



# Legislative Assembly for the Australian Capital Territory

Standing Committee on Administration  
and Procedure

## Report on the conduct of Mr Parton MLA

Legislative Assembly for the Australian Capital Territory

Standing Committee on Administration and Procedure

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Approved for publication

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Report 1  
11<sup>th</sup> Assembly  
February 2025

# About the committee

## Establishing resolution

The Standing Committee on Administration and Procedure Committee is established pursuant to Standing Order 16:

16. (a) A Standing Committee on Administration and Procedure is established at the commencement of each Assembly to:
- (i) undertake self-referred inquiries or inquiries referred by the Assembly and, in addition, the committee shall inquire into and report on the operation of the standing orders and continuing resolutions of the Assembly by the end of the third year of an Assembly term, with a view to ensuring that the practices and procedures of the Assembly remain relevant and reflect best practice;
  - (ii) advise the Speaker on:
    - (A) Members' services and facilities;
    - (B) the operation of the transcription service (*Hansard*);
    - (C) the availability to the public of Assembly documents; and
    - (D) management of the Assembly precincts including Work Health;
  - (ia) develop a guidance note for all Members outlining who is responsible for the various undertakings and activities of the Legislative Assembly, recognising the unique working environment of the Legislative Assembly, within 6 months of the commencement of a new term;
  - (iii) arrange the order of private Members' business and Assembly business; and
  - (iv) as required by continuing resolutions of the Assembly, consider, inquire and report on matters relating to citizen's right of reply, claims of parliamentary privilege, reports of the Commissioner for Standards and the Ethics and Integrity Adviser and the implementation of Latimer House Principles.
- (b) the Committee shall consist of:
- (i) the Speaker;
  - (ii) the Government whip;
  - (iii) the Opposition whip; and
  - (iv) a representative of the crossbench (or if a single party, the whip of that party);
- (ba) Should a whip be unable to attend a meeting, the Party nominated deputy whip may attend in their place;

- (c) the Speaker shall be the Chair of the Committee; and
- (d) the Committee shall have the power to consider and make use of the evidence and records of the Standing Committee on Administration and Procedure appointed during the previous Assemblies.

## Committee members

Mr Mark Parton MLA, Chair

Ms Caitlin Tough MLA, Deputy Chair

Mr Ed Cocks MLA

Miss Laura Nuttall MLA

## Secretariat

Tom Duncan, Committee Secretary

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## Terms of Reference

The terms of reference for this inquiry are set out in Continuing Resolution 5AA – Commissioner for Standards (see Appendix B) and Continuing Resolution 5 – Code of conduct for all members of the Legislative Assembly for the Australian Capital Territory (see Appendix C).

## About this inquiry

Under Continuing Resolution 5 and 5AA, complaints against Members who may have breached the Members Code of Conduct (The Code) can be raised with the Commissioner for Standards, who will determine if an investigation is required, and if so, provide a report of the investigation to the Standing Committee on Administration and Procedure (The Committee).

The Committee, in considering any reports from the Commissioner, is mindful that the Commissioner, while conducting an investigation, may only make determinations and recommendations on the conduct of Members, not their staff regardless of the circumstances.

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## Recommendations

### **Recommendation**

The Committee recommends that no further action be taken in relation to this matter.

# 1. Introduction

- 1.1. On 29 January 2025, the Commissioner for Standards received a complaint from Mr Patrice Gauthier, concerning the “advertising of a local bike shop” by Mr Mark Parton MLA.
- 1.2. Mr Gauthier questioned the appropriateness of a sitting MLA promoting an individual business; the connection of the MLA to the shop; and the protentional for unconscious bias in future dealings.
- 1.3. A copy of the Commissioner’s report is attached at Appendix A.

