



Sharon Claydon MP
Chair of the Standing Committee on Procedure
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Parliament House
Canberra ACT 2600

Dear Chair,

I welcome the Committee's inquiry into disrespectful behaviour towards other members in the Chamber.

While the House of Representatives provides an opportunity for robust debate, this must occur in the context of respectful and appropriate behaviour. The business of Parliament involves opposing views and disagreements; however, this must be conducted in line with contemporary Australian values and expectations.

These expectations reflect the standards of a modern workplace, which include the values of respect, inclusivity, and free from discrimination. Parliament must lead by example and uphold the same standards that are legislated for others.

In the attached submission, I have reflected on my own experience and recommend changes to embed respectful behaviour in the Chamber, taking into account the long-standing principle of parliamentary privilege.

I look forward to engaging with the Committee on this important matter.

Yours sincerely

Zali Steggall OAM MP
Member for Warringah

Submission to the Standing Committee into Procedure's Inquiry into Disrespectful Behaviour towards Other Members in the Chamber

Explanatory Statements to Accompany the Standing Orders

1. The House of Representatives is a forum for robust debate. This is essential to the functioning of a healthy democracy. However, for many Australians, politics has become synonymous with behaviour that is increasingly rowdy, aggressive, and sometimes displays of mob mentality and behaviour, often with little regard for respect or safety of others in the Chamber.
2. Australian workplaces have undergone significant cultural change in recent years, with strong expectations around safety, respect and accountability. Parliament should reflect those same standards. The *Set the Standard* report¹ recommendations ensured that our own workplace keeps pace with the practices we expect of every other workplace across Australia. This should also extend to the behaviour in the Chamber. Passionate exchanges should and debate should not err into intimidation, harassment, bullying by individual MPs or a mob mentality and behaviour.
3. Since becoming the Member for Warringah in 2019, I have witnessed, and personally experienced, instances of aggressive and intimidating behaviour in the Chamber by individual and numerous MPs behaving like a mob. During Question Time, crossbench Members, particularly women, have at times been met with persistent heckling, Members shouting over the top of us, and behaviour clearly designed to drown out or diminish our contributions. This would be entirely unacceptable in any modern workplace.
4. In a widely reported incident, I rose to speak against a motion from the then-Leader of the Opposition which accused the Prime Minister of misleading the House on the process of granting visas to those in Gaza. In speaking against the motion, I was inundated with interjections from the Opposition front and backbenchers. The interjections were disrespectful, harassing and intimidating. They undermined my contribution to the Chamber and were an attempt to bully me into silence.

¹ *Set the Standard: Report on the Independent Review into Workplaces*, Australian Human Rights Commission, November 2021.

5. It has been clear from this incident, and others, that the Speaker had limited scope to intervene to remove members from the Chamber, especially when there are multiple people making interjections. This is not due to unwillingness, but because the Standing Orders provide insufficient guidance.
6. The Speaker also has little leeway to deal with the mob-like behaviour of multiple MPs making interjections and yelling at an MP. In these situations, it can be difficult to name an individual MP and liken specific comments to them due to overwhelming noise in the Chamber. However, the Standing Orders provide little opportunity for the Speaker to discipline multiple Members, making it difficult to ensure respectful behaviour in the Chamber during these situations. The responsibility and consequences should fall on the leader to be disciplined in situations when it is clear to the Speaker the conduct of the MPs is condoned by the Leader.
7. Current Standing Orders 88 to 96 govern behaviour in the Chamber and outline the actions available to the Speaker, or any occupant of the Chair, to enforce order.
 - a. **Standing Order 88** prohibits Members from referring disrespectfully to the Sovereign, Governor-General or state Governors.
 - b. **Standing Order 89** prohibits offensive words against either House, any Member, or the judiciary.
 - c. **Standing Order 90** prohibits imputing improper motives or making personal reflections on another Member.
 - d. **Standing Order 91** defines disorderly conduct, including obstruction and disregard for the authority of the Speaker, but does **not** explicitly refer to intimidation, harassment or bullying.
 - e. **Standing Orders 92-96** deal with the Speaker's powers to direct a Member to leave, naming Members, suspensions, and maintaining order.
8. In practice, the Speaker relies on precedent set through historic interpretations and applications of the Standing Orders to determine what may or may not constitute disorderly conduct. This approach can cause problems as it reflects historical norms rather than the expectations of a contemporary Parliament or the values of modern Australia.
9. To address this, the Standing Orders could be strengthened to give the Speaker clearer guidance and greater leeway to enforce behavioural rules in a timely and consistent manner.

10. Like an explanatory memorandum that accompanies legislation, a statement which explains the intent of the Standing Orders would give the Speaker greater discretion in applying them to modern Australian values. It would operate as a practical tool for the Speaker, clarifying expectations and supporting effective enforcement.
11. The explanatory statement would also clarify the types of behaviour covered under relevant clauses as well as explain how intent and impact may be assessed. Providing this guidance would promote fairness, consistency and transparency in the Speaker's decision-making, while aligning the culture of the Chamber with contemporary Australian workplace standards.
12. Further, where it's not possible for the Speaker to name an MP due to the numerous interjections from a number of MPs, the Speaker should have greater discretion to apply the Standing Order to groups of people, including whole Parties. The Speaker should also be able to hold a Leader of a Party accountable for the actions of numerous MPs, especially where that Leader has inadvertently allowed that behaviour to occur.

