

PARLIAMENT OF VICTORIA

LEGISLATIVE ASSEMBLY

Privileges Committee



Person referred to in the Legislative Assembly— Ms Sarah Rees

Parliament of Victoria
Legislative Assembly Privileges Committee

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Committee membership



Hon Martin Pakula
Keysborough



Mr David Morris
Mornington



Hon Jacinta Allan
Bendigo East



Hon Ben Carroll
Niddrie



Hon Jill Hennessy
Altona



Mr Frank McGuire
Broadmeadows



Ms Steph Ryan
Euroa



Ms Louise Staley
Ripon



Hon Kim Wells
Rowville

About the Committee

Functions

Extract from the Votes and Proceedings of the Legislative Assembly,
Thursday 21 March 2019:

19 COMMITTEE MEMBERSHIP — Motion made, by leave, and question — That —....
A select committee be appointed to inquire into and report upon complaints of breach of privilege referred to it by the House, right of reply applications referred under SO 227 and any other matter referred to it by the House; and Ms Allan, Mr Guy, Ms Hennessy, Mr McGuire, Mr Morris, Ms Neville, Mr Pakula, Ms Ryan and Mr Wells be members of the Privileges Committee — put and agreed to.

On 18 March 2021 Ms Neville was discharged from the Committee and Mr Carroll appointed in her place.

On 6 October 2021 Mr Guy resigned from the Committee and on 7 October 2021 Ms Staley was appointed in his place.

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This report is available on the Committee's website.

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Recommendation

RECOMMENDATION 1: That no further action be taken in respect of the submission from Ms Sarah Rees.

1

Person referred to in the Legislative Assembly—Ms Sarah Rees

1. On 21 January 2022 Ms Sarah Rees 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 a number of comments made in the House by the Member for Narracan, Mr Gary Blackwood MP. The Speaker accepted the submission for the purposes of the Standing Order and referred it to the Committee on 17 February 2022.
3. Only two of Mr Blackwood's comments referred to by Ms Rees, from 27 October 2021 and 1 December 2021 respectively, were made in the six months prior to the submission to the Speaker. Under Standing Order 227(5)(c), the Committee confined its consideration to these comments.
4. The Committee met in private session on 23 March 2022 and considered Ms Rees' submission in relation to the comments made by Mr Gary Blackwood MP on 27 October 2021 and 1 December 2021. Under Standing Order 227(5)(a), the Committee decided not to further consider the submission.
5. 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 1: That no further action be taken in respect of the submission from Ms Sarah Rees.

**Adopted by the Legislative Assembly Privileges Committee
Parliament of Victoria, East Melbourne
25 May 2022**

Appendix

Extract from Standing Orders

227 Citizen's right of reply procedure

- (1) Where a person (the applicant) has been referred to in the House by name, or in such a way as to be readily identified, he or she can send a written submission (the submission) to the Speaker asking for an appropriate response to be incorporated into the parliamentary record.
- (2) The submission must include a claim that, as a result of the reference:
 - (a) the applicant has been adversely affected:
 - (i) in reputation; or
 - (ii) in relation to dealings or associations with others; or
 - (b) the applicant has been injured in connection with his or her occupation, trade, office or financial credit; or
 - (c) the applicant's privacy has been unreasonably invaded.
- (3) The Speaker will refer the submission to the Privileges Committee (the Committee) if the Speaker is satisfied that:
 - (a) the subject of the submission is not so obviously trivial, or the submission so frivolous, vexatious or offensive in character, as to make it inappropriate that it be considered by the Committee; and
 - (b) that it is practicable for the Committee to consider the submission under this Standing Order.
- (4) When a submission is referred, the secretary of the Committee will contact the applicant to draw his or her attention to the Committee's guidelines for preparing a brief draft statement in a correct form for incorporation.
- (5) The Committee may decide not to consider a submission referred to it if:
 - (a) it considers that the subject of the submission is not sufficiently serious; or
 - (b) it considers that the submission is frivolous, vexatious or offensive in character; or
 - (c) the submission was received more than six months after the relevant comments were made in the House and the applicant has not shown exceptional circumstances to explain the delay—and will report any such decision to the House.

- (6) If the Committee decides to consider a submission, it may hold discussions with the applicant and any member who referred to the applicant in the House.
- (7) The Committee will meet privately when considering a submission.
- (8) The Committee will not publicly release a submission, or its proceedings in relation to a submission, but may present to the House minutes of its proceedings and all or part of a submission.
- (9) In considering a submission and reporting to the House, the Committee will not consider or judge the truth of:
 - (a) any statements made in the House; or
 - (b) the submission.
- (10) In its report to the House, the Committee may make either of the following recommendations:
 - (a) that no further action should be taken by the House in relation to the submission; or
 - (b) that a response by the applicant, set out in the report and agreed to by the applicant and the Committee, should be published by the House or incorporated in Hansard.
- (11) The Committee will not make any other recommendations.
- (12) A document presented to the House under paragraphs (8) or (10):
 - (a) in the case of a response by an applicant, will be succinct and strictly relevant to the questions in issue and will not contain anything offensive in character; and
 - (b) will not contain any matter, the publication of which would have the effect of unreasonably:
 - (i) adversely affecting or injuring a person; or
 - (ii) invading a person's privacy, in the manner referred to in paragraph (2); or
 - (iii) adding to or aggravating any such adverse effect, injury or invasion of privacy.
- (13) The Committee may agree to guidelines and procedures relating to its consideration of submissions, providing they are consistent with this Standing Order.