## 2. Conduct of the Commissioner's inquiry

- 2.1. The Commissioner's investigation was conducted in accordance with the protocols adopted by the Standing Committee on Administration and Procedure on 24 March 2015 (revised August 2017, August 2019, February 2022, 31 August 2023, 6 February 2024 and 14 May 2024).
- 2.2. The Commissioner received the complaint on 30 January 2025.
- 2.3. The Commissioner contacted Mr Parton with a series of questions to which Mr Parton provided a fulsome response
- 2.4. The Commissioner provided a draft copy of his report to Mr Parton on 7 February 2025 inviting him to respond, advise of any correction required and any comments he wished to make. Mr Parton responded on 8 February with a minor correction.
- 2.5. The Commissioner provided his report to the Standing Committee on Administration and Procedure on Monday, 10 February 2025.

### **3. The Commissioner's findings**

The Commissioner recommended that the complaint against Mr Parton be dismissed

## 4. The Committee's consideration of the Commissioner's report

- 4.1. Mr Parton, as Chair of the Standing Committee on Administration and Procedure, having received a copy of the Commissioner's report, advised the Committee that he would stand aside for the Committee's deliberation on the report. Ms Caitlin Tough MLA, as Deputy Chair, undertook the role of Chair for the purposes on this report.
- 4.2. The Committee, at its meeting on 17 February 2025 and, in accordance with continuing resolution 5AA, considered the report of the Commissioner for Standards relating to a complaint against Mr Parton MLA, raised by a member of the public.
- 4.3. The Committee agreed with the findings of the Commissioner for Standards that Mr Parton MLA had not breached the Code of Conduct.
- 4.4. The Committee noted the Commissioner's comments relating to paragraph (B)(4) which provides that:
- Members should always act in the public interest, make decisions and choices on merit, and not seek to gain financial or other benefit for themselves, their family or friends.*
- 4.5. The Commissioner highlighted that there was no evidence that Mr Parton sought financial or other gain, the suggestion by Mr Gauthier that Mr Parton might be receiving a benefit from the bike shop owner was speculative at best.
- 4.6. The Commissioner did note that Members often make statements promoting local businesses and they are usually based on their personal experience of the service they received and their own assessment. The only question that arises is the motivation for the endorsement or mention.

### Recommendation

The Committee recommends that no further action be taken in relation to this matter.



Caitlin Tough MLA  
Deputy Chair

18 February 2025

# Appendix A: Report of the Commissioner for Standards

## COMPLAINT CONCERNING MR MARK PARTON MLA

### The complaint

1. On 29 January 2025 Mr Patrice Gauthier made a complaint concerning the conduct of Mr Mark Parton in what she described as “advertising a local bike shop.” He enclosed what appears to be the opening image of a video showing Mr Parton outside a shop called “Cycle Surgery”. The words “Mark Parton MLA” are superimposed on his picture and they are followed by the words “The broken glass on the Monaro us next level. Pedal Power ACT #canberra #tuggeranong.”
2. A copy of the image is enclosed.
3. Mr Gauthier asks:
  - *is this allowed for a sitting MLA to blatantly promote one bike shop?*
  - *What connection has he to this shop?*
  - *Will he not receive unconscious bias from the shop regarding costs he incurs when having his bike repaired?*
4. The complaint was referred to me on 30 January 2025.

### The investigation

5. After considering the complaint and reviewing the potentially relevant clauses of the *Code of conduct for all members of the Legislative Assembly for the Australian Capital Territory* (the Code of Conduct) I wrote to Mr Parton later that day, inviting him to respond to the complaint. I mentioned that he was, of course free to make any comments he might consider appropriate, but said that I would be grateful if he would address the questions Mr Gauthier has asked and also respond to the following questions:
  - *Did you authorise the material in question?*
  - *How did you anticipate the material would be published and/or disseminated?*
  - *Did you receive any payment, discount from repair costs or other benefit related to the production or use of the material?*
  - *Are the proprietors of the bike shop relatives or friends?*
  - *Have you had any contact with the proprietors of the bike shop during the course of your duties as a Member of the Assembly?*
  - *Has you been involved with any business of the Assembly that affected or might have affected the interests of bike shop proprietors?*
6. Mr Parton responded on 6 February providing a detailed refutation of the complaint that included the following statements:

