idle for the House to pursue the matter. Mr Pyne had advised the Speaker that he had raised the matter on the principle at issue. As further investigation had proved inconclusive, the Speaker concluded that the dignity of the House would best be preserved by not pursuing the matter. (VP 1998–2001/2091)</p> |
| 189 18 June 2001 | |
| Articles published in the Adelaide Advertiser, Sydney Morning Herald and Daily Telegraph which appeared to reveal a number of recommendations of a report of the Joint Standing Committee on Electoral Matters before the report had been tabled. (VP 1998–2001/2352, 2354) | The Chair of the Joint Committee on Electoral Matters reported that the committee had considered the matter in accordance with the Speaker's request and had resolved that it was inconclusive whether an unauthorised disclosure had occurred, was unable to ascertain the source of the alleged disclosure and the alleged disclosure did not constitute a substantial interference to its work or the committee system. The committee recommended that the matter not be pursued further. (VP 1998–2001/2430) |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| <p>190 7 August 2001 Possible conflict of evidence given to Standing Committee on Employment, Education and Workplace Relations by Australian Taxation Office officers during its inquiry into employee share ownership and the information contained in an Auditor-General's report. (VP 1998–2001/2461)</p> | <p>Speaker stated that the matter should be considered in the first instance by the committee. (VP 1998–2001/2467)</p> |
| <p>191 24 June 2002 An alleged threat of legal action that a Member claimed Telstra executives had made against him in connection with a press release he had issued following evidence given by a Telstra executive at a Senate estimates hearing. (VP2002–04/285)</p> | <p>In responding to the matter, the Speaker noted that the matter also raised the question of the proper relationship between the Parliament and government controlled entities. He stated that as he did not have sufficient information to make a final decision on the Member's complaint, he could therefore not give precedence to a motion at that time. (VP 2002–04/289)</p> |
| <p>192 27 June 2002 A Member's inclusion in a question without notice of material concerning private deliberations of the Standing Committee on Ageing. (VP2002–04/305)</p> | <p>Chair of the committee reported to the House that the Member concerned had informed the committee that he regretted any inadvertent premature disclosure, the committee had considered that the disclosure had not substantially interfered with its work, and the matter was now resolved to the satisfaction of the committee. (VP 2002–04/313)</p> |
| <p>193 12 August 2003 Alleged misleading of the House by the Prime Minister in relation to answers to questions on notice on the Government's ethanol policy. (VP2002–04/1062)</p> | <p>Speaker stated that the matter had not been raised at the earliest opportunity and he would not grant precedence to a motion. (VP 2002–04/1062)</p> |
| <p>194 13 August 2003 A Member raised a claim by another Member during a media interview that there had been attempts by Ministers to silence and intimidate him in relation to his views about the full privatisation of Telstra. (VP2002–04/1070)</p> | <p>The Speaker stated that he did not intend to accord the matter precedence as the Member had not raised the issue himself. (VP2002–04/1070)</p> |
| <p>195 21 August 2003 Alleged misleading of the House by a Minister during his answer to a question without notice. (VP2002–04/1126)</p> | <p>The Speaker stated that in his opinion a prima facie case had not been made. (VP2002–04/1126)</p> |
| <p>196 2 December 2004</p> | |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| Claim by two Members (Mr Latham and Mr Murphy) that a journalist who had phoned their offices earlier in the day had tried to unreasonably influence their conduct as Members of Parliament. (VP 2004–07/79) | <p>Speaker allowed precedence to a motion. Matter referred to the Committee of Privileges. (VP 2004–07/81)</p> <p>Report presented. Ordered to be made a Parliamentary Paper. (VP 2004–07/190)</p> <p>Finding:</p> <p>The committee found that there had been no breach of privilege when the remarks of the journalist were placed in the context of the relationship between Members and journalists. The committee, however, also included a warning to the media to be conscious in their exchanges with MPs of any appearance of trying to influence Members. PP 50 (2005)</p> |
| <p>197 10 August 2005</p> <p>Two incidents where alleged fraudulent and inaccurate documents were written and distributed purportedly in a Member's name (Mr Nairn). (VP 2004–07/505)</p> | <p>Speaker allowed precedence to a motion. Matter referred to the Committee of Privileges. (VP 2004–07/507)</p> <p>Report presented. Ordered to be made a Parliamentary Paper. (VP 2004–07/1927)</p> <p>Finding:</p> <p>The committee found that Ms Harriett Swift, on five occasions in 2005 and 2006, deliberately misrepresented the Hon Gary Nairn MP by producing and distributing documents that fabricated Mr Nairn's letterhead and signature to make it appear that the documents were prepared and sent by Mr Nairn. The Committee finds Ms Swift guilty of a contempt of the House in that she has undertaken conduct which amounts to an improper interference in the free performance by Mr Nairn of his duties as a member.</p> <p>Recommendation:</p> <p>The committee recommended that the House:</p> <ol style="list-style-type: none"> 1. Find Ms Swift guilty of a contempt of the House in that she undertook conduct that amounted to an improper interference with the free performance by Mr Nairn of his duties as a member; and 2. Reprimand Ms Swift for her conduct. .PP 111 (2007) <p>Action by House:</p> <p>The House resolved:</p> <p>That the House agrees with the recommendation of the report of the Committee of Privileges presented on 31 May 2007 about allegations of documents fraudulently and inaccurately written and issued in a member's name, and:</p> <ol style="list-style-type: none"> 1. finds Ms Harriett Swift guilty of a contempt of the House in that she undertook conduct that amounted to an improper interference with the free performance by the Member for Eden-Monaro of his duties as a member; and 2. reprimands Ms Swift for her conduct. <p>(VP 2004–07/1954)</p> |