Recommendation 1:

An explanatory statement to be drafted to accompany the Standing Orders, allowing greater discretion for the Speaker to interpret and enforce the Standing Orders to align with expectations and value of modern Australia.

Recommendation 2:

Update the Standing Orders to provide greater discretion to the Speaker to apply disciplinary measures to a group, whole Party, or the Leader on behalf of their Party, if the Speaker believes it's necessary to do so.

Greater Discretion to Combat Disorderly Conduct

13. In submissions to the *Set the Standard* report, it described this Chamber culture as “toxic”² and highlighted the need for cultural and procedural reform to eliminate this sexist, exclusionary, and discriminatory behaviour.³ The report highlighted the clear legal obligation to ensure, like all other workplaces, that Parliament is a place that is respectful, inclusive and safe.
14. Reforms arising from the *Set the Standard* report included the implementation of the Behaviour Code of Conduct for Parliamentarians (Code of Conduct).⁴ The Report recommended that, at a minimum, the Code addressed the current legal requirements that prohibited bullying, sexual harassment, sexual assault and workplace discrimination.⁵ While, the Code applies broadly to parliamentarians and staff in the course of their official role or employment, including in Parliamentary offices, online, via phone or text message or via social media. It does not extend to the behaviour in the Chamber. The report fell short of recommending the Code of Conduct to apply in the House of Representatives Chamber due to the overriding principle of parliamentary privilege.
15. Australians have a right to be safe at work which is free from psychological harm.⁶ Our workplace and anti-discrimination legislation explicitly prohibits bullying, harassment and discrimination from occurring within the workplace.⁷ These requirements apply to Parliamentary offices, and across Parliament House. Unfortunately, Chamber behaviour can fall short of these standards, creating an environment that would be unacceptable in any other workplace.
16. At present, when intimidation, harassment or bullying occurs, it is often left to the Speaker to interpret in the moment, with very limited textual guidance in the Standing Orders. This is particularly difficult where conduct has not previously been ruled upon or is ambient and collective (e.g., mob-like shouting or jeering). Clearer rules would assist the Speaker and help ensure prompt intervention so

² See, for example, *Set the Standard: Report on the Independent Review into Workplaces*, Australian Human Rights Commission, November 2021, pp. 84, 85 and 124.

³ *Set the Standard: Report on the Independent Review into Workplaces*, November 2021, Australian Human Rights Commission, Recommendation 10.

⁴ Independent Parliamentary Standards Commission, Behaviour Code for Australian Parliamentarians, <https://www.ipsc.gov.au/behaviour-codes-and-standards/behaviour-code-australian-parliamentarians#purpose-of-parliamentarians-behaviour-code>.

⁵ *Set the Standard: Report on the Independent Review into Workplaces*, November 2021, Australian Human Rights Commission, Recommendation 21.

⁶ See, *Work Health and Safety (Managing Psychosocial Hazards at Work) Code of Practice 2024*

⁷ See, for example, section 789FD of the *Fair Work Amendment Act 2013* (Cth), section 28A of the *Sex Discrimination Act 1984* and section 18C of the *Racial Discrimination Act 1975*.

that debate can return to being productive and members are not objected to bullying, harassing, intimidating or otherwise unlawful conduct.

17. At the beginning of this Parliamentary term, I proposed a change to Standing Order 91 to address this gap by clarifying what constitutes disorderly conduct. This has been included as part of the submission at **Appendix A**. The amendment adds a new clause (f), which states:

(f) been considered by the Speaker to have behaved in a disorderly manner, including behaviour that is intimidating, harassing or bullying.

18. This amendment would benefit the Speaker by ensuring that disorderly conduct can be quickly addressed and allow the debate to promptly return to being productive.
19. In addition, this amendment would ensure that the House reflects the standards of a contemporary Australian workplace by providing clarity and empowering the Speaker to act decisively when conduct crosses the line from robust debate into intimidation or harassment.
20. Cultural change can be difficult. Yet, through codifying clearer authority for the Speaker. It would allow for faster rulings and a greater shift towards respectful behaviour. It would ensure that parliamentary privilege and freedom of speech is preserved for debate but not misused as a shield for harmful conduct.

Recommendation 3:

Amend Standing Order 91 to include a new clause (f) to explicitly define disorderly conduct to include behaviour that is intimidating, harassing or bullying.

APPENDIX A: Proposed amendment to Standing Order 91

2025

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Proposed amendments to standing orders

(Amendment to be moved by Ms Steggall to the motion moved by the Leader of the House)

That standing order 91 be amended as follows:

91 Disorderly conduct

A Member's conduct shall be considered disorderly if the Member has:

- (a) persistently and wilfully obstructed the House;
 - (b) used objectionable words, which he or she has refused to withdraw;
 - (c) persistently and wilfully refused to conform to a standing order;
 - (d) wilfully disobeyed an order of the House;
 - (e) persistently and wilfully disregarded the authority of the Speaker; or
 - (f) been considered by the Speaker to have behaved in a disorderly manner, including behaviour that is intimidating, harassing or bullying.
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