

Member	Kim Wells	Electorate	Rowville
Period	1 April 2026 to 30 June 2026		

Regulation 6 - Expense allowance and electorate allowance	
Total amount paid to member for electorate allowance	\$12,802.65
Total amount paid to member for expense allowance	\$0.00

Regulation 7 - Motor vehicle allowance	
Total amount paid to member for motor vehicle allowance	\$6,443.43
Member did not receive the motor vehicle allowance in the previous quarter and member has elected to receive the motor vehicle allowance for this quarter	No

Regulation 9 - Parliamentary accommodation sitting allowance	
Total amount paid to member for parliamentary accommodation sitting allowance	\$0.00
Suburb in which the member's parliamentary accommodation is located	n/a

Regulation 10 - Travel allowance claims					
Date from	Date until	Reason for travel	Total amount paid	Town or city in which accommodation was located	Value of the accommodation
Total number of nights for travel allowance claims			0		
Total amount paid to member for travel allowance			\$0.00		

Regulation 11 - Commercial transport allowance claims					
Date from	Date until	Reason for travel	Total amount paid	Mode of transport	Value of transport
Total number of nights for commercial transport allowance claims			0		
Total amount paid to member for commercial transport allowance			\$0.00		

Regulation 12 - International travel allowance claims			
Date from	Date until	Reason for travel	Total amount paid
13-May-26	22-May-26	Parliamentary Business Ethics and Integrity-UK and Guernsey Parliaments	\$2,775.06
Total number of nights for international travel allowance claims			9
Total amount paid to member for international travel allowance			\$2,775.06



TRAVEL REPORT
LONDON AND GUERNSEY PARLIAMENT
*(For Parliamentary Business as Chair of the
Parliamentary Ethics Committee)*

16 MAY - 22 MAY 2026

Kim Wells MP

State Member for Rowville

Itinerary

London - 16 May - 20 May 2026

Guernsey - 20 May - 22 May 2026

The Aim/ Reason for Travel

The State Labor Government, went to the 2022 State election unconditionally, that it would move the issue of misconduct of Member of Parliament, from the Privileges Committee to a system which was at arms-length to Members of Parliament.

The Government set up the Workplace Standards and Integrity Commission (PWSIC) which was established on 31/12/2024.

The main purpose of the PWSIC is to *"receive, manage and resolve allegations of parliamentary misconduct and inappropriate parliamentary workplace behaviour."*
"This includes receiving complaints of bullying, harassment, discrimination, victimisation and occupational violence and aggression."

Further, *"the Commission will support the integrity of the Victorian Parliament and promote a respectful and safe Parliamentary workplace."*

Another role the PWSIC performs is to assist the Parliamentary Ethics Committee in providing guidance on integrity and ethical issues and reviewing the Members Statement of Values and Members' Code of Conduct.

The Parliamentary Ethics Committee is currently reviewing the Members Code of Conduct and after discussions with the PWSIC commissioner David Wolf, I decided to visit the UK Parliament - Parliamentary Commissioner for Standards and the Parliamentary Committee of Privilege and Standards, their equivalent to our Parliament of Victoria Ethics Committee, among other accountability Committees.

Further, I will visit the Guernsey Parliament to compare notes in this area with the UK Parliament and the Victorian Parliament, including the case where the Parliamentary Standards Commissioner for Guernsey brought down a report and recommended suspending one of the Deputies, and the Assembly voted against the motion, forcing the Commissioner to resign.

International Air Travel (Inclusive of Insurance)

- Claimed: \$2,775.06

Accommodation

- Claimed: \$ NIL – Locations – London, UK and Guernsey

Commercial Travel

- Claimed: \$ NIL

Tour of Westminster Parliament with Josh Drake, CPA UK, London, UK

– Tuesday, 19 May 2026

It's one of the most fascinating tours anyone could participate in – a tour of the historic Westminster Parliament. The history going back hundreds of years and the ongoing traditions that continue to follow.

The Palace of Westminster, the iconic home of the British Parliament, has a rich and dramatic history spanning nearly a thousand years. Originally built in the 11th century as a royal residence for King Edward the Confessor, its oldest surviving structure is the magnificent **Westminster Hall**, completed in 1099 under William II.

The site transitioned from a royal palace to the permanent seat of Parliament during the 13th and 14th centuries. However, the course of its history was irrevocably altered on the night of **October 16, 1834**, when a catastrophic fire destroyed the vast majority of the medieval complex. Constructed over several decades in the mid-19th century, this modern palace—featuring the world-famous Elizabeth Tower (Big Ben)—was designed specifically to accommodate the dual-chamber system of the House of Commons and the House of Lords, surviving both the Blitz of World War II and the passage of centuries to remain a global symbol of parliamentary democracy.

I was fortunate to attend the debate on the release of Parliamentary investigation into Lord Peter Mandelson and his relationship with Jeffrey Epstein and why Sir Keir Starmer appointed him to the role of US Ambassador in December 2024.

Starmer appointed Mandelson after receiving final advice on the due diligence process, and despite his known links to Jeffrey Epstein and having been forced to resign twice as a Minister in previous Governments. In September 2025 Starmer claims he only realised Mandelson lied in the due diligence exercise when Bloomberg released emails which revealed Mandelson had told Epstein to “fight for early release”.

The day after 11 September 2025, Starmer sacked Mandelson. Strangely, Starmer only found out on 14 April 2026 that Mandelson had been granted a security clearance by the Foreign Office against the specific recommendation of the UKSVA (UK security vetting), and normally a recommendation by the UKSVA is binding. The opposition screamed blue murder that this was a blatant cover, with large amounts of the report redacted.

Chancellor of the Duchy of Lancaster, Darren Jones, denied there was any cover up and stated the Mandelson files would not be published until June. Deputy Chair of the Intelligence and Security Committee Jeremy Wright told the House of Commons that the UK Government was redacting and withholding other material.

Initially the redactions to the documents were for national security on international relations. However, he believed that the Government intends to redact documents for other reasons not specifically permitted in the report or in some cases to withhold documents altogether.

Never a dull moment in the House of Commons!!