1. *The video in question does not blatantly promote a bike shop.*
2. *I'm a long term customer of the bike shop dating back to 2008*
3. *I can't determine whether there will be unconscious bias in any business transaction, but I certainly haven't gone about trying to create unconscious bias.*
4. *I created the content and posted it, so in essence, I did authorise it.*
5. *Once I hit post, the material was published.*
6. *Of course I didn't receive any payment, discount or any other benefit.*
7. *I would describe Simon from Cycle Surgery as a friend, simply on the basis that I've been a customer of his for well over a decade.*
8. *I have not had any contact with Simon regarding Assembly business.*

7. Mr Parton explained that:

*Elected members in every jurisdiction in this country must continually engage with their constituents and communities. They do it in a number of ways. Some members, like me, do much door knocking in the suburbs. Additionally, they do Shopping Centre/Mobile Office stalls whereby they stand at a shopping centre next to an A-frame conversing with passing shoppers. Elected members also attend many community events, either in an unofficial capacity or as invited guests as well as local sporting fixtures. And we go out of our way to actively participate in the local retail economy. That participation is often reflected on our social media channels with 'shout-outs' to local coffee shops, restaurants and other businesses and it's seen as the Member embracing his or her local community and encouraging constituents to shop local.*

*Just about every local member does it. And they do it multiple times during the year. Sometimes those social media mentions will be in relation to something that's in the media cycle or that is a part of the current political narrative, but often they are just good-natured business mentions.*

8. In support of the latter contention, he provided a list of many occasions upon which local businesses had been promoted in the social media accounts of other Members of the Legislative Assembly during 2024 and screenshots of a large number of such posts.
9. Mr Parton then addressed the specific video that was the subject of the complaint, explaining that:

*Regarding the specific matter that has been referred to you, I made a pictorial post on various platforms on January 17<sup>th</sup> eluding to the fact that I had ridden the bike to work for the first time in the year, but that ride had resulted in a puncture on the Monaro Highway. The post featured three photos, one of me changing the tube on the side of the Monaro Highway, a screenshot of my ride route from the Strava app and a picture of me in the Speakers office having arrived at work that morning. The post discusses the amount of glass and debris on the shoulder of the Monaro Highway. Over that weekend, I had a face to face conversation with City Services Minister about the glass issue and indicated that I would be raising it more formally. She suggested that the road may look worse than it actually is because of a different type of hot mix that was being used that has glass fragments in it. I suggested that this was not a big contributing factor at all.*

*Closer examination of my bike revealed that the glass had not just damaged the tube, it had also severely damaged the actual tyre, which was brand new. I took a photo of that damage and posted a single pic entry on Facebook and Instagram to show people the damage. As much of my social media traction comes from short form video, I felt the need to further emphasise the message about the unacceptable level of debris on the road shoulder by making video when I went to get the tyre fixed. I took the tyre to Simon from the Cycle Surgery, who I have done business with for nearly 20 years. I do use other bike repair shops as well, but Simon really knows his stuff and after repairing the puncture out on the Monaro some days earlier, I'm always a little wary about whether I've put everything back the way it's supposed to be. So I went out to see Simon late on January 21<sup>st</sup>*

*I made video about the Monaro Highway drama and indicated that my bike was being fixed at Cycle Surgery. I thought it was important to show people that this sort of damage costs money to fix and that I needed to pay a professional to do it. I didn't advise Simon that I was making the video. I didn't tag his business in the post and I didn't tell him that I had posted it. I know that Simon doesn't spend a great deal of time on social media and it certainly would not have surprised me if he never became aware of the video.*

*I paid for the services and the new tyre at the end of the job and left.*

*I have written to Simon to get him to respond to these matters and the email is attached.*

*I must also bring up that, most of the posts by other mentioning businesses have no other theme other than to plug the business. My mention of the Cycle Surgery was done in the context of series of posts, leading up to my party prosecuting a line of questioning both in the chamber and at Annual Reports.*

10. He also provided a copy of the email he obtained from “Simon - Cycle Surgery” stating:

*I did not give you a discount.*

*The relationship between us has always been a customer/service provider relationship which started in 2010 when you purchased your bicycle from me ....*

*You've never made contact, nor have we had discussion in relation to your duties as a MLA.*

11. There is nothing in the comments made by Mr Gauthier or any other evidence that causes me to doubt the truth of these explanations and I concluded that no further investigation was required.
12. A draft copy of this report was sent to Mr Parton late on 7 February 2025. He replied on 8 February 2025 suggesting a minor correction which has now been incorporated.

