



Mr Michael Pettersson MLA
Chair

Select Committee on Privileges 2019
ACT Legislative Assembly
GPO Box 1020
CANBERRA ACT 2601

Dear Mr Pettersson

Michael

Thank you for your letter dated 11 April 2019 relating to an alleged disclosure of privilege documents provided to the Standing Committee on Health, Ageing and Community Services (HACS Committee). As outlined in your letter, I raised the potential matter of privilege with the Speaker. Please see below an outline of why I believed there to be a potential matter of privilege, and my concerns.

As you are aware, HACS is undertaking an inquiry into Maternity Services in the ACT. As part of the inquiry process the Committee asked for submissions relating to its Terms of Reference. In early February, HACS received a submission from a person who identified as a midwife outlining a number of concerns impacting women and their babies, as well as staff in the hospital.

As is normal practice, the Submission (Submission 39) was redacted prior to publication to ensure there was no identifying characteristics.

In the ensuing days, the media published several articles relating to information presented in Submission 39. Members of the Legislative Assembly also picked up on the information presented in Submission 39 and asked multiple questions without notice to the Minister for Health and Wellbeing during the sitting weeks.

As a result of the media coverage, HACS received a letter from the CEO of Canberra Health Services, Ms Bernadette Walker, requesting that further redactions be made to Submission 39. Ms Walker raised concerns that because of information contained in Submission 39 as published, staff were able to be easily identified.

On Thursday 4 April 2019, I arrived at my office and started to read the Canberra Times. An article had been published which had quotes which appeared to be from the letter received by HACS from Ms Walker. On reading the article, I felt the quotes were directly from the letter sent to HACS from Ms Walker.

It was at this stage I re-read the letter saved in the Committees L Drive file which confirmed the quotes in the Canberra Times article were direct quotes from the letter.



My immediate concerns were how this information was provided to the Canberra Times, as to my knowledge the HACS Committee were the only recipients.

I raised my concerns with the Speaker, outlining the fact that the quotes in the Canberra Times were extracts from the letter, and that to my knowledge this information was not available to anyone but HACS Committee members.

I have since realised that when the letter was sent to the HACS Committee, via email, there were some staff from Canberra Health Services.(I presume) copied in to the email.

Considering this, I have concerns there has been a breach of Standing Orders, namely 277 (p), which in turn has had a tendency to substantially interfere with the work of the HACS Committee. These concerns arise as the HACS Committee did not publish the letter in question. It may also be the case that other information confidential to this HACS inquiry has been disclosed without authorisation.

Yours Sincerely

A handwritten signature in pink ink, appearing to read "Bec Cody".

Bec Cody MLA

3 May 2019.