Meeting Report

Meeting with CPA UK Headquarters, Richmond House, London, UK

– Tuesday, 19 May 2026

Met with Jarvis Matiya, who is the Deputy Secretary of the CPA, as the General Secretary, Stephen Twigg was unavailable.

Jarvis was originally from Malawi, a country I visited many years ago and was so impressed by the people.

Discussion covered the role of the Commonwealth and the CPA in a changing democracy, and in more turbulent times, with changes in the US leadership.

The CPA has a strong focus on improving democracy within its membership and have raised questions about whether elections in Tanzania and Uganda were actually free and fair. To assist, the CPA send election observers along, but this is not always effective, especially as some parts of the country are difficult to send observers to.

The CPA is having a World Conference in Cape Town, South Africa from the 13 – 18 September 2026, which I have been selected to attend. There are seven workshop topics including:

- Climate change
- Capacity building for staff
- AI to improve productivity
- Disabilities
- Gender inclusion
- Small Branches
- The seventh workshop topic is selected by the host branch.

In addition, there are other ongoing workshops which include small branches and women's sections.

Looking towards the future, the CPA is considering inviting some countries to join the CPA as special observers, but who have no voting rights. A number of interesting questions arise, including Brunei who is a member of the Commonwealth, but not a member of the CPA, because they are ruled by a Sultan and are not a democracy. Zimbabwe used to be a member of the Commonwealth but under Robert Mugabe's presidency they were kicked out. There is some move for Zimbabwe to rejoin as they are making attempts to become more democratized.

Two other countries have expressed interest in joining as special observers, Ukraine and Morocco – not sure where the links are there but go figure!

Meeting Report

Meeting with CPA UK Branch - Richmond House, London, UK

– Tuesday, 19 May 2026

I met with Helen Haywood, CPA UK Deputy Chief Executive, and Josh Drake, Asia Pacific Regional Programme Manager, International Partnerships Team, in the CPA UK offices. Between Josh and Brigitte Noonan, our Clerk of Parliaments, they had put together an excellent program for me.

Our discussion centred mainly on my work with the Fijian Parliament which involved the UNDP and what my assessment of the program was. In my session with the Fijians, it was frustrating, not because of the MPs, but rather a directive of the Speaker.

Commodore Frank Bainimarama led a military coup in Fiji in 2006 and thereafter led a Military Government until general elections in 2014. Bainimarama formed a Fijian First Party and won the majority of seats. He was then sworn in as Prime Minister.

The issue then arose for the Public Accounts Committee (PAC), whose role was to scrutinize the financial reports and accounts of each of Fiji's public bodies.

My session took place in February 2024, and the Speaker was insisting that the PAC held public hearings into the reports which dated back 10 years previous from 2014, the start of a democratic Fiji. This was a pointless exercise because what happened 10 years ago was completely irrelevant to the Public Accounts of 2024.

So this meant public hearings were held, with heads of departments who had retired many years before, and some had passed away, and where not everyone remembered what had actually happened. But more importantly, the CPA was spending their valuable time focussing on irrelevant information from 10 years previous, rather than the current budget and the accountability of the Public Service delivery. The other point I made in the meeting was the amount of time officials spent with the Government MPs, compared to the Opposition MPs. I spent most of my post session time with the Opposition MPs and make this observation. I am sure there were other times officials spent more time with Government MPs, so my observation may be unfair.

It was an excellent conference and raised many helpful suggestions on how Fiji could move forward. There is a very big difference from telling MPs rather than suggesting to MPs different methods on moving forward. I really appreciate the time spent with the CPA UK branch.

Meeting Report

Public Accounts Committee (PAC), Westminster, London, UK – Tuesday, 19 May 2026

Kim Wells - Meeting with Sarah Green MP (Liberal Democrat) & Chris Kane MP (Labour)

Executive Summary

This report summarizes a meeting with Sarah Green MP (Liberal Democrat) and Chris Kane MP (Labour) regarding the operation of the Westminster Public Accounts Committee (PAC). Key findings include:

- **Proportional Composition:** The committee features 14 members allocated proportionally to the chamber, traditionally led by an Opposition Chair.
- **Value for Money Mandate:** The primary role is ensuring taxpayer value for money, with members operating independently of party lines to prevent politically motivated shutdowns of investigations.
- **Accountability Target:** Unlike Victoria's PAEC, UK Ministers do not attend hearings. Instead, Permanent Secretaries (Public Service Heads) are held directly accountable for budget implementation, as highlighted by the mismanagement and scaling back of the £100+ billion HS2 rail project.
- **Reporting:** The Department of Treasury is mandated to respond to all PAC recommendations within a strict timeframe.

Meeting Notes

Public Accounts and Committee (PAC), Westminster, London, UK

– Tuesday, 19 May 2026

Kim Wells - Meeting with Sarah Green MP (Liberal Democrat) & Chris Kane MP (Labour)

Unlike Victorian Parliament, the UK Westminster Parliament select committees mandate an Opposition Chair and the committee is made up of the proportionate number of MPs in the chamber.

By long-standing Westminster convention, the Chair of the PAC is always chosen from the official opposition party (currently Conservative) to ensure independent oversight of government spending.

So, the committee has 14 members - 7 Labour, 3 Liberal Democrat and 4 Conservatives which includes an independent. The Chair has a casting vote.

According to Members, their role on the Committee is to ensure the taxpayer is getting value for money.

I put the question to each MP, what happens if their Party Room or Caucus vote for the individual MP to try and shut down an investigation which may embarrass the Government.

After some discussion, I put forward a hypothetical question where there was a scandal within the National Health system. Both MPs insisted that, that would not be the case, where there was an attempt to gag the sitting MPs.

They then further explained that in the example I gave, it would be more likely the National Audit Office that would initiate and lead an audit into any financial fraud or scandal.

The National Audit Office and the Auditor General work together to determine which public hearings will be held by the PAC.

In another departure from the Victorian Parliamentary PAEC, Ministers do not attend the Public Hearings only the Permanent Head of the Department - in other words 'Sir Humphrey' would attend rather than the Prime Minister - now that would be a challenge!