## **The Issues**

13. I have no reason to doubt that statements endorsing to promoting local businesses are frequently made by Members of the Assembly and that such statements may be in the public interest. However, there are some ethical requirements that should be kept in mind.
14. I should mention that *The Legislative Assembly (Broadcasting) Act 2001* and the Guidelines made pursuant to it apply only to the recording or broadcast of public proceedings of the Assembly and have no application to videos such as the one that is the subject of this complaint.
15. However, the Code of conduct contains a number of provisions that may sometimes be relevant.
16. Paragraph (B)(2) provides that:

*Members should act only in the interests of, and with respect for, the people of the Australian Capital Territory and in conformity with all laws applicable in the Territory.*

17. There is no reason to doubt that Mr Parton genuinely believed that his promotion of the business was in the interests of the people of the Australian Capital Territory. He had personal experience of the quality of the services provided by it over many years. His post was also apparently intended to highlight a danger caused by glass and debris on the shoulder of the Monaro Highway and garner support for government action to have it removed.
18. Paragraph (B)(4) provides that:

*Members should always act in the public interest, make decisions and choices on merit, and not seek to gain financial or other benefit for themselves, their family or friends.*
19. Whilst this requirement obvious applies only to actions taken as a Member of the Legislative Assembly, the fact he described himself in the video as “Mark Parton MLA” suggests that he intended people to understand that he was acting in that capacity rather than as a private citizen.
20. However, there is no evidence to suggest that he sought any financial gain or other personal benefit from his actions. As mentioned earlier, Mr Gauthier suggests that there is a possibility of him receiving a benefit due to unconscious bias from the shop owner regarding any costs he incurs when having his bike repaired in the future. However, this is an entirely speculative suggestion and there is no reason to doubt his assurance that he did not seek to gain any such benefit or advantage.
21. Whilst Mr Parton candidly said he would describe Simon from Cycle Surgery as a friend, he explained that this description was “simply on the basis that I’ve been a customer of his for well over a decade”. In other contexts, even limited friendships with others might give rise to a perceived conflict of interest requiring Members to effectively disqualify themselves from involvement in relevant decisions. On the other hand, Members recommending businesses express opinions based upon the quality of the services they have personally

received over extended periods and perhaps on their own assessments of the personal qualities of the people who have provided them. Some friendships may be formed in this context. When this occurs it may give rise to some concern about the Member's motivation for any subsequent promotion of the business, but the continuing contact and relationship might also mean that the Member is in a better position to make judgments about the quality of the business. In any event, the relevant question is not simply whether a friendship of some kind has been formed, but whether in making a recommendation about a business the Member is seeking a benefit for the friend. In the present case, Mr Parton may have anticipated that his promotion of Cycle Surgery might have been of some benefit to Simon, but the evidence does not establish that in producing and posting the video he was substantially motivated by the hope of producing such a benefit for Simon. Members are required to act in the public interest and make decisions and choices on merit. Mr Parton's explanation suggests that he did so and I have no reason to doubt it.

22. Paragraph (C)(2) records undertakings by Members that they should:

*Actively seek to avoid or prevent any conflict of interest, or the perception of such a conflict, arising between their duties as a Member and their personal affairs and interests ...*

23. It has not been suggested that Mr Parton has had any contact with the business known as "Cycle Surgery" in relation to potential decisions of the Legislative Assembly and there is no evidence to suggest a conflict of interest on his part. Speculation that his actions might give rise to some unconscious bias on the part of the shop owner is obviously not an adequate basis for any finding of a breach of this requirement.

