

## FACT SHEET

---

### ***Public Interest Disclosures (Members of Parliament) Bill 2021***

---

The *Public Interest Disclosures Act 2002* provides a framework for the disclosure of information related to improper conduct by a public officer or public body, and to ensure that the person making the disclosure is protected from reprisal.

As it currently stands, the *Public Interest Disclosures Act 2002* only allows disclosures in relation to Members of Parliament to be made to the Speaker in relation to a member of the Assembly, and the President in relation to a member of the Legislative Council.

There are two significant issues with this framework. The first issue is that if a disclosure relates to alleged improper conduct by either the Speaker or President, the Act only allows for the conduct to be disclosed to the same person that the disclosure relates to.

The second issue is the party affiliation of the Speaker, and the potential party affiliation of the President. If either the Speaker, or the President, are Members of a political party it is unreasonable to require disclosures about members of the same party to be made to these people.

This amendment bill makes sensible and non-controversial amendments to the *Public Interest Disclosures Act 2002* to allow disclosures in relation to a Member of Parliament to be made to either the Ombudsman or Integrity Commission – this is the same disclosure arrangement that exists for a disclosure in relation to a person employed under the provisions of the *Parliamentary Privilege Act 1898*.

The bill also extends the Act to allow for a disclosure in relation to a staff member of a member of Parliament to be referred to either the Ombudsman or the Integrity Commission. As it currently stands the Ombudsman is the only body a person may refer a staff member of a member of Parliament to.