The reasoning for this is quite simple. It's the Government and the Ministers who lay out the policy and it's the Public Service which implements the policy and spends the amounts required to deliver.

If a new rail-line is to be built, I would assume the Government sets the Budget before the tender goes out for bidding and if the bids come back way over the original Budget, how is that the fault of the Department? Or is it a matter where once the bid has been accepted and agreed, then the Public Service is held to account?

The case in point, the UK's high-speed rail project is massively behind time and massively over budget. The HS2 Project will now exceed £100 billion. It was originally going to run from London to Birmingham and two separate lines to Leeds and Manchester.

The project has had to be "reset" with slower trains and lines have been cancelled.

The Minister for Transport, Heidi Alexander, put the blame squarely on the Public Servants for the mess it's now in.

PAC are always wary of the lag time between the announcement of the Policy and its delivery by the Public Servants and any delay is normally sheeted home to the Public Servants, not the executive government.

The Department of Treasury must respond to all PAC reports in a tight timeframe.

An interesting meeting and both members are very proud of their work with PAC and its ability to work well across all Parties to achieve results.

Their view is that if the PAC becomes dysfunctional, then it would reflect badly on each individual MP.

Meeting Report:

Committee on Privileges and Standards, Westminster, London, UK

– Tuesday, 19 May 2026

Kim Wells - Meeting with Alberto Costa MP (Conservative), Chair of the Privileges and Standards Committee

Executive Summary

This report details a briefing with Alberto Costa MP, Chair of the Privileges and Standards Committee.

Key takeaways include:

- **Unique Structure:** The committee features an equal split of 7 MPs and 7 lay people. The Chair maintains only a casting vote, giving lay members a structural majority.
- **Separation of Powers:** Lay members strictly handle Code of Conduct breaches (Standards). They are completely excluded from Parliamentary Privilege issues (such as an MP lying to the House), which remain under the exclusive domain of elected MPs.
- **Core Functions:** The committee oversees the Parliamentary Commissioner for Standards, updates the Code of Conduct every 5 years, and rules on code violations.
- **Jurisdiction & Enforcement:** Notes briefly address the Independent Complaints and Grievance Scheme (ICGS), which operates as an HR-style framework covering everyone in the parliamentary precinct and utilizing independent external investigators.

Meeting Notes

Kim Wells – Meeting with Alberto Costa, Chair of the Privileges and Standards Committee, Westminster, London, UK

– Tuesday, 19 May 2026

Interesting design of a Committee - it has 7 Members of Parliament and 7 lay people who sit on this Committee.

But to explain further, the 7 lay people only deal with breaches of the Code of Conduct, not matters that deal with Privilege – this is a matter strictly for the MP's to deal with.

A Privilege breach is where you tell a lie to the House of Commons (in this case), get found out and the breach is sent to this Committee.

A breach of Privilege has nothing to do with the Code of Conduct, nor a matter of behaviour related to an MP.

The Privilege part of the Committee is made up of an Opposition Chair (Alberto Costa) another Conservative, 4 Labour and 1 Liberal Democrat, so again, the Chair doesn't have the numbers.

However, as Costa points out, all decisions are made in a commonsense and conservative manner.

The Standards part of the Committee deals with the Code of Conduct, includes the 7 Lay people who are selected by 2 Clerks, 2 MP'S and the Chair.

The committee has 3 key functions:

- a) reviews the code of conduct every 5 years;
- b) deals with breaches of the Code of Conduct; and
- c) oversees the work of the Commissioner for Standards.

Interestingly, in relation to the standards part of the Privileges and Standards Committee,

the Chair only has a casting vote, not a substantive vote - so the Lay people have the majority on the Committee.

The Independent Complaints and Grievance Scheme (ICGS), having the equivalent role and responsibilities as the Victorian Parliamentary Services People and Capability Unit, deals with all cases of bullying, sexual harassment, harassment and inappropriate behaviour and that covers everyone within the Precinct.

The ICGS deals with both the House of Commons and the House of Lords.

However, because the two Houses are constitutionally distinct the actual investigation and enforcement machinery differs depending on who the complaint is against and to which House the matter relates.

An MP, whom the allegation has been made against, can appeal. Normally heard by the Independent Expert Panel chaired by a Judge, not the Committee.

Alberto has a very heavy Scottish accent, is from Italian heritage but born in England and was elected as a Conservative to the seat of South Leicestershire.

Very interesting - he explained that in the Conservative Party, you don't need to live in your seat, however, you have to demonstrate that you will be the best person to represent the constituency.

Meeting Report:

Parliamentary Commissioner for Standards, Westminster, London, UK

– Tuesday, 19 May 2026

Kim Wells – Meeting with Daniel Greenberg, Parliamentary Commissioner for Standards

Executive Summary

This report summarises a meeting with Daniel Greenberg, the UK Westminster Parliamentary Commissioner for Standards.

Key findings include:

- **Dual Complaint Tracks:** The standards system splits complaints into two distinct operations. **Track 1** handles MP violations of the Code of Conduct (e.g., conflicts of interest, reputational damage). **Track 2** handles interpersonal behavioural issues (bullying, harassment) via the ICGS.
- **Enforcement Powers:** While the Commissioner cannot legally force an MP to provide evidence, non-compliance automatically triggers a secondary, separate investigation for breaching the duty to cooperate. Criminal findings immediately halt proceedings and are transferred to the police.
- **Sanctioning Process:** The Commissioner is an investigator, not a judge; findings are referred to the Committee on Standards to decide on penalties.
- **Appeals Framework:** Discontented MPs can appeal to an Independent Expert Panel (IEP), typically chaired by a judge, whose rulings are final and binding.
- **Structural Difference:** Unlike Victoria - where watchdog reports go directly to the floor of the House - the UK model passes reports through the Committee on Standards first. The Commissioner serves a non-renewable, fixed 5-year term.