24. Paragraph (C)(4) records the undertaking by Members:

*Not solicit to undertake, or undertake, any activity as a Member in return for the provision, promise or expectation of any improper benefit to the Member or to another person, and not accept any inappropriate benefit in connection with their activity as a Member.*

25. There is no evidence that Mr Parton acted in the expectation of that he or any other person would receive an improper or inappropriate benefit in connection with the production and publication of the video.

## **Conclusion**

26. I recommend that the complaint be dismissed.

(The Hon Dr) Ken Crispin KC

Commissioner for Standards

# Appendix B: Continuing resolution 5AA

## Commissioner for Standards



This resolution provides for the appointment of a Legislative Assembly Commissioner for Standards.

**Resolution agreed by the Assembly 31 October 2013 (amended 3 August 2017, 22 August 2019, 10 February 2022 and 31 August 2023)**

### Commissioner for standards

That this Assembly requests the Speaker to appoint a Legislative Assembly Commissioner for Standards on the following terms:

- (1) The Speaker must, after each Assembly is elected or whenever the office becomes vacant, appoint a Commissioner for the life of that Assembly and the period of six months after each election. The appointment is for the term of the Assembly and the period of six months after the election at the conclusion of that term. The Speaker may decide not to seek expressions of interest if only one term has been served by the Commissioner.
- (2) Before appointing a Commissioner, the Speaker must consult with the Chief Minister, the Leader of the Opposition and Crossbench Members.
- (3) The Commissioner may be dismissed only following a resolution of the Legislative Assembly resolving to require the Speaker to end the Commissioner's appointment—
  - (a) for misbehaviour; or
  - (b) for physical or mental incapacity, if the incapacity substantially affects the exercise of the Commissioner's functions.

However, a motion for such a resolution may only be debated after the Standing Committee on Administration and Procedure ('the Committee') has reported to the Assembly that it is satisfied that the Commissioner is unfit for the office or unable to fulfil the Commissioner's functions.

- (4) The functions of the Commissioner are to:
  - (a) investigate complaints about Members lodged via the Clerk to the Commissioner;
  - (b) report to the Standing Committee on Administration and Procedure; and
- (4A) The Committee will inquire into and report on any report provided to it by the Commissioner pursuant to subparagraph 4(b) of this resolution.
- (5) Anyone may make a complaint to the Commissioner via the Clerk of the Legislative Assembly about a Member's compliance with the Members' Code of Conduct or the rules relating to the

registration or declaration of interests. The Integrity Commissioner established pursuant to the [Integrity Commission Act 2018](#) may also refer matters to the Commissioner for Standards for consideration via the Clerk of the Legislative Assembly about matters the Integrity Commissioner considers should be referred.

- (6) If the Commissioner receives a complaint about a Member pursuant to paragraph (5) and the Commissioner believes on reasonable grounds that—
- (a) there is sufficient evidence as to justify investigating the matter; and
  - (b) the complaint is not frivolous, vexatious or only for political advantage;

the Commissioner may investigate the matter and report to the Committee. If the Commissioner considers that the complaint is more properly the purview of the Integrity Commissioner, the Commissioner shall refer the matter to the Integrity Commissioner.

- (7) In exercising the functions of Commissioner the following must be observed:
- (a) The Commissioner must not make a report to the Committee if the Member about whom the complaint was made has agreed that they have failed to register or declare an interest if —
    - (i) in the Commissioner’s opinion the interest involved is minor or the failure was inadvertent; and
    - (ii) the Member concerned has taken such action to rectify the failure as the Commissioner may have required within any procedure approved by the Committee for this purpose.
  - (b) The Commissioner must not make a report to the Committee unless the Commissioner has—
    - (i) given a copy of the proposed report to the Member who is the subject of the complaint under investigation;
    - (ii) the Member has had a reasonable time to provide comments on the proposed report; and
    - (iii) the Commissioner has considered any comments provided by the Member.
  - (c) If the Commissioner receives a complaint and the Commissioner believes on reasonable grounds that there is insufficient evidence to justify an investigation or that the complaint is frivolous, vexatious or only for political advantage, the Commissioner will inform the complainant that the matter will not be further investigated. The Commissioner will also inform (without revealing the complainant’s identity or the nature of the complaint) both the committee and the Member the subject of the complaint that a complaint has been received but not further investigated.
  - (d) The Commissioner must report by 31 August each year to the Speaker on the exercise of the functions of the Commissioner.