| <p>198 17 August 2005</p> <p>Claim by a Member (Mr Baldwin) concerning an email and facsimile letter received by him from the Mayor of Douglas Shire Council, which he considered constituted interference with his duties as a Member of the House. (VP 2004–07/540)</p> | <p>The Speaker stated that the warnings made in the letter were not desirable. However, on the information available to this point it was not clear that a prima facie case of contempt had been established. He further stated that if any additional material or similar approaches were made, he would be prepared to reconsider the issue. (VP 2004–07/566-7)</p> |

| Matter | Action by Speaker, House and Privileges Committee |
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| 199 31 October 2005 Alleged interference of a Member's (Mr Schultz) role as a Member of Parliament in relation to interference with his telephone answering service. (VP 2004-07/694) | The Deputy Speaker stated that he would draw the matter to the attention of the Speaker who would consider the matter and report back as appropriate at a later time. (VP 2004-07/694) |
| 200 19 June 2006 Alleged interference with a Member's (Mr Price) ability to do his job due to non-delivery of mail items by Australia Post. (VP 2004-07/1217) | The Speaker stated that he had not been given detailed evidence of improper interference with the performance of the Member's duties and he was not prepared to give precedence to a motion. (VP 2004-07/1263) |
| 201 21 June 2006 Claim by a Member (Mr Randall) that a public servant had negatively commented on the Member's submission to an inquiry by the Joint Committee of Public Accounts and Audit, misleading the committee and improperly interfering with the Member's capacity to carry out his duties. (VP 2004-07/1249-50) | The Speaker stated that the matter should be considered in the first instance by the committee concerned. (VP 2004-07/1263). The Speaker noted that he had been advised by the Chair of the committee concerned that it had concluded that no issue of privilege had arisen. (VP 2004-07/1319) |
| 202 10 August 2006 Claim by Members (Mr Beazley, Ms King and Ms A Burke) concerning the use (quoting in an answer to a question without notice) of information by a Minister contained in correspondence between the Members and Ministers. (VP 2004-07/1304) | The Speaker stated that the Committee of Privileges in its report on the records and correspondence of Members had noted that there was no general protection of privilege afforded to the correspondence of Members, including their correspondence with Ministers. He further stated that in this particular case, he did not consider that the Minister's disclosure of the contents of representations made to her by the Members concerned was designed to interfere with their ability to raise such matters in the future. He therefore did not consider a prima facie case had been made such as would permit precedence being given to a motion. (VP 2004-07/1314) |
| 203 7 September 2006 Alleged improper interference with the free performance of a Member's (Mr Lindsay) duties as a result of the actions of a Member of the Queensland Parliament. (VP 2004-07/1386) | The Deputy Speaker stated that the Speaker would consider the matter. (VP 2004-07/1386) |
| 204 19 October 2006 Alleged withdrawal of a Member's (Mr Wilkie) invitation to the launch of a Green Corps project within his electorate. (VP 2004-07/1516) | The Speaker stated that he did not believe the incident constituted an improper interference in the Member's performance of his duties and that he did not propose to give precedence to a motion. (VP 2004-07/1533) |
| 205 4 December 2006 Articles published in the <i>Sunday Age</i> and <i>Sun-Herald</i> which appeared to reveal recommendations of a report of the Standing Committee on Family and Human Services before the report had been tabled. (VP 2004-07/1619) | The Speaker indicated that he would await further advice. (VP 2004-07/1619) |
| 206 19 June 2007 | |

| <i>Matter</i> | <i>Action by Speaker, House and Privileges Committee</i> |
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| An article published in <i>The Australian</i> titled “Bishop’s last crack at Speaker’s chair”, and alleged possible intimidation of the Speaker. (VP 2004–07/1973) | The Speaker stated that there were no privilege issues in the matter raised by the Member, and that he did not propose to give precedence to a motion. (VP 2004–07/1977) |
| 207 12 September 2007 Alleged remarks made by a Member (Mr Hardgrave) in the House about an Australian Federal Police investigation of three Liberal Party Members of the House, in Queensland. (VP 2004–07/2111) | The Speaker stated that there were no privilege issues in the matter raised by the Member, and that he did not propose to give precedence to a motion. (VP 2004–07/2119) |