Summary Breakdown of Responsibilities and Appeals

<i>Feature / Track</i>	<i>Track 1: Code of Conduct Breaches (MPs)</i>	<i>Track 2: Bullying, Harassment & Sexual Misconduct (ICGS)</i>
Who Investigates?	Parliamentary Commissioner for Standards , Daniel Greenberg, triages and investigates.	Independent Complaints and Grievance Scheme (ICGS) hires an external independent investigator.
Who Decides Sanctions?	Committee on Standards (Chaired by Alberto Costa; 7 MPs and 7 Lay Members).	Various parliamentary decision-makers depending on the specific role of the respondent. No single sanctioning body for Track 2 because the rules of employment and accountability change completely depending on whether the accused is an MP, a Lord, an MP's secretary, or a parliamentary security officer.
Who Hears Appeals?	Independent Expert Panel (IEP) . The IEP - which is entirely independent of MPs and chaired by a sub-panel of legal experts/ judges - hears these appeals, not the Standards Committee itself.	Independent Expert Panel (IEP) , which is an independent body chaired by a judge with judicial experience.
Lay Member Roles	Lay members sit strictly on the Standards side of the committee, not on parliamentary Privilege matters (which are reserved exclusively for MPs).	Lay members are <u>not</u> involved; managed entirely by the independent ICGS framework and external investigators.

Meeting Notes

Kim Wells – Meeting with Daniel Greenberg, Parliamentary Commissioner for Standards, Westminster, London, UK

– Tuesday, 19 May 2026

This meeting with Daniel Greenberg, UK Westminster Parliamentary Commissioner for Standards, was set up a part long and after discussion with [Ken Smith] the Victoria Parliament Commissioner for Parliamentary Workplace Standards and Integrity Commission.

The UK Parliament has **two tracks for complaints**.

The first one deals with breaches of the Members of Parliament Code of Conduct made against an MP.

A matter is triaged to decide if there is sufficient evidence and that the complaint is proportionate.

If there is lack of evidence that case will be thrown out however if there is sufficient, then a case will green light however, normally within a day.

Breaches of a Code of Conduct could include a breach of the Register of Interest, serious reputational damage or bringing the Parliament into disrepute.

The Commissioner's focus is to ensure investigations are done in a timely manner with a just outcome.

Interestingly, the Commissioner cannot force an MP to give evidence, however MP's have a duty to co-operate so, if they refuse to give evidence, then the Commissioner would open a separate case for breach of the Code of Conduct.

When the Commissioner investigates an MP for a breach of the Codes, he is not the decision maker nor for sanctions, but rather it's sent to the Committee on Standards and they decide if the investigation is sent to the House for sanctions with recommendations.

If the accused MP is not happy with the outcome he/she can appeal to the Independent Expert Panel.

However, the ruling by the Independent Expert Panel is final and no further appeals can be made.

The second track of complaints regards staff or MP's behaviour, including bullying, harassment, sexual harassment.

If a complaint has been made against an MP, the Commissioner will investigate and suggest a solution.

For example, a recent case where an MP swore at a security worker and the solution was for the MP to give a sincere apology.

If the matter is the other way around, the ICGS complaint service will deal with the matter similar to Human Resources in the Victorian Parliament.

Normally the ICGS would hire an external investigator.

Again, if the MP is not happy with the investigation, he/she can appeal to an Independent Expert Panel which is normally chaired by a Judge with Judicial experience.

In this case, if the complainant makes public comment during the investigation, then there are disciplinary measures that can be taken.

If the Commissioner is investigating and realizes the matter is of a criminal nature, then the investigation will be suspended and handed over to police.

Daniel Greenberg advised me that, as Parliamentary Commissioner for Standards, he has the authority to initiate an investigation on his own initiative – usually known as an "own-motion" or "own-initiative" investigation.

While the majority of his investigations are sparked by formal, named complaints from members of the public or self-referrals from MPs, the Commissioner's remit explicitly allows him to launch an inquiry if he has sufficient reason to believe an MP has breached the House of Commons Code of Conduct, even without a third-party complaint.

This independent power is a long-standing feature of the office. One such example was the 2019 investigation into former MP Owen Paterson over paid advocacy rules. This was an investigation opened by the Commissioner's Office on its own initiative following external media reports or public disclosures.

The code of conduct is reviewed every 5 years and is done by the Committee of Standards which is similar to the Victorian Parliament.

And again, like the Victorian Ethics Committee, it can request the Commissioner for advice regarding to the Code of Conduct.

One of the significant differences between the UK Commissioner and the Victorian Commissioner is that the UK model means the report is sent to the Committee for Standards, whereas in Victoria it's sent to the House for action.

The UK Commissioner has a fixed 5-year term which cannot be extended.

Comparative Report: CPA Standards for Codes of Conduct (2024) vs. Victorian Parliamentary Standards (April 2026)

Executive Summary

This report compares the Commonwealth Parliamentary Association (CPA) 2024 Standards with the enforceable codes governing the Parliament of Victoria as of April 2026. While the CPA provides a comprehensive, values-based benchmark for ethical governance, Victoria operates under a highly codified, statutory regime, which was fundamentally modernized by the *Parliamentary Workplace Standards and Integrity Act 2024*. The primary difference lies in enforcement mechanics: the CPA relies on parliamentary convention and the establishment of internal committees, whereas Victoria utilizes a fully independent, legally empowered agency—the Parliamentary Workplace Standards and Integrity Commission (PWSIC)—to actively investigate misconduct and enforce the *Members of Parliament (Standards) Act 1978*.

1. Nature of Authority and Legislative Framework

- **CPA 2024 Standards:** The CPA framework is designed as a flexible set of "minimum standards" and "additional measures" intended to be incrementally adapted by Commonwealth parliaments. It is an advisory benchmark that relies on individual legislatures to adopt the rules via standing orders, resolutions, or local legislation.
- **Victoria (April 2026):** Victoria operates under a strict, unyielding statutory framework. The primary legislative instruments are the *Members of Parliament (Standards) Act 1978* (currently at Version 006, effective December 31, 2024) and the *Parliamentary Workplace Standards and Integrity Act 2024*. Compliance is not merely a matter of parliamentary practice but a binding legal obligation under state law.