# Appendix C: Continuing resolution 5

## Code of conduct for all members of the Legislative Assembly for the Australian Capital Territory

### 5

This resolution provides for a code of conduct for Members of the Legislative Assembly.

#### Resolution agreed by the Assembly

**25 August 2005 (amended 16 August 2006, 24 October 2013, 3 August 2017, 30 July 2019, 30 March 2021, 31 August 2023, 6 February 2024 and 14 May 2024)**

- (A) The Members of the Legislative Assembly for the Australian Capital Territory acknowledge that, in a parliamentary democracy they cannot command, but must constantly strive to earn and maintain, the respect and support of those who have elected them to their positions of honour and privilege as Members.
- (B) In committing to this Code of Conduct, Members undertake, to the community and to one another, that they shall not act in a manner inconsistent with their duties and obligations as Members and that the following principles shall guide their conduct as Members in all matters:
  - (1) Members should at all times act with integrity, honesty and diligence.
  - (2) Members should act only in the interests of, and with respect for, the people of the Australian Capital Territory and in conformity with all laws applicable in the Territory.
  - (3) Members should uphold the separation of powers and the rule of law.
  - (4) Members should always act in the public interest, make decisions and choices on merit, and not seek to gain financial or other benefit for themselves, their family or friends.
  - (5) Members should be reasonably accessible to the people of the electorate they have been elected to serve, and should represent their interests conscientiously.
  - (6) Members should be transparent in, and accountable for, their decisions and actions and should submit themselves to appropriate scrutiny.
  - (7) Members should make only proper use of those public resources to which they have access and should do so in a manner designed to make effective and efficient use of those resources.

- (8) Members should respect the dignity and privacy of individuals, and not disclose confidential information to which they have official access other than with consent or as required by law.
  - (9) Members should treat each other with courtesy and propriety, observe proper standards of parliamentary conduct, and observe respect for differences and fairness in their political dealings.
  - (10) Members should promote and support these principles by leadership and example, in order to maintain and support public trust and confidence in the integrity of the Assembly and the conduct by its Members of public business.
- (C) Consistent with the above principles, Members further undertake that they should:
- (1) Treat all people with courtesy, and respect the diversity of their backgrounds, experiences and views. In particular, Members should by their words and actions demonstrate, and by their example and leadership encourage and foster others to show, respect for the peaceful, temperate and lawful exercise by all members of the community of their shared and individual rights and entitlements, including freedom of religion, freedom of association and freedom of speech.
  - (2) Actively seek to avoid or prevent any conflict of interest, or the perception of such a conflict, arising between their duties as a Member and their personal affairs and interests, take all reasonable steps to resolve any such conflict or perception of a conflict that does arise, and:
    - (a) comply with section 15 of the *Australian Capital Territory (Self-Government) Act 1988* (Cth);
    - (b) declare their private interests and those of their immediate family and ensure that their declaration is kept up to date, as required by Continuing Resolution 6 (as amended or replaced from time to time); and
    - (c) disclose at a time and in a manner appropriate to the circumstances any financial or non-financial interest that they may hold, or which they may be reasonably perceived to hold (other than as a member of the public or of a broad class of persons) and any friendship, relationship or other circumstance which a reasonable observer, informed of that matter, might perceive as giving rise to a conflict of interest with the performance of the Member's duty as a Member.
  - (3) Ensure that outside occupational or other pursuits do not unreasonably impact on their duties as a Member.
  - (4) Not solicit to undertake, or undertake, any activity as a Member in return for the provision, promise or expectation of any improper benefit to the Member or to

another person, and not accept any inappropriate benefit in connection with their activity as a Member.

