



Clerk of the House

14 November 2025

Ms Sharon Claydon MP
Chair
House of Representatives Standing Committee on Procedure
By Email: Procedure.Committee.Reps@aph.gov.au

Dear Chair

Thank you for the invitation to make a submission to the House of Representatives Standing Committee on Procedure's inquiry into disrespectful behaviour towards other Members in the Chamber. I provide the following information in relation to the House of Assembly Tasmania:

Do behaviour codes apply to conduct in your Chamber? If so, what are the circumstances that are covered?

Yes. In accordance with Standing Order 2, on the meeting of a new Parliament Members subscribe to the Code of Conduct. The Code is included in Standing Order 2 in its entirety, comprising a preamble, a statement of values, and a section outlining ethical standards. A copy of the Code is attached.

Most relevant to behaviour in the Chamber is the final section of the Code regarding ethical standards - 'Parliamentary conduct':

- *A Member conducts themselves in Parliament in ways that will protect the public interest, and enhance public confidence and trust in Parliament.*
- *A Member must observe proper standards of parliamentary conduct by complying with Standing Orders, and directions of the Presiding Officer.*
- *A Member must take particular care to consider the rights and reputations of others before making use of the unique protection available under parliamentary privilege. This privilege should never be used recklessly or without due regard to accuracy.*

As outlined in the *Companion to the House of Assembly Standing Orders and Rules*, the first 'Code of Ethical Conduct' was adopted in 1996.¹ This was replaced in 2017, then amended in 2018 in response to a recommendation of the Joint Standing Committee on Integrity, developed with advice

¹ *Companion to the House of Assembly Standing Orders and Rules, Second Edition*, p 13.

from Parliamentary Standards Commissioner - see [paper 17 of 2018](#) (Report of the Joint Standing Committee on Integrity – A Code of Conduct for Members of the Parliament of Tasmania).

The first reference to parliamentary conduct was included in the 2017 code.

- **If so, how are the codes applied?**

The relevant section of the Code specifies that “*A Member must observe proper standards of parliamentary conduct by complying with Standing Orders, and directions of the Presiding Officer*”.

Alleged breaches of the Code may be referred to the Privileges and Conduct Committee for its consideration. This function was established by a 2018 resolution of the House which included:

*(2) The Privileges Committee be given the powers to consider matters of conduct and compliance with the Code of Ethical Conduct in Standing Order 2(d).*².

When the current Code of Conduct was adopted by the House on 29 November 2018, the Standing Orders were amended to rename the Privileges Committee the Privileges and Conduct Committee, and empower it to consider any breach of the Code of Conduct referred to it by the House.

It is the practice of the House that the appropriate form of the House to raise an alleged breach of the Code of Conduct is by way of a substantive motion, not by Point of Order.³

- **Whether standing orders or codes contain any provisions that impose positive expectations of behaviours that parliamentarians must uphold in the Chamber. For example, ‘members should treat each other with respect’.**

The Code of Conduct uses positive language. Relevant Standing Orders use prohibitive language.

- **If so, how are such provisions enforced?**

As noted above, via application of the Standing Orders by the Speaker and by decisions of the House to refer matters (including alleged breaches of the Code) to the Privileges and Conduct Committee if required. To date, there are no precedents for a referral of a Member to the Privileges and Conduct Committee for breach of the Code of Conduct in relation to behavioural standards.

- **The management of allegations or assertions made by parliamentarians about the conduct of other parliamentarians in the Chamber, particularly when the Chair has not heard or observed the incident directly.**

A key House of Assembly Standing Order of relevance to this submission is Standing Order 144: Offensive words against a Member, which is replicated below:

- (1) No Member shall use offensive or unbecoming words in reference to any Member of this House, nor attribute directly or by innuendo to another Member unbecoming conduct or motives; and all offensive reference to a Member’s private affairs, and all personal reflections, shall be deemed highly disorderly.

² House of Assembly Votes and Proceedings No. 35, 28 November 2018, p 249

³ Hansard, House of Assembly, 6 November 2025, p 27, and also *Companion to the House of Assembly Standing Orders and Rules, Second Edition*, p 13.

- (2) If the offended Member objects at the time when such words are used, the Speaker may direct that the words must be withdrawn by the offending Member without qualification or further comment.
- (3) Any breach of this Rule may also be dealt with in such manner as the House may think fit.
- (4) The provisions of this Standing Order relating to “unbecoming conduct” shall not apply where a substantive Motion on Notice brings a charge of misconduct against a Member.

Generally when a Member has taken personal offence to words used about them by another Member, via a Point of Order the offended Member raises the matter. The Speaker then may direct that the words must be withdrawn by the Member who originally said them. Notably paragraph (3) of SO 144 also states that breaches may also be dealt with in any manner the House sees fit.