2. Workplace Safety and the Handling of Misconduct

- **CPA 2024:** Theme 4 explicitly requires parliaments to be safe and respectful workplaces, prohibiting discrimination, bullying, harassment, sexual harassment, and victimization. Theme 6 suggests the establishment of a "standards commissioner" or independent investigator to ensure procedural fairness and remove complaint handling from partisan committees.

- **Victoria:** Victoria has institutionalized and expanded upon these concepts through the **Parliamentary Workplace Standards and Integrity Commission (PWSIC)**, which formally commenced operations on December 31, 2024. The PWSIC is a fully independent body responsible for dealing with "parliamentary misconduct," which explicitly includes bullying, sexual harassment, occupational violence, and breaches of the Code of Conduct. Unlike the CPA's advisory model, the PWSIC possesses hard statutory powers to conduct dispute resolution, investigate allegations, and impose or recommend sanctions, operating entirely independent of the Premier or any minister.

3. Disclosure of Financial Interests and Conflicts

- **CPA 2024:** Theme 3 mandates a "Register of Members Interests" for personal, financial, and other interests, such as shareholdings, gifts, and third-party funding. It prohibits members from voting on questions where they have a direct pecuniary interest.
- **Victoria:** Disclosures are governed strictly by Part 4 of the *Members of Parliament (Standards) Act 1978*. Wilful, repeated, or deliberate contraventions of the Register of Interests are statutorily defined as parliamentary misconduct and are actively investigated by the PWSIC. Additionally, Victorian Ministers and Parliamentary Secretaries have supplementary obligations under the Ministerial Code of Conduct to formally resolve conflicts of interest directly to the Premier's satisfaction.

4. Technology, Social Media, and Artificial Intelligence (AI)

- **CPA 2024:** Theme 5 provides a highly specific, modern framework for digital behaviour. It explicitly prohibits the use of Artificial Intelligence (AI) to breach obligations of honesty and accountability. It expressly forbids using AI or digital tools to "misrepresent another individual or group, distort the appearance of community sentiment or otherwise provide disinformation".
- **Victoria:** While Victorian MPs are bound by general principles of integrity and accountability under the 1978 Act, the primary legislation currently relies on broad definitions of "parliamentary misconduct" rather than the CPA's highly granular, dedicated AI clauses. Misuse of online communications in Victoria would currently be prosecuted under broader definitions of inappropriate behaviour or the deliberate misuse of the Electorate Office and Communications Budget, rather than a bespoke statutory AI prohibition.

5. Ethics Advice and Education

- **CPA 2024:** Theme 8 advocates for the appointment of a specialized Ethics Adviser to provide confidential guidance to members. Theme 9 mandates ongoing awareness, education, and safe workplace training.
- **Victoria:** Victoria heavily emphasizes structured, institutionalized education. The PWSIC is statutorily tasked with supporting the **Parliamentary Integrity Adviser** in providing guidance and training on ethical issues to MPs and ministers. Furthermore, the PWSIC is directly responsible for assisting the Parliamentary Ethics Committee in reviewing the Members Statement of Values and issuing guidance for the purpose of preventing misconduct.

Summary Comparison Table

Feature	CPA 2024 Standards	Victorian Standards (as at April 2026)
Legal Status	Advisory benchmark/minimum standards.	Legally binding under state legislation.
Primary Enforcement Body	Suggested independent investigator or Standards Commission.	PWSIC (Established Dec 2024).
Workplace Misconduct	Outlines unacceptable behaviours.	Actionable statutory offenses including occupational violence.
AI and Disinformation	Specific, dedicated prohibitions against AI misuse.	Governed by broader codes of conduct and communications budget rules.

Ethics Support	Recommends an Ethics Adviser.	Parliamentary Integrity Adviser supported directly by the PWSIC.
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Guernsey Visit: 20-22 May 2026

The Background to the history of Guernsey's Parliament

For nearly 500 years, Guernsey has been a self-governing state represented by the three Estates, Crown, Church and the Parish Committees.

This early form of assembly has changed and evolved over time and by the 1770's, the name, *States of Deliberation*, was formally adopted.

Up until the mid-1800's, French was the main language spoken in Parliamentary Proceedings and it continued to be used until the early 20th Century.

Even today, French remains an official language of the States and each sittings still begins with the Lord's Prayer in French.

With the loss of Normandy in 1204, Guernsey retained its own laws and customs, so it has an incredible history over the centuries.

Following WW II, there was a push for reform and with constitutional changes, it replaced the traditional church and Crown representatives with directly elected deputies and a *Conseiller Office*, which was later abolished in 2000.

Further in 2004, the 10 Parish representatives were removed and the number of Deputies was later reduced from 45 to 38, and in 2020, Guernsey moved from a distinct based voting system to a single Island wide voting system.

The Parliament is presided over by the Bailiff who acts as the Presiding Officer and oversees a system that combines Norman Custom, with modern legislation, requiring Royal Assent (via the Privy Council) for its laws.

However, a change made by King Charles III approved changes to the Royal Assent procedure allowing the Lieutenant Governor to ratify most legislation directly in the the Bailwick, rather than it needing to go through the Privy Council in the UK. This change was made on 29 February 2024.

There are exceptions however, including Defence or the Royal Prerogative, may still be reserved for the King in Council.

The benefit of this change is to accelerate the legislative process and increase the Bailwick autonomy in its direct relationship with the Crown.

Once Royal Assent is granted, the law is formally registered by the Royal Court.

Following the 2020 election, 22 out of 38 deputies are independent, with political parties not playing much of a role in forming government.

Visit to Guernsey States of Deliberation (Parliament), Saint Peter Port, Guernsey – Thursday, 21 May 2026

I wanted to particularly visit the Guernsey Parliament to investigate what actually happened in the case where the Commissioner for Standards, Melissa McCullough, brought down an adverse finding against a Deputy (Member of Parliament) Gavin St Pier, who was a Chief Minister. He was praised for leading Guernsey through COVID and had a significant amount of respect by the Guernsey residents.

The issue centres around a dispute between St Pier and a local doctor and involves St Pier leaking information to a local newspaper. The Commissioner for Standards investigated the case and in the meantime the UK medical profession came out and supported the doctor and criticized St Pier.

