

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

COMMITTEE OF PRIVILEGES

PERSON REFERRED TO IN THE SENATE

(COUNCILLOR MICHAEL SAMARAS)

(47TH REPORT)

MAY 1994

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MEMBERS OF THE COMMITTEE

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Senator Bruce Childs (New South Wales)

Senator John Coates (Tasmania)

Senator Christopher Ellison (Western Australia)

Senator Jim McKiernan (Western Australia)

Senator Robert Woods (New South Wales)

REPORT

1. On 7 May 1994 Councillor Michael Samaras wrote to the President of the Senate, Senator the Honourable Michael Beahan, 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 letter referred to comments included in a notice of motion given by Senator Baume in the Senate on 3 May 1994. The President, having accepted Councillor Samaras' letter as a submission for the purposes of the resolution, referred the letter to the Committee of Privileges on 11 May 1994.
2. The Committee met in private session on 23 May 1994, pursuant to paragraph (3) of Privilege Resolution 5, to consider the submission from Councillor Samaras. In considering the submission, the Committee did not find it necessary to confer with either Councillor Samaras or Senator Baume. After deciding to recommend to the Senate that an agreed statement be incorporated in *Hansard*, the Committee contacted Councillor Samaras, and the statement at appendix 1 has been agreed to by Councillor Samaras and the Committee in accordance with Resolution 5(7b).
3. The Committee recommends:

That a response by Councillor Michael Samaras, in the terms specified at appendix 1, and agreed to by Councillor Samaras and the Committee, be incorporated in *Hansard*.

Margaret Reynolds
Chairperson

**RESPONSE BY COUNCILLOR MICHAEL SAMARAS
AGREED TO BY COUNCILLOR SAMARAS
AND THE COMMITTEE OF PRIVILEGES
PURSUANT TO RESOLUTION 5(7)(b) OF THE SENATE OF
28 FEBRUARY 1988**

I have seen an extract from the Senate *Hansard* of 3 May 1994 which has caused me concern. In a notice of motion, Senator Michael Baume has made a serious allegation against me. The allegation is false.

Senator Baume alleges that I have been involved in electoral fraud. This is untrue. I have never breached any provision of any electoral act. Nor have I ever asked any other person to breach any electoral law. The allegation is simply false. I have never been before a court. I have never been charged with an offence. I have never been arrested. The allegation has no basis.

The distinctive and individualistic grammar employed by Senator Baume in making the false allegation means it is difficult to always comprehend his meaning. On one reading, however, there may be a further allegation that I allowed the improper use of a facsimile machine. This is also untrue.

Senator Baume provides no basis for making his allegation against me. I can assure you, however, that my dealings with the Australian Electoral Commission have always been proper and have been mainly restricted to inspecting the electoral roll. The roll is, of course, a public document and many thousands of Australian citizens have cause to inspect it from time to time. I do not believe that citizens who exercise their right to examine the electoral roll should be named in the Senate as being involved in fraud.

As an elected Councillor on the Wollongong City Council, I fully understand the need to protect the integrity of the electoral system. I am concerned that Senator Baume's false allegation, if left unanswered, may damage my good standing in the community.

MICHAEL SAMARAS