

Privileges Committee

Citizen's Right of Reply

(Ms Heather Richards)

Ordered to be printed 15 November 2012

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Terms of reference

The inquiry was conducted in accordance with standing orders 202 and 203.

Committee membership

The Hon Trevor Khan MLC	The Nationals	Chair
The Hon Amanda Fazio MLC	Australian Labor Party	Deputy Chair
The Hon John Ajaka MLC	Liberal Party	
The Hon Jenny Gardiner MLC	The Nationals	
The Hon Matthew Mason-Cox MLC	Liberal Party	
Revd the Hon Fred Nile MLC	Christian Democratic Party (Fred Nile Group)	
The Hon Peter Primrose MLC	Australian Labor Party	

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Report

- 1.1 Standing orders 202 and 203 of the Legislative Council provide a mechanism for a person who has been adversely referred to by a member of the Legislative Council in proceedings of the House to seek a right of reply through the incorporation of a response in *Hansard* or in the *Minutes of Proceedings*.
- 1.2 On 25 October 2012, the President of the Legislative Council, the Hon Don Harwin MLC, received a submission from Ms Heather Richards requesting the incorporation of a response under standing orders 202 and 203.
- 1.3 The submission referred to comments made by the Hon Michael Gallacher MLC concerning Ms Richards during Question Time in the Council on 13 September 2012.¹ The President, having considered the submission under standing order 202(2), referred it to the Privileges Committee on 25 October 2012.
- 1.4 The Committee met in private session on 13 November 2012, and decided, according to standing order 203, to consider the submission. The response, which the Committee now recommends for incorporation in *Hansard*, has been agreed to by Ms Richards and the Committee in accordance with standing order 203(4)(b).
- 1.5 The Committee draws attention to standing order 203(3)(b) which requires that, in considering a submission seeking a citizen's right of reply, the Committee must not consider or judge the truth of any statements made in the House or in the submission.
- 1.6 The Committee recommends:

Recommendation 1

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

The Hon Trevor Khan MLC
Chair

¹ *LC Hansard* (13/9/2012) 15137.

Appendix 1 **Reply to comments by the Hon Michael Gallacher MLC in the Legislative Council on 13 September 2012**

My name is Heather Richards and I am the President of Newcastle University Students' Association Inc (NUSA), the representative body for students studying at the University of Newcastle, Australia.

On Thursday 13 September 2012, during Question Time, the Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council, the Hon Michael Gallacher MLC, referred to me as a 'sycophant' of the Hon Walt Secord MLC.

Extract:

The Hon. WALT SECORD: After Tuesday's Question Time I checked with the President of Newcastle University's student representative association, Ms Heather Richards, who said her organisation had not met with the Minister to discuss racist attacks on international students. With whom did the Minister meet at the University of Newcastle to discuss racist attacks on international students?

The Hon. MICHAEL GALLACHER: I will consult my diary and look to see-

The Hon. Penny Sharpe: You shouldn't have to.

The Hon. MICHAEL GALLACHER: Settle down. Just because I have not met some sycophant of Walt's does not mean-

According to the Oxford English Dictionary (online), a sycophant is 'a person who acts obsequiously towards someone important in order to gain advantage.'²

I have a number of points to make in relation to this:

1. Firstly, I am not one of Mr Secord's sycophants. Prior to this allegation, I had spoken to him twice about NUSA's report. I have not spoken to him obsequiously in order to gain an advantage. The Minister has made a totally unsubstantiated claim.
2. Secondly, the Minister has made this allegation based on no evidence. The Minister does not know me, or have any knowledge about the relationship between me and Mr Secord apart from Mr Secord's statement that he had spoken to me about whether or not the Minister had spoken to me.
3. I am an elected student representative. Any allegation against me and my business conducted as an elected representative will affect my relations with other entities.

² Oxford Dictionaries. April 2010. Oxford University Press.
<http://oxforddictionaries.com/definition/english/sycophant> (accessed September 25, 2012).