



SENATOR THE HON ZED SESELJA
Senator for the Australian Capital Territory

Ms Joy Burch MLA
Speaker
ACT Legislative Assembly
CANBERRA ACT 2601


Dear Speaker

I refer to your letter of 14 October 2021 to all Federal Senators to convey that the Australian Capital Territory (ACT) Legislative Assembly passed a resolution regarding the issue of assisted suicide on 8 October 2021. I am writing to alert you to the inaccurate and misleading nature of the correspondence you have authored.

Specifically, I refer you to Section 1(f) of the resolution which states:

“at the explicit request of ACT Liberal Senator Zed Seselja, the Ensuring Northern Territory Rights Bill 2021 (Cth) deliberately excludes the ACT from any removal of a restriction on legislating on VAD;”

This statement is categorically false and inaccurate. At no stage did I request – either explicitly or implicitly – that the ACT be removed from the legislation referred to in the resolution. The preparation and drafting of this legislation were entirely a matter for Senator for the Northern Territory Dr Sam McMahon.

Attached is a copy of correspondence from Senator McMahon to ACT Labor Senator Katy Gallagher making clear that the drafting of the relevant legislation was entirely her own responsibility. I refer you in particular to this section of Senator McMahon’s letter:

I can categorically confirm that I made the decision of my own accord as a Senator for the NT to prepare legislation affecting the people of the NT to only include the NT. I considered it would not be appropriate for me as an NT representative to prepare Private Senators’ legislation affecting the citizens of any other jurisdiction. I can further confirm to you that at no stage in my conversations with Senator Seselja did he instruct me on how I should draft my legislation.

I would note that the *Canberra Times* reported on this letter and its contents on 24 July, 2021 therefore these facts were already public knowledge well in advance of when this resolution was considered.

I am alarmed that the Assembly has adopted a resolution containing such serious inaccuracies and falsehoods. I am further concerned that you have been put in the embarrassing position of diminishing the office and institution of Speaker by formally conveying a false and misleading resolution to Federal Senators.

Ministers Cheyne and Rattenbury who sponsored this resolution have either deliberately misled the Assembly or have been grossly incompetent in failing to ascertain the veracity of their own resolution.

As you would no doubt be aware, the Code of Conduct for all Members of the Legislative Assembly of the ACT explicitly provides:

(1). Members should at all times act with integrity, honesty and diligence.

Evidently and disappointingly, the very first principle of the Code of Conduct has been breached in this instance. To put it bluntly, by peddling false information in a letter which asks the Federal Parliament to give greater autonomy to the ACT Assembly you do your cause a grave disservice.

I have copied this letter to all Senators to ensure they do not draw false conclusions based on a dishonest assertion.

Yours sincerely



Senator the Hon Zed Seselja
Senator for the Australian Capital Territory

9 / 11 /2021