The Commissioners report went to the Oversight Committee who supported the report and sent it to the Parliament to be enacted. However, in a surprise move, the Parliament rejected the Commissioner's report, and St Pier was spared any punishment.

I spoke to Deputy Steve Fella about what happened. He outlined the case against the Commissioner which in itself was interesting. He believes that the dispute had become very personal between the Commissioner and St Pier and that Deputies had concerns about how the report was compiled and the methods used by the Commissioner. The Commissioner previously used to oversee standards for the medical profession, and Deputies believed she had a natural bias to support the Doctor rather than St Pier.

I raised the issue, if Parliament had authorised the appointment of the Commissioner and didn't support her judgement, then does this not force the Commissioner into bringing down only reports that she thinks Parliament will support.

Fella strongly disagreed and argued that it was the report that was rejected, not a reflection on the Commissioner. The Commissioner resigned over the decision by the Parliament, and again Fella believes she should not have resigned and should have continued on with her work. He further points out that there needs to be a healthy tension between the Commissioner and the Parliament. To this point I agreed, but there is a difference between a healthy tension and an unworkable toxic tension.

As luck would have it, St Pier was charged by Police about two weeks before I arrived, harassing the same Doctor that the Commissioner delivered her report on. St Pier was forced to step down from the Committee for Natural Resources, however on the day I attended Parliament, the vote was on to appoint a successor, but strangely St Pier decided to recontest the position.

This process involved all Deputies firing questions at the three candidates for 20 minutes and then a vote is taken. Deputy Andy Niles won the vote with 23 votes; St Pier received 11 votes and 4 votes going to candidate number 3. It was difficult to gauge whether Deputies had regretted voting against the Commissioners report, given that St Pier had been charged with harassment by Police.

During our discussions there was a misunderstanding, where the Deputies thought I didn't believe that the House had the final say on the sanctions, but as I explained, I believed this was the proper process.

In my meeting with Adrian Gabriel, he explained that the Guernsey Parliament was based on a consensus model where there are no political parties and its made up of 38 independent Deputies. The consensus model relies heavily on the committee system which examines and investigates issues relevant to Guernsey. This is a very slow process, but a model generally accepted by residents.

He pointed to the very issue involving the Commissioners Report and St Pier and further where St Pier had been charged by Police. He was given the night to be re-instated by the Committee, but the Parliament chose not to vote for him.

Gabriel is President (Chair) for the Environment and Infrastructure Committee, so he explained the issue of the power supply for Guernsey. Currently they buy their power from France through an underwater connector and as part of the contract they only buy "green" power which is 51% nuclear and 49% hydro power. However, with the growth of the population and demand for power, the Committee is looking at installing a second connector to assist with this demand. A decision will be made by the Committee in September.

The island has its own power source which supplies about 10% of the demand during the winter months, early morning and late afternoon. This is run by diesel bought from England.

In a meeting with Chris Brock, retired stockbroker, held on 20 May 2026 as background prior to visiting the States of Deliberation, he explained that the Brock family has been part of the Guernsey history for hundreds of years, in fact documented back to 1500. He agrees with the decision making by Parliament for consensus as they normally get it right, but not all the time.

Guernsey really kicked off as a state when they moved more to a financial centre in part due to its generous tax concessions. The tax threshold is around £15,000 and it's then a flat 20% which in my mind has significant benefit to the higher income person.

The maximum amount a Guernsey tax resident will pay, including overseas income, is £150,000 per annum in respect of non-Guernsey source income. This makes it

incredibly rewarding for the rich to move to Guernsey and it has no inheritance tax. Wealthy people from UK move to Guernsey for the tax concessions.

Company tax rate in Guernsey is 0%, unless it's regulated by the Guernsey Financial Services Commission which then has a tax rate of 10%.

Guernsey is an absolutely stunning place to visit with its rugged sea coast, beautiful beaches and the unusual need for people to swim in the sea, all year round – very weird. Although it seems very English, they are fiercely independent, and very proud of it.

The history of Guernsey is even more fascinating which goes back to William the Conqueror in 1000 AD.

Meeting with Various Members of States of Deliberation (Parliament), Saint Peter Port, Guernsey – Re. Guernsey Parliamentary Commissioner for Standards Report – Thursday, 21 May 2026

The PCS which covers Guernsey and Jersey, handles complaints from the public regarding the conduct of State Members and Ministers, and can investigate potential breaches of the Code of Conduct.

Once the investigation has been completed, it is then reported to the States Assembly and Constitution Committee.

It seems very straight forward, but what happens if the Assembly rejects the report on one of the deputies?

And this is exactly what happened when the previous Commissioner for Standards, Dr Melissa McCullough, had to resign after she brought down a finding of guilt against one of the deputies, Gavin St. Pier, for breach of the Code of Conduct.

Twenty-two deputies voted against her motion to suspend the Policy and Resources Vice-President, while 11 supported the punishment and 5 abstained.

Dr McCullough stated, *"where an assembly decides not to suspend, despite two independent Commissioner's recommendations, this can signal to the public that the Assembly is unwilling to enforce consequences and ensure accountability."*

The Independent Appeals Commissioner previously recommended that former Chief Minister St. Pier, should be suspended from the States of Guernsey, with no pay for 25 days. He was found to have broken the States' Code of Conduct by Dr McCullough over a conversation with a journalist for the Guardian newspaper.

The issue related back to where the Chief Minister was accused of undermining the Guernsey safeguarding system, by the head of Medical Specialist Group, Dr Steve Evans. Dr Evans accused St. Pier of potentially impacting the trust of the population who rely on the safeguarding process.

The conflict with local doctor, Sandie Bohin, was first brought up in public in April 2022, when St. Pier named her in the Assembly, under parliamentary Privilege, during a speech about concerns around safeguarding.

St. Pier was subjected to four Code of Conduct complaint following that speech, which led him to receiving a formal reprimand from the Assembly, however, he was cleared of abusing Parliamentary Privilege.