If an impacted Member was not in the Chamber at the time of the incident, or does not raise it at the time, Members may raise the issue in a substantive motion or, more commonly, during a contribution on the Adjournment debate.

In instances where the Speaker may not have heard the offending words, this makes it more difficult for the Speaker to ask that it be withdrawn, however may issue a general reminder to the Chamber about parliamentary conduct or behaviour, including respectful conduct towards other Members if the issue is raised. The Speaker may also undertake to review Hansard if there is a dispute about whether a Member has made a particular statement in the House.

- **Whether issues need to be dealt with at the time in the Chamber, or if they can be dealt with at a later time.**

Standing Order 144 (2) requires offended Members to object when the offensive words are used for the Speaker to direct words be withdrawn. However, there are occasions where incidents have been raised with the Speaker informally outside of the Chamber after the fact, and the Speaker has taken a subsequent opportunity to remind the House of the need for parliamentary language and including asking the relevant Member to withdraw the words at that later time.

- **If a matter is not dealt with at the time in the Chamber, is there a formal process by which this occurs?**

Established practice allows that if a matter is not raised immediately, the daily adjournment debate at the conclusion of each sitting day offers an opportunity for an impacted Member to address the matter. As indicated above, approaching the Speaker is an informal practice.

- **What is the process for a parliamentarian to raise their concerns?**

In the Chamber – as outlined above: either use of Standing Order 144 or moving a relevant substantive motion.

Outside the Chamber –Members may raise concerns directly with the Speaker.

- **Any training offered to presiding officers and anyone else taking the Chair in the Chamber to assist them with responding to incidents of disrespectful behaviour in the Chamber.**

Members who Chair proceedings in the House and in Committee receive one-on-one training with the Clerks prior to taking the Chair, and support is available from the Clerks while the Member presiding is in the Chair.

- **What are the sanctions for disrespectful behaviour in the Chamber?**

Members can be directed to withdraw from the Chamber by the Speaker, or named and suspended by the House in accordance with Standing Order 148 for conduct including using objectionable words and refusing to withdraw. Standing Orders 149-150 provide the procedure for Members to be suspended from the House.

Standing Order 149 provides the authority for the Speaker to direct a Member to withdraw from the Chamber for a period of up to 24 hours.

Alternatively, Standing Order 149 also allows for the Speaker to name a Member. Where a Member is named, a Motion will usually be moved that “the Member be suspended from the service of the House.” If this is resolved in the Affirmative, the Member is suspended from the service of the House.

Standing Order 150 sets out the suspension periods where a Member is named and suspended from the service of the House, reflecting increasing periods per occasion:

- first suspension is for 24 hours,
- second suspension within 12 months is for 7 days, and
- third suspension within 12 months is for 28 days.

- **How frequently are those sanctions applied in practice?**

Occasions of Members being directed by the Speaker to withdraw from the Chamber:

50th Parliament (June 2021-December 2022) – 52

51st Parliament (August 2024-June 2025) – 4

Occasions of Members being named:

17 times between 1860-1985

11 times from 1983-present (The most recent occurrence was in 2021).

Total precedents recorded: 28

Finally, I refer the Committee to a recent report of the Joint Sessional Committee on Workplace Culture Oversight, which recommends the adoption by the House of a revised Code of Conduct for Members, an Independent Complaints Commissioner process, and an Alcohol and Other Drugs Members’ Statement. The report is available on the [Parliament’s website](#). This report has not yet been debated by the House.

If the Committee requires any further information please contact me.

Yours sincerely

Laura Ross
Clerk of the House

Attachment - Standing Order 2 – Code of Conduct for Members of the House of Assembly Tasmania

PREAMBLE

Members of Parliament recognise that their actions have an impact on the lives of all Tasmanian people. Fulfilling their obligations and discharging their duties responsibly requires a commitment to the highest ethical standards to maintain and strengthen the democratic traditions of the State and the integrity of its institutions.

Compliance with the law may not always be enough to guarantee an acceptable standard of conduct. Members must not only act lawfully, but also in a manner that will withstand close public scrutiny.

This Code sets out ethical standards and principles to assist Members in observing expected standards of conduct in public office and to act as a benchmark against which their conduct can be measured.

Neither the law nor this Code is designed to be exhaustive, and there may be instances where Members find it necessary to adopt more stringent norms of conduct in order to protect the public interest, and to enhance public confidence and trust. In making choices about conduct, Members should have regard to community values and standards.

Members should also, where possible, avoid giving unnecessary offence to groups in the community whose beliefs and views differ from those held by the Members or by groups the Member represents.

