

The Senate

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Committee of Privileges

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Person referred to in the Senate

Mr Henry Ergas

149th Report

November 2011

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# Report

1.1 On 15 October 2011 the President of the Senate, Senator the Honourable John Hogg, received a submission from Mr Henry Ergas 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).

1.2 The submission referred to an interjection made by Senator Conroy during questions without notice in the Senate on 13 October 2011. The President accepted the submission as a submission for the purposes of the resolution and referred it to the Committee of Privileges.

1.3 The committee met in private session on 3 November 2011 and, pursuant to paragraph (3) of Privilege Resolution 5, decided to consider the submission. The committee resolved to recommend that the response be incorporated in Hansard without change. In considering the submission, the committee did not find it necessary to confer with the person making the submission or with the senator concerned.

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 of the submission.

1.5 The committee **recommends:**

That a response by Mr Henry Ergas, in the terms specified in the Appendix, be incorporated in *Hansard*.

Senator David Johnston  
**Chair**



# **Appendix**

## **Response by Mr Henry Ergas**

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

**Reply to comments by Senator the Hon Stephen Conroy in the Senate**

**(13 October 2011)**

On Thursday 13 October, 2011, Senator Conroy made the following statement in the Senate:

"Henry Ergas went bankrupt".

This statement is completely incorrect and has no basis in fact. It is plainly derogatory and had it been made outside Parliament, would have given rise to proceedings for defamation.

I therefore request that a correction be promptly entered in Hansard stating:

"Senator Conroy's statement is completely incorrect and has no basis in fact."

Yours sincerely,

Henry ERGAS