- (5) Take care to consider the rights and reputations of others before making use of their unique protection of parliamentary privilege consistent with the resolution of the Assembly 'Exercise of freedom of speech' agreed to on 4 May 1995 (as amended or replaced from time to time).
- (6) Not use information received by them as a Member that is not in the public domain in breach of any obligation of confidence applicable to their receipt of that information unless required by law, or improperly for the private benefit of themselves or another person.
- (7) In their capacity as an employer on behalf of the Territory under the *Legislative Assembly (Members' Staff) Act 1989*:
  - (a) seek to promote, and by their conduct reflect, an Assembly workplace that is collegiate, inclusive and diverse and in which health and safety risks are eliminated or minimised;
  - (b) familiarise themselves and comply with the terms and conditions on which their personal staff are engaged and with all applicable policies and practices (including those related to occupational health and safety, discrimination, harassment and bullying, equal employment opportunity and use of information technology);
  - (c) not employ a family member as defined in that Act;
  - (d) take all reasonable steps to ensure that, as far as practicable, their personal staff are mindful of the Member's commitment to this Code of Conduct and, in the course of their duties, take no action for or on behalf of the Member or the Member's Office which, if taken by the Member personally, would be contrary to this Code of Conduct; and (*amended 6 February 2024 and 14 May 2024*); and
  - (e) not seek to require or encourage their personal staff to engage in any conduct that may amount to a breach of any code of conduct applicable to those staff from time to time.
- (8) In all their dealings with staff of the Assembly, staff of other Members and members of the ACT Public Sector:
  - (a) extend professional courtesy and respect;
  - (b) act consistently with accepted workplace conduct standards; and

- (c) recognise the unique position of impartiality and the obligations of public sector officials, including members of the ACT Public Service.
  - (9) Only make a complaint about the compliance of another Member with this Code of Conduct where they believe there are reasonable grounds to suspect non-compliance and not make any such complaint that is frivolous or vexatious or only for political advantage.
  - (10) Cooperate fully with any official inquiry that may be commenced in connection with their compliance with this Code of Conduct, or that of another Member.
- (D) Through this Code of Conduct, Members express that they have zero tolerance for bullying, sexual and other harassment, sexual assault and discrimination<sup>1</sup> and pledge that they will not themselves engage in such conduct. Consistently with this, Members undertake that, in the course of their duties and activities as a Member, they will:
- (1) offer and provide support to a person who indicate they were making (or may wish to make) a complaint alleging bullying, sexual and other harassment, sexual assault or discrimination;
  - (2) seek to be sensitive to the needs and feelings of any such complainant and to recognise their possible need for trauma-informed care;
  - (3) as appropriate, seek expert advice and assistance as to the manner in which the Member should act in such circumstances;
  - (4) recognise and respect that it is the right of a complainant as to whether and how they seek and pursue official investigation of their complaint;
  - (5) respect the confidentiality of personal information concerning a complainant;
  - (6) not imply, threaten or take detrimental action against a person because they are, or have indicated that they may become a complainant;
  - (7) not offer any improper inducement to a person to not make, or to withdraw, such a complaint;
  - (8) seek to preserve any evidence that may be relevant to the investigation of such a complaint;
  - (9) fully cooperate with any official inquiry in connection with a complaint; and
  - (10) take appropriate action if they observe another person engaging in bullying, sexual and other harassment, sexual assault or discrimination.
- (E) Within the first six months after an election for the Assembly, the Assembly shall reaffirm its commitment to the principles, obligations and aspirations of this Code of Conduct.
- (F) Where a Member who had not voted on the most recent reaffirmation required under clause (E) is elected to the Assembly, that Member shall, before they make an inaugural

speech or otherwise participates in parliamentary processes, affirm that they will abide by this Code of Conduct.

- (G) At the end of each Assembly the Code of Conduct shall be reviewed by a suitably qualified person, appointed by the Speaker, in consultation with the Standing Committee on Administration and Procedure.

1—In this Code "discrimination" means differential treatment of a person based on personal attributes such as gender; family responsibilities, parental status (having or not having children); marital status or relationship status; pregnancy; breastfeeding; sexual orientation; gender identity; religious belief; affiliation or activity; industrial activity; disability (including temporary disability); race; age; association with someone who has one of these attributes; or other attributes unrelated to the person's education, qualifications, experience, capacity or performance.