| 208 17 June 2008 Exchange of remarks made between two Members (Ms Neal and Mrs Mirabella) and the subsequent withdrawal and apology by Ms Neal to the House. (VP 2008–09/386–9) | <p data-bbox="722 571 1310 647">Matter referred to the Committee of Privileges and Members’ Interests. (VP 2008–10/386–9)</p> <p data-bbox="722 656 1278 705">Report presented. Ordered to be made a Parliamentary Paper. (VP 2008–10/679)</p> <p data-bbox="722 714 1310 907">Finding: The Committee found that the Member for Robertson (Ms Neal) did not deliberately mislead the Main Committee and the House such that it would give rise to a possible contempt. Hence no breach of privilege arose from the exchange between the Member for Robertson and the Member for Indi (Mrs Mirabella).</p> <p data-bbox="722 916 1286 1014">However, the Committee observed that the Member for Robertson’s responses in the Main Committee fell below the standards expected of a Member and did not reflect well upon her. PP 499 (2008)</p> |
| 209 22 October 2008 Remarks made about a Member (Mr Schultz) by the New South Wales Leader of the Nationals, Mr Andrew Stoner. (VP 2008–09/649) | The Speaker stated that, whilst the words reportedly used by the New South Wales Leader of the Nationals were undesirable, he was of the opinion that precedence should not be given to a motion on this occasion. (VP 2008–10/675–6) |
| 210 23 October 2008 An Article published in the <i>Daily Telegraph</i> on a report of the Standing Committee of Privileges and Members’ Interests before the report had been tabled. (VP 2008–09/673) | <p data-bbox="722 1198 1310 1323">The Speaker stated that the Committee of Privileges and Members’ Interests should consider the matter, in particular whether the matter has caused or is likely to cause substantial interference with its work, with the committee system or with the functioning of the House. (VP 2008–10/674)</p> <p data-bbox="722 1332 1310 1507">The Chair of the Committee reported that the committee had considered the matter in accordance with the Speaker’s request and had concluded that an unauthorised disclosure had occurred, but that the unauthorised disclosure had had no effect on the immediate inquiry conducted by the committee and the committee would take the matter into account in its review of the committee’s procedures. (VP 2008–10/790)</p> |
| 211 24 February 2009 A letter from the Minister of Education (Ms Gillard) relating to infrastructure projects in schools [concerning arrangements for the participation of Members] (VP 2008–09/893–4) | The Speaker noted that Members’ duties extended to electorate responsibilities although the range of these duties to which parliamentary privilege would apply had not been fully defined. He stated that he had not seen evidence sufficient to support a view that a contempt had been made, and that he would not propose to give precedence to a motion. (VP 2008–10/908) |

| Matter | Action by Speaker, House and Privileges Committee |
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| <p>212 27 May 2009 Government criticisms of opposition Members' support for infrastructure projects in their electorates. (VP 2008–09/1054)</p> | <p>The Speaker stated that the matters referred to may be seen to be part of robust political debate and, on the information presented, as not constituting improper interference with Members continuing to perform their duties in representing their constituents. In relation to the possible differential treatment of Members with respect to infrastructure projects, he stated that government programs were matters for the Government to administer, and unless there was evidence that such administration amounted to an improper interference with Members performing their duties as Members within their electorates, it was not easy to see that a matter of privilege arose. The Speaker said that he did not see evidence of such interference, and that he did not propose to give precedence to a motion. (VP 2008–10/1067)</p> |
| <p>213 8 February 2010 A briefing given to the Parliamentary Standing Committee on Public Works and subsequent disclosure of details in a Townsville newspaper. (VP 2008–10/1589)</p> | <p>The Speaker referred to the Standing Committee on Public Work's inquiry into the matter and the Committee's subsequent report <i>Unauthorised disclosure of committee proceedings and evidence</i>. The Speaker noted that the source of the disclosure had been identified and the Member involved had apologised and given undertakings not to disclose information in the future. As there was no disagreement as to the key facts and as the Public Works Committee had dealt with matters that would ordinarily be covered by the Committee of Privileges and Members' Interests, the Speaker stated that little would be achieved by further inquiry. (VP 2008–10/1612)</p> |
| <p>214 18 March 2010 The taking of a photograph of a Member in the Chamber and its subsequent publication in a Sunshine Coast newspaper. (VP 2008–10/1711)</p> | <p>The Speaker stated that in the absence of more specific evidence of the effect that the publication of the photograph had had on the free performance of the Member's duties, and given the consistently held view that the House's privileges and contempt powers should be exercised sparingly, he did not find that a prima facie case had been established. (VP 2008–10/1718)</p> |
| <p>215 31 May 2010 Matters concerning the Member for Ryan and reports of alleged actions of Liberal National Party representatives in connection with his membership of the House of Representatives. (VP 2008–10/1797)</p> | <p>The Speaker noted that the allegations that that the Member for Ryan had been subject to undue pressure and intimidation to resign from Parliament were serious and went to the ability of a Member to be able to perform his duties freely and without proper interference. He noted that the fact they had occurred within the context of a political party did not make them immune from considerations of improper interference, and allowed precedence to a motion. Matter referred to the Committee of Privileges and Members' Interests. (VP 2008–10/1825–6) (Committee had not reported when Parliament was dissolved on 19 July 2010)</p> |

Updates in red. Note that page numbers may differ from the printed document.