
The Parliament of the Commonwealth of Australia

**Report concerning an
application from
Ms Teresa Harding for the
publication of a response to a
reference made in the
Federation Chamber**

House of Representatives
Committee of Privileges and Members' Interests

November 2024
Canberra

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Membership of the committee

Chair Mr Rob Mitchell MP

Deputy Chair Mr James Stevens MP

Members Hon Scott Buchholz MP

Mr Cameron Caldwell MP (from 27 November 2023)

Hon Darren Chester MP

Ms Sharon Claydon MP

Dr Carina Garland MP

Hon Alex Hawke MP (nominee of the Deputy Leader of the Opposition)

Dr Daniel Mulino MP

Ms Alicia Payne MP

Ms Joanne Ryan MP

Ms Anne Stanley MP (nominee of the Leader of the House)

Mr Andrew Wilkie MP

This committee is supported by staff of the Department of the House of Representatives

- 1.1 Ms Teresa Harding, Mayor of the City of Ipswich, has made an application, under the procedure adopted by the House on 27 August 1997, for the publication of a response to a reference made in relation to her by Hon Shayne Neumann MP on 12 August 2024 in the Federation Chamber.
- 1.2 In considering the submission from Ms Harding, the committee has had regard to the terms of the House's resolution of 27 August 1997 (reproduced at Appendix 1) and the guidelines which the committee has developed under paragraph (9) of the resolution (reproduced at Appendix 2).
- 1.3 The committee finds that a response from Ms Harding is not warranted in light of all the circumstances of the matter, including that the remarks made on 12 August 2024 were of a political nature, and did not amount to a clear, direct and personal attack or criticism.
- 1.4 In coming to this conclusion, the committee notes, as required by the resolution of the House, that it has not considered or judged the truth of the statement made by the Member for Blair or by Ms Harding in seeking a response.
- 1.5 The committee recommends that no further action be taken by the House or the committee in respect of Ms Harding's submission.

Appendix 1

Right of reply of persons referred to in the House

Resolution adopted 27 August 1997

That:

(1) Where a person who has been referred to by name, or in such a way as to be readily identified, in the House, makes a submission in writing to the Speaker:

(a) claiming that the person has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person's privacy has been unreasonably invaded, by reason of that reference to the person; and

(b) requesting that the person be able to incorporate an appropriate response in the parliamentary record;

and if the Speaker is satisfied:

(c) that 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 of Privileges and Members' Interests; and

(d) that it is practicable for the Committee of Privileges and Members' Interests to consider the submission under this resolution,

the Speaker shall refer the submission to that Committee.

(2) The Committee may decide not to consider a submission referred to it under this resolution if the Committee considers that the subject of the submission is not sufficiently serious or the submission is frivolous, vexatious or offensive in character, and such a decision shall be reported to the House.

(3) If the Committee decides to consider a submission under this resolution, the Committee may confer with the person who made the submission and any Member who referred in the House to that person.

(4) In considering a submission under this resolution, the Committee shall meet in private session.

(5) The Committee shall not publish a submission referred to it under this resolution or its proceedings in relation to such a submission, but may present minutes of its proceedings and all or part of such submission to the House.

(6) In considering a submission under this resolution and reporting to the House the Committee shall not consider or judge the truth of any statements made in the House or of the submission.

(7) In its report to the House on a submission under this resolution, the Committee may make either of the following recommendations:

(a) that no further action be taken by the House or by the Committee in relation to the submission; or

(b) that a response by the person who made the submission, in terms specified in the report and agreed to by the person and the Committee, be published by the House or incorporated in *Hansard*,

and shall not make any other recommendations.

(8) A document presented to the House under paragraph (5) or (7):

(a) in the case of a response by a person who made a submission, shall be succinct and strictly relevant to the questions in issue and shall not contain anything offensive in character; and

(b) shall not contain any matter the publication of which would have the effect of:

(i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy, in the manner referred to in paragraph (1); or

(ii) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.

(9) The Committee may agree to guidelines and procedures, not inconsistent with this resolution, to apply to the consideration by it of submissions.

(10) This resolution shall continue in force unless and until amended or rescinded by the House in this or a subsequent Parliament.

Appendix 2

Protection of persons referred to in the House

Guidelines made under clause 9 of the resolution of the House of 27 August 1997, amended 13 February 2008 am Supplementary to the provisions of the resolution

The Committee of Privileges and Members Interests will consider each application for the publication of a response on its merits, but proposes that the following guidelines apply to the procedure:

- (1) an application must be received within 3 months of the making of the statement to which the person wishes to respond unless, because of exceptional circumstances, the committee agrees to consider an application received later;
- (2) applications should only be considered from natural persons, they should not be considered if lodged by or on behalf of corporations, businesses, firms, organisations or institutions;
- (3) applications should only be considered from persons who are Australian citizens or residents;
- (4) an application must demonstrate that a person who is named, or readily identified, has been subject to clear, direct and personal attack or criticism, and has been damaged as a result;
- (5) applications must be concise, be in the character of a refutation or explanation only and must be confined to showing the statement complained of and the person's response and must not contain any offensive material;
- (6) applications concerning statements made in the Federation Chamber may be considered;
- (7) applications should not be considered from persons who wish to respond to a statement or remarks made in connection with the proceedings of a standing or select committee – such persons should contact the committee direct on the matter; and
- (8) in considering applications, the committee will have regard to the existence of other remedies that may be available to a person referred to in the House and whether they have been exercised.