



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY



COMPLAINING ABOUT A MEMBER
OF THE LEGISLATIVE ASSEMBLY

A Commissioner for Standards is appointed by the Speaker, after consultation with the Chief Minister, the Leader of the Opposition and crossbench members, at the beginning of each Assembly. The Commissioner investigates complaints about breaches, by MLAs, of the Members' Code of Conduct or the rules governing the registration or declaration of interests.

Currently, the Assembly's Commissioner for Standards is the Honourable Ken Crispin QC.

The instrument appointing the Legislative Assembly Commissioner for Standards, and which prescribes the duties of the Commissioner, can be accessed at <http://www.parliament.act.gov.au/members/commissioner-for-standards>.

HOW TO MAKE A COMPLAINT

Write to the Speaker setting out the complaint and make sure to include any supporting evidence. The Speaker's address is on the back page of this leaflet.

If the complaint is about the Speaker, any correspondence should be addressed to the Deputy Speaker.

The complaint should be received in hard copy, should be signed and show your full name and address.

WHAT HAPPENS NEXT

If the Speaker or Deputy Speaker believes, on reasonable grounds, there is sufficient evidence to justify investigating the matter, and the complaint is not frivolous, vexatious or only for political advantage, the Speaker or Deputy Speaker may refer the complaint to the Commissioner for Standards for investigation and report.

On receipt of the complaint from the Speaker or Deputy Speaker, the Commissioner will determine whether the complaint warrants investigation. Should the terms of the complaint seem unclear, the Commissioner may seek clarification from you.

The Commissioner's deliberations are confidential and are protected by parliamentary privilege.

THE END OF THE PROCESS

If the Commissioner decides that:

- the Member or Speaker has agreed that he or she has failed to register or declare an interest that is minor or inadvertent; or
- the Member or the Speaker has taken action to rectify the failure as the Commissioner may have required within any procedure approved by the Standing Committee on Administration and Procedure (the Committee) for this purpose;

the Commissioner will not present a report to the Committee and will advise you in writing of this decision.

If, however, the Commissioner finds that the breach of the Code of Conduct or the rules relating to the registration or declaration of interests is serious, the Commissioner will submit a report to the Committee.

The Committee will then determine what action will be taken against the Member or the Speaker and will include its recommendation in a report to the Legislative Assembly.

PROTOCOLS FOR INVESTIGATING COMPLAINTS AGAINST MEMBERS

The protocols for investigating complaints, as endorsed by the Commissioner for Standards and the Standing Committee on Administration and Procedures, can be accessed at <http://www.parliament.act.gov.au/members/commissioner-for-standards>.

CONTACT DETAILS

Speaker

Address: Office of the Speaker
Legislative Assembly for the ACT
Civic Square
London Circuit
(GPO Box 1020)
Canberra ACT 2601

Phone: (02) 6205 0439

Email: speaker@parliament.act.gov.au

Deputy Speaker

Address: Office of the Deputy Speaker
Legislative Assembly for the ACT
Civic Square
London Circuit
(GPO Box 1020)
Canberra ACT 2601

Phone: (02) 6205 0439

Email: porter@parliament.act.gov.au

Clerk

Address: Office of the Clerk
Legislative Assembly for the ACT
Civic Square
London Circuit
(GPO Box 1020)
Canberra ACT 2601

Phone: (02) 6205 0173

Email: clerk@parliament.act.gov.au

Useful links

- Commissioner for Standards (<http://www.parliament.act.gov.au/members/commissioner-for-standards>)
- Code of Conduct for Members (<http://www.parliament.act.gov.au/members/commissioner-for-standards>)
- Ethics and Integrity Adviser (<http://www.parliament.act.gov.au/members/ethics-and-integrity>)
- Declarations of Members' Interests (<http://www.parliament.act.gov.au/members/declarations-of-interest>)
- Standing Committee on Administration and Procedure (http://www.parliament.act.gov.au/in-committees/standing_committees/administration_and_procedure)