Members are expected to promote and support this Code by leadership and example.

STATEMENT OF VALUES

This Code is derived from the fundamental values of the institution of the Parliament in this State. By adopting and upholding this Code, all Members of Parliament share in and support these values.

As Members of Parliament, we value:

- the public interest and the fundamental objective of public office to act solely in terms of the public interest;
- the improvement of the economic and social conditions of all Tasmanian people, and our service to our fellow citizens to achieve this;
- the promotion of human, social and environmental welfare through the responsible execution of our official duties;
- integrity, honesty, accessibility, accountability, fairness, transparency, courtesy, respect and understanding, without harassment, victimisation or discrimination;
- respect for differences, equity and fairness in political dealings, with fellow Members of Parliament; and

- ethical political practices that support the democratic traditions of our State and its institutions, and the rejection of political corruption.

ETHICAL STANDARDS

Conflict of interest

A Member protects and upholds the public interest by taking all reasonable steps to avoid, disclose and manage any conflict of interest that arises, or is likely to arise, between their personal interests and their official duties.

A conflict of interest may be financial or non-financial and may be potential, actual or perceived.

A conflict of interest does not exist where the Member, their spouse or domestic partner, relative or associate is affected only as a member of the public or of a broad class of persons.

Each Member is individually responsible for avoiding and managing conflicts of interest.

Declaration of personal interests

A Member is personally responsible for full and accurate disclosure of their financial and other interests, in accordance with their obligations under the *Parliamentary (Disclosure of Interests) Act 1996*.

Use of public office

A Member makes proper use of their office to represent and serve the community, conducting themselves in ways that maintains the trust and confidence of the public.

A Member must not use their influence as a Member to improperly obtain appointment, promotion, advancement, transfer or any other advantage or benefit on behalf of themselves or other persons.

A Member must not appoint their spouse, domestic partner or relative to a position in their own office.

A Member must not receive or seek to receive any fee, payment, retainer or reward, nor permit any compensation to accrue to their beneficial interest, for or on account of, or as a result of, their position as a Member, other than compensation to which they are entitled as a Member of Parliament.

Use of official information

A Member makes appropriate use of official information strictly for the purpose of performing their role as a Member of Parliament in the best interests of the public.

A Member must take care to protect confidential and official information in their possession or knowledge.

A Member must not use official information which is not in the public domain, or information obtained in confidence in the course of their official duties or position, for the advantage or benefit of themselves or another person.

Use of public resources

A Member uses public resources and assets strictly for the purpose of performing their role as a Member of Parliament, and in accordance with any rules and guidelines regarding the use of those resources and assets.

A Member must not use public resources, or allow such resources to be used by others, for personal advantage or benefit.

A Member must be scrupulous in ensuring the legitimacy and accuracy of any claim they make on the public account.

Gifts and benefits

A Member must adhere to standards of transparency and accountability in relation to gifts or benefits, and carry out their duties as a Member of Parliament without being influenced by gifts or benefits.

A Member must not solicit, encourage or accept gifts, benefits or favours which may improperly influence the Member in the exercise of their duties, or may give the appearance of improper influence. Exceptions to this are incidental gifts or customary hospitality of nominal value.

A Member must declare gifts and benefits received, as required by the *Parliamentary (Disclosure of Interests) Act 1996*.

Accuracy of statements

A Member must only make statements in Parliament and in public that are, to the best of their knowledge, accurate and honest.

A Member must not mislead Parliament or the public in statements that they may make.

Whether any misleading was intentional or unintentional a Member is obliged to correct the Parliamentary record or the public record, at the earliest opportunity in a manner that is appropriate to the circumstances.

Outside employment

A Member must manage employment outside of Parliament to ensure that any such employment does not interfere with their duties as a Member of Parliament.

A Member must not engage in any employment outside Parliament that involves a substantial commitment of time and effort to the extent that it interferes with their duties as a Member.

Upholding the principles of respect, justice and inclusion for all Tasmanians

Members agree to respect the religious and cultural beliefs of others, in accordance with the Universal Declaration of Human Rights.

Members agree to uphold the principles of justice and inclusion among our multicultural society, making efforts to generate understanding of all groups.

Members agree to recognise and value diversity as an integral part of Australia's social and economic future.

Members should promote reconciliation with Indigenous Australians.

Parliamentary conduct

A Member conducts themselves in Parliament in ways that will protect the public interest, and enhance public confidence and trust in Parliament.

A Member must observe proper standards of parliamentary conduct by complying with Standing Orders, and directions of the Presiding Officer.

A Member must take particular care to consider the rights and reputations of others before making use of the unique protection available under parliamentary privilege. This privilege should never be used recklessly or without due regard to accuracy.