The British Medical Association said that St. Pier should be suspended and accused him

of a vendetta against Dr Bohin.

Safeguarding is a policy where it is a comprehensive, multi-agency approach, focused on protecting children, young people and vulnerable adults from harm, abuse and neglect.

Summary of Results of Travel and Recommendations

Results Achieved

- **Westminster Oversight Systems:** Evaluated the dual-track complaint framework of the UK Parliament, where Track 1 handles Member Code of Conduct breaches via the Parliamentary Commissioner for Standards and Track 2 coordinates and responds to behavioural issues through the Independent Complaints and Grievance Scheme (ICGS).
- **Public Service Financial Accountability:** Studied the operational dynamics of the Westminster Public Accounts Committee (PAC), noting that it utilises an opposition-led chairing convention and holds Permanent Head departmental secretaries - rather than political Ministers - directly accountable for budgetary delivery and project implementation overruns.
- **Lay Member Structural Integrity:** Analysed the unique composition of the UK Committee on Privileges and Standards, which effectively splits voting power between 7 MPs and 7 lay individuals, giving independent lay members a functional majority on Code of Conduct violations.
- **Guernsey Accountability Challenges:** Investigated the institutional fallout within Guernsey's consensus-style parliament following the assembly's decision to reject an adverse finding against a prominent Deputy by the Parliamentary Commissioner for Standards, Dr. Melissa McCullough, which ultimately forced her resignation and highlighted the fine line between healthy tension and toxic institutional gridlock.
- **Bespoke Digital Standards:** Reviewed the 2024 CPA Standards against Victoria's framework, identifying that while Victoria has established a robust statutory body via the Parliamentary Workplace Standards and Integrity Commission (PWSIC), the CPA framework features highly granular and progressive rules explicitly prohibiting the deployment of Artificial Intelligence (AI) to distort community sentiment or manufacture disinformation.

Recommendations

Based on the comparative findings gathered from the parliamentary frameworks of Westminster and Guernsey, it is recommended that Victoria should:

- **Oppose Lay Member Representation:** Oppose the introduction of independent lay members when assessing Code of Conduct breaches and not adopt mirroring the Westminster model. Maintain keeping matters of strict parliamentary privilege isolated to elected Members.
- **Oppose Departmental Secretaries Only Appearing at PAEC Hearings:** Ensure Government Ministers, accompanied by Departmental Secretaries, continue to be held accountable for budgetary delivery and project cost overruns at PAEC hearings and oppose the Westminster-style UK Public Accounts Committee hearings where Departmental Secretaries only appear and held to account. Governments and Ministers should not be able to hide behind their Departmental Secretaries.
- **Support the Independence of the PWSIC and Safeguard Independent Enforcement Mechanisms:** Ensure protective boundaries around the enforcement of PWSIC independent findings to prevent parliamentary majorities from arbitrarily overturning independent recommendations, avoiding the exact vulnerability that undermined public accountability and dissolved regulatory confidence in Guernsey.
- **Examine the Introduction of Granular AI and Disinformation Protections:** Committee to examine the potential introduction of explicit, modern statutory clauses into the Victorian parliamentary framework that specifically target the misuse of Artificial Intelligence (AI) and digital tools from being used to misrepresent public sentiment or spread disinformation, moving beyond the current reliance on broad definitions of parliamentary misconduct.

EXECUTIVE BRIEFING REPORT

PREPARED FOR: Hon. Kim Wells MP, State Member for Rowville, Parliament of Victoria

SUBJECT: Briefing on the Office of the Parliamentary Commissioner for Standards for Westminster Visit, May 2026

DATE OF PREPARATION: 28 April 2026

1. Executive Summary

This report provides an overview of the **Parliamentary Commissioner for Standards**, an independent officer of the UK House of Commons. Your meeting in May 2026 occurs at a time when the office is exercising its refined investigative powers following major procedural reforms. The Commissioner is currently handling high-profile referrals concerning financial transparency and political donations, while also overseeing a modernized Code of Conduct designed to restore public trust following the "sleaze" scandals of the early 2020s.

2. History and Background

1. **Establishment (1995):** The office was created upon the recommendation of the **Nolan Committee on Standards in Public Life**, following the "Cash for Questions" scandal. It was designed to provide an independent, non-partisan mechanism for investigating MP misconduct.
 2. **The Ryder Reforms (2022):** Following criticism of the "investigator and judge" dual role, the office underwent a significant procedural overhaul based on a review by Sir Ernest Ryder. This led to a clearer separation between the Commissioner's investigative findings and the Committee on Standards' adjudicatory role, including the introduction of a formal appeals process.
 3. **Institutional Independence:** The Commissioner is an officer of the House but is not an MP. They are appointed for a fixed, non-renewable term (currently five years) to ensure independence from party-political pressure.
-

3. The Role and Remit

The Commissioner's work is focused on four primary pillars:

1. **The Register of Members' Financial Interests:** Maintaining the register and ensuring MPs provide timely and accurate disclosure of outside earnings, gifts, and shareholdings.
2. **Investigations:** Conducting independent inquiries into alleged breaches of the **Code of Conduct for MPs**. This includes "paid advocacy" and the misuse of parliamentary facilities.
3. **Advice and Guidance:** Providing proactive advice to MPs to help them stay within the rules, thereby preventing breaches before they occur.
4. **Policy Development:** Working with the Committee on Standards to regularly review and update the Code of Conduct to reflect modern ethical expectations (e.g., rules around digital transparency and social media).

4. Leadership Profile: Mr. Daniel Greenberg

- **Appointed:** January 2023 (Current term expires in late 2027).
- **Background:** A highly respected parliamentary lawyer, Mr. Greenberg previously served as the Counsel for Domestic Legislation in the House of Commons. He brought over 20 years of experience as a Parliamentary Counsel (a government lawyer who drafts legislation) to the role.
- **Approach:** His tenure has been marked by a focus on "educational oversight"—prioritizing clear guidance and transparency to ensure MPs understand their obligations, while maintaining a robust and impartial investigative stance in contested cases.

