

Standing Committee on Parliamentary Privilege and Ethics

**Report on person referred to
in the Legislative Council
(Councillor D Jones)**

Ordered to be printed 20 June 2002

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How to contact the Committee

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Terms of Reference

The inquiry was conducted in accordance with a resolution of the Legislative Council of 13 November 1997 which permits citizens who are referred to in the House to seek a right of reply by making a submission in writing to the President of the Legislative Council (*Minutes of the Proceedings of the Legislative Council*, No. 16, Thursday 13 November 1997, Entry No. 2).

The resolution is available on the Committee's page of the Parliament's website www.parliament.nsw.gov.au, or by contacting the Committee Secretariat.

Committee membership

The Hon Helen Sham-Ho MLC *Chair*

Independent

The Hon Patricia Forsythe MLC *Deputy Chair*

Liberal Party

The Hon Amanda Fazio MLC

Australian Labor Party

The Hon Jenny Gardiner MLC

National Party

The Hon Tony Kelly MLC

Australian Labor Party

The Revd the Hon Fred Nile MLC

Christian Democratic Party (Fred Nile Group)

The Hon Peter Primrose MLC

Australian Labor Party

The Hon Janelle Saffin MLC

Australian Labor Party

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Report

- 1.1** On 13 June 2002 the President of the Legislative Council, the Honourable Dr Meredith Burgmann MLC, received a letter from Councillor Darren Jones requesting the incorporation of a response under the Legislative Council's resolution of 13 November 1997,¹ relating to the protection of persons referred to in the Legislative Council. The letter referred to statements made by the Hon Lee Rhiannon MLC during the adjournment debate in the Legislative Council on 9 April 2002.² The President, having accepted the letter as a submission for the purposes of the resolution, referred it to the Standing Committee on Parliamentary Privilege and Ethics on 14 June 2002.
- 1.2** The Committee met in private session on 20 June 2002, and decided, according to paragraph 5 of the resolution, to consider the submission. In agreeing to the attached response, the Committee did not consider it necessary to consult Councillor Jones or the Hon Lee Rhiannon on the matter. The response, which the Committee now recommends for incorporation in Hansard, has been agreed to by Councillor Jones and the Committee in accordance with paragraph 5(b) of the resolution.
- 1.3** The Committee recommends:

Recommendation 1

That a response by Councillor Jones, in the terms specified at Appendix 1, as agreed to by Councillor Jones and the Committee, be incorporated in *Hansard*.

The Hon. Helen Sham-Ho MLC
Chair

¹ *Minutes of the Proceedings of the Legislative Council*, No. 16, Thursday 13 November 1997, Entry No. 2.

² *Hansard* (pamphlet), 9 April 2002, pp. 1120-21.

Appendix 1

Response by Councillor Jones, agreed to by Councillor Jones and the Committee, according to paragraph 5(b) of the Legislative Council's resolution of 13 November 1997

Appendix 1

In accordance with paragraph 1 of the Legislative Council resolution of 13 November 1997 I make this submission on the basis that my good reputation and dealings and associations with others have been adversely affected by the statements made to the Legislative Council by the Honourable Lee Rhiannon MLC on 9 April 2002. The Honourable Lee Rhiannon alleged the serious claims of bribery of councillors, complicity in the death of a developer, intimidation and harassment of residents, and obstruction and delay of development applications and named me as being associated with these actions.

I respectfully submit that the allegations are untruthful and without any foundation, and I deny categorically that I have had any involvement in the actions alleged or indeed have any prior knowledge of the allegations. In relation to bribery of Councillors, the Independent Commission Against Corruption has not brought this matter to my attention at any time in the past. The Commission has advised there are no investigations being conducted into the allegations by the Honourable Lee Rhiannon. In relation to complicity in the death of a developer, the NSW Police Service has not been asked to conduct an investigation into the matter and the Service has advised there is no investigation in relation to the allegation. As to the claim of intimidation and harassment of residents, as Mayor and Councillor I seek to guide any resident who comes to me for assistance. I deny any intimidation or harassment of any person. As to obstruction and delay of development applications, I endeavour to assist any person who seeks to invest in our area. My Council has an excellent reputation in facilitating economic growth and statistics released annually by the Department of Local Government show Warringah as having the best processing times for development applications amongst those councils on the northern beaches peninsula.

Appendix 2

Minutes of the Committee's proceedings

Minutes of the proceedings

Note: Asterisks indicate text which has been deleted as it is not relevant to the inquiry.

Meeting No. 18

Thursday 20 June 2002

at Parliament House, Sydney at 1.00 pm

MEMBERS PRESENT

Mrs Sham-Ho (in the Chair)

Ms Fazio	Ms Gardiner
Ms Forsythe	Mr Primrose
Mr Kelly	

Apologies were received from Ms Saffin and Revd Mr Nile.

In attendance: Lynn Lovelock, Velia Mignacca and Janet Williams.

Minutes of meeting no. 17 were confirmed on motion of Ms Gardiner.

Correspondence received:

- (iii) Letter dated 14 June 2002 to the Chair from the President, referring a submission from Councillor Darren Jones of Warringah Council to the Standing Committee on Parliamentary Privilege and Ethics.

Citizen's right of reply – Councillor Darren Jones

The Committee continued to deliberate.

Resolved, on motion of Ms Forsythe: That the Chair prepare and submit a draft report on the request for a citizen's right of reply by Councillor D Jones, recommending that a response by Councillor Jones, in a form of words agreed to by Councillor Jones and the Committee, be incorporated in Hansard.

Resolved, on motion of Mr Primrose: That the report be adopted.

Resolved, on motion of Ms Fazio: That the report be signed by the Chair and presented to the House.

Resolved, on motion of Ms Gardiner: That the Clerk advise the citizen and the Member concerned of the proposed tabling of the Report.

The Committee adjourned at 1.09 pm sine die.

Lynn Lovelock
Clerk to the Committee