

# PARLIAMENT OF VICTORIA

## LEGISLATIVE ASSEMBLY

### Privileges Committee



# Person referred to in the Legislative Assembly— Cr Peter Clarke

Parliament of Victoria  
Legislative Assembly Privileges Committee

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# Committee membership



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# About the Committee

## Staff

Paul Groenewegen, Assistant Clerk Committees, Legislative Assembly  
Kate Murray, Manager, Procedure Office, Legislative Assembly

## Contact details

**Address** c/o Assistant Clerk Committees, Legislative Assembly  
Parliament of Victoria  
Spring Street  
EAST MELBOURNE VIC 3002

**Phone** 61 3 9651 8555

**Email** [paul.groenewegen@parliament.vic.gov.au](mailto:paul.groenewegen@parliament.vic.gov.au)

**Web** <https://www.parliament.vic.gov.au/la-privileges>

This report is available on the Committee's website.



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# Person referred to in the Legislative Assembly—Cr Peter Clarke

1. On 4 April 2019 Cr Peter Clarke made a submission to the Speaker of the Legislative Assembly seeking redress under Standing Order 227 relating to the protection of persons referred to in the Legislative Assembly.
2. The submission referred to statements made by the Member for Yan Yean, Ms Danielle Green MP, during the grievance debate on 20 February 2019. The Speaker accepted the submission for the purposes of the Standing Order and referred it to the Committee on 10 April 2019.
3. The Committee met in private session on 19 June 2019, adopted the 'Right of Reply Guidance Notes for Applicants' and decided to invite Cr Clarke to prepare a draft response.
4. The Committee met again in private session on 14 August 2019 and noted that Cr Clarke had not responded to the Committee's invitation to prepare a draft response. The Committee resolved to write to Cr Clarke and request that he provide a draft response by 26 August, otherwise the Committee would consider the matter closed.
5. The Committee met again in private session on 28 August 2019 and considered Cr Clarke's response of August 2019. The Committee found that Cr Clarke's draft response did not comply with the requirements of Standing Order 227. The Committee resolved to give Cr Clarke another opportunity to provide a draft response in the required format and required the draft response by 9 September. The Committee subsequently extended this time to 30 September following a request from Cr Clarke.
6. The Committee met again in private session on 30 October 2019 and considered Cr Clarke's response of September 2019. The Committee decided to accept the application for a right of reply under Standing Order 227, subject to Cr Clarke agreeing to some revisions. Cr Clarke subsequently agreed to the revisions. In agreeing to accept the application, the Committee did not consider it necessary to consult further.
7. The Committee met again in private session on 13 November 2019 and agreed to publish Cr Clarke's response in this report.
8. The Committee draws attention to Standing Order 227(9) which requires that, in considering a submission under this Standing Order and reporting to the House, the Committee shall not consider or judge the truth of any statements made in the House or in the response.

**RECOMMENDATION:** That the response by Cr Clarke in the Appendix be published with this report.

**Parliament House  
13 November 2019**

# Appendix

## Response by Cr Peter Clarke under SO 227

### **Job losses for local families pre-Christmas 2018**

Ms Green on 20 February 2019 claimed that ‘Cr Clarke said that Nillumbik would be open for business, but it seems it is not. It seems that the council is responsible for quite a few job losses. It was appalling to see what happened to local families just before Christmas. In a Kennett-esque action, garbage services were contracted out. I think 15 or 16 workers lost their jobs. Right on Christmas they and their families did not have their jobs anymore. That was preceded a little earlier by parks and gardens work being contracted out, so another group of locals lost their jobs.’

This statement is false and untrue. At the Christmas period of 2018 or any time up to the grievance debate of 20 February 2019, there were no job losses for garbage services or in parks and gardens or decisions to contract out these services.

I have falsely been labelled as heartless and uncaring for workers in our municipality and responsible for job losses.

Unless this is corrected it will impact the relationship I have with employees of the municipality and suggest that I do not treat workers fairly and with respect in their workplace and honour the enterprise agreements.

### **Bullying and Behaviour at Council Meetings**

Ms Green then goes on to make unsubstantiated accusations in her grievance debate of 20 February 2019 of regarding bullying by me in particular of women.

She states ‘The bullying that we have seen by Cr Clarke, through the chair, of women—ratepayers—in tears when they dared to ask a question.’

This accusation is wrong and abhorrent to me.

Ms Green has never attended a Nillumbik Council meeting while I have been elected including my two years as Mayor. She has no basis of making this statement. All meetings of Council and Committees are recorded. There is no bullying or women in tears.

There are no complaints submitted to Council regarding my conduct at meetings. Councillors and senior officers are in attendance at all Council meetings and can verify my conduct at all meetings and know that Ms Green’s accusations are wrong and untrue.

I am distressed and disgusted by the accusations. The ramifications of these claims if unchallenged go beyond my civic role and suggest my conduct may be inappropriate in other settings of corporate activities and personal relationships which I find unfair and unacceptable. This allegation must be corrected or it could seriously damage my reputation.

### **Statements attacking my Professional Reputation**

Ms Green makes numerous other untrue and inaccurate attacks upon my professional reputation and character in her Grievance debate of February 20th which I respond to briefly.

A reply correction would ensure that the Hansard of the Victorian Parliament accurately reflects my role with respect to the projects undertaken as a result of grants received by Nillumbik Council. Ms Green seeks to attack my professional reputation as a Development and Project Manager causing a negative impact on my employment and relationship with corporations and entities that engage my professional services.

I choose not to spend more time to correct the public record in detail suffice to say the Nillumbik Council officers can accurately outline why Ms Green is wrong in each and every accusation. I have suffered professional loss as a result of these accusations.



