

The Senate

Committee of Privileges

Persons referred to in the Senate

Miss Lisa Hay

Dr Geoffrey Robinson

170th Report

March 2018

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ISBN 978-1-76010-757-4

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Committee contact details

Committee of Privileges

The Senate

PO Box 6100

Parliament House

CANBERRA ACT 2600

Telephone: (02) 6277 3360

Facsimile: (02) 6277 3199

Email: priv.sen@aph.gov.au

Internet: www.aph.gov.au

Report

1.1 On 12 December 2017, the President of the Senate, Senator the Honourable Scott Ryan, received two submissions from individuals seeking redress under the resolution of the Senate of 25 February 1988 relating to the protection of persons referred to in the Senate (Privilege Resolution 5). The first submission was from Miss Lisa Hay and the second from Dr Geoffrey Robinson.

1.2 Both submissions referred to a speech by Senator Burston in the Senate on 6 December 2017. The President accepted the submissions and referred them to the Committee of Privileges.

1.3 The committee met and, pursuant to paragraph (3) of Privilege Resolution 5, decided to consider both submissions. The terms of both responses, which the committee now recommends for incorporation in *Hansard*, have been agreed to by Miss Hay, Dr Robinson and the committee in accordance with Resolution 5(7)(b).

1.4 The committee draws attention to paragraph 5(6) of the resolution which requires that, in considering a submission under this resolution and reporting to the Senate, the committee shall not consider or judge the truth of any statements made in the Senate or in the submission.

1.5 The committee **recommends**:

That a response prepared by Miss Lisa Hay in the terms specified at Appendix 1, and a response prepared by Dr Geoffrey Robinson at Appendix 2, be incorporated in *Hansard*.

Senator the Hon Jacinta Collins

Chair

Appendix 1

Miss Lisa Hay

Pursuant to Resolution 5(7)(b) of the Senate of 25 February 1988

Reply to speech by Senator Brian Burston

(6 December 2017)

I wish to bring to your attention a speech by Senator Brian Burston on 6 December 2017, that included false accusations against myself.

I want, as allowed for under Resolution 5(1)(B), to correct the record in order to protect my personal and professional reputation. I also wish to express my disappointment that a senator has used parliamentary privilege to spread false allegations.

All allegations are denied by myself. The reality of my encounters with ‘the major’ is very different to the sensational claims made by Senator Burston.

I am not guilty of the accusations put forward in the Senator’s speech and would have been able to demonstrate my innocence had Mr Burston requested.

Senator Burston’s speech has had the effect of seriously defaming me. It has caused me considerable personal anguish and professional harm.

It has exacerbated my physical and mental health conditions, including a previously diagnosed PTSD, severely limiting my ability to pursue my occupation.

I am a librarian currently pursuing further post-graduate studies. My academic reputation is at risk due to this speech.

The allegations were made under the protection of parliamentary privilege, and later published as a video to Senator Burston’s public Facebook page, where it has been shared 11 times and viewed over 1200 times. It has also been published elsewhere online.

I seek the right of reply and ask that my response be published by the Senate or incorporated in Hansard.

Appendix 2

Dr Geoffrey Robinson

Pursuant to Resolution 5(7)(b) of the Senate of 25 February 1988

Reply to speech made by Senator Brian Burston

(6 December 2017)

I wish to bring to your attention a speech by Senator Brian Burston on 6 December 2017, that included false accusations against myself.

I wish, as allowed for under Resolution 5(1)(B), to correct the record in order to protect my professional reputation, and I also wish to express my disappointment that a Senator has used parliamentary privilege to spread false allegations. All allegations are denied by myself.

The reality of my encounters with the individual that he refers to as victim is very different to the sensational claims made by Senator Burston.

I am not guilty of the accusations put forward in the Senator's speech and would have welcomed the opportunity to demonstrate my innocence to Mr Burston.

Senator Burston's speech has had the effect of seriously defaming me and causing me considerable personal anguish and professional harm.

These allegations were made under the protection of parliamentary privilege, and later published as a video to Senator Burston's public Facebook page, where it has been shared 11 times and viewed over 1200 times.

I seek the right of reply and ask that my response be published by the Senate or incorporated in Hansard.

Response to Senator Burston:

The Senator's speech on 6 December 2017 included false allegations against myself.

One of these allegations was that I am a troll '...who attack mostly innocent people to pander to a celebrity.'

The Oxford English Dictionary definition of 'troll' is:

A person who makes a deliberately offensive or provocative online post
<https://en.oxforddictionaries.com/definition/troll>

Earlier in the Senator's statement he referred to un-named 'trolls' and accused them of creating false social media accounts as part of a campaign of harassment against an individual.

As I am identified as a 'troll' later in the speech this implies that I am guilty of this action. This would amount to misusing a carriage service as per S474.17 of the *Criminal Code Act 1995* (Cth).

This claim, which is completely untrue, has had an adverse impact on myself in terms of the resolution:

1. I am a university academic. My employer has a strict social media policy and in recent years one Deakin academic has lost their employment as a consequence of violating this policy. The allegation that I am a 'troll' is a direct threat to my occupation.
2. The suggestion that am I a 'troll' suggests fundamental character deficiencies that would render me unfit to be a university teacher.
3. The Senator claims that as one of the trolls which he identifies I am guilty of the criminal offence of misusing a carriage service which render me liable to dismissal by my employer.