5. Current Issues and 2026 Context

A. High-Profile Referrals (The Jenrick Case)

As of late April 2026, the Commissioner has received a formal referral regarding **Robert Jenrick** (now a Reform UK spokesperson) concerning a £40,000 donation. This case is central to current Westminster discourse, as it tests the threshold for "foreign-linked" donations and the transparency requirements for MPs who defect between parties.

B. Second Jobs and "Paid Parliamentary Advice"

Following the 2022 rule changes, there is a strict ban on MPs providing "paid parliamentary advice" or consultancy. In 2026, the Commissioner is actively monitoring the "grey areas" of these rules, particularly regarding media appearances and non-executive directorships that may overlap with parliamentary duties.

C. The "Recall" Nexus

The Commissioner's findings carry significant political weight. Under the *Recall of MPs Act 2015*, if a Commissioner's investigation leads the Committee to recommend a suspension of 10 or more sitting days, it can trigger a **Recall Petition** in the MP's constituency, potentially leading to a by-election. This makes the Commissioner's procedural fairness a matter of constant scrutiny.

6. Suggested Discussion Points for Your Meeting

1. **The Investigative Process:** Discuss how the post-2022 separation of "investigator" and "adjudicator" roles has impacted the speed and perceived fairness of inquiries.
2. **Managing the Register of Interests:** Enquire about the Secretariat's transition to real-time digital reporting for MPs' interests and how this compares to the Victorian Parliament's disclosure models.
3. **The Intersection of Standards and Defection:** Given the current Jenrick referral, discuss the challenges of maintaining oversight of financial interests when members move between political parties or become independent.
4. **Public Trust and the Nolan Principles:** Ask Mr. Greenberg how the office measures the "moral authority" of the Code of Conduct in an era of heightened political polarisation.

EXECUTIVE BRIEFING REPORT

PREPARED FOR: Hon. Kim Wells MP, State Member for Rowville, Parliament of Victoria

SUBJECT: Briefing on the UK House of Commons Committee on Standards for Westminster Visit, May 2026

DATE OF PREPARATION: 28 April 2026

1. Executive Summary

As you prepare for your visit to Westminster in May 2026, the UK Parliament's standards and accountability mechanisms are at a critical juncture. The **House of Commons Committee on Standards** is currently navigating a period of significant institutional evolution following the 2024 establishment of a new "Modernisation Committee" and a high-profile recruitment drive for new lay members. Your visit occurs amidst intense political debate regarding executive accountability and the boundaries of parliamentary privilege, particularly concerning the registration of interests and the transparency of government appointments.

2. History and Background

- **Establishment (1995):** The original **Committee on Standards and Privileges** was created in 1995 in response to the "Cash for Questions" scandal. It was designed to oversee the work of the newly created independent **Parliamentary Commissioner for Standards**.
- **The 2013 Split:** In a landmark reform in January 2013, the joint committee was split into two: the **Committee on Standards** and the **Committee of Privileges**. This was done specifically to allow the Standards Committee to appoint "**lay members**"—members of the public who are not MPs—to ensure independent oversight and bolster public trust.
- **Mandate:** The Committee is responsible for:
 - Overseeing the work of the Parliamentary Commissioner for Standards.
 - Updating and interpreting the **Code of Conduct for MPs**.
 - Adjudicating on individual cases of alleged breaches of the Code.

- Recommending sanctions (e.g., apologies, suspension, or expulsion) to the House.

3. The "Lay Member" Model: A Unique Mechanism

One of the most distinctive features of the UK Committee on Standards is its composition.

- **Structure:** It currently consists of **seven MPs** (balanced by party) and **seven lay members**.
- **Voting Rights:** Unlike many other advisory bodies, the lay members on the UK Committee have full voting rights on the committee, though they do not vote on the floor of the House.
- **Recent Activity:** As of **April 2026**, the Committee is in the process of recruiting **two new lay members**. This renewal of independent voices is seen as a key step in maintaining the committee's "neutral" stance in a highly polarized political environment.

4. Current Issues and Political Climate (May 2026 Context)

A. Interaction with the Modernisation Committee (Established 2024)

The Labour Government's **Modernisation Committee**, established in July 2024 and chaired by the Leader of the House, has a mandate that overlaps with standards and procedures.

- **Current Tension:** There is an ongoing debate about whether the Modernisation Committee's focus on "working practices" will dilute the independent authority of the Committee on Standards. You may observe discussions regarding the "streamlining" of the standards process to make it more efficient without sacrificing rigour.

B. Executive Accountability & The Mandelson Controversy

As of late April 2026, Westminster is focused on the conduct of the Prime Minister regarding the appointment of **Lord Mandelson** to a senior diplomatic post.

- **Standard vs. Privilege:** While the *Committee of Privileges* is the body that handles "misleading the House," the *Committee on Standards* is under pressure to review the rules regarding **transparency in government-linked appointments** and the declaration of interests for senior ministers who remain MPs.

C. The Code of Conduct Review

The Committee is currently reviewing the "**Seven Principles of Public Life**" (**Nolan Principles**) application within the modern digital era, specifically focusing on the use of social media and the transparency of "blind trusts" or complex financial arrangements.

5. Key Distinctions for Your Visit

To ensure clarity during your meetings in Westminster, please note the following distinctions:

- **Committee on Standards (Parliamentary):** The select committee you are likely observing, which handles MP conduct and registration of interests.
 - **Committee on Standards in Public Life (CSPL):** An independent advisory body (the "Nolan Committee") that advises the Prime Minister on ethics across the *entire* public sector, not just Parliament.
 - **Committee of Privileges:** Handles matters of "contempt" and the fundamental rights of the House (e.g., being misled), which is often the body involved in high-stakes political censure.
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6. Suggested Discussion Points for Your Visit

1. **Lay Member Efficacy:** Given your focus on public administration, enquiring about the practical impact of lay members on committee "collegiality" vs. "independence" would be highly pertinent.
2. **Sanctioning Regimes:** Discuss the UK's experience with the **Recall of MPs Act**, where a suspension recommended by the Committee on Standards can trigger a "recall petition" in the member's constituency.
3. **Modernisation Impact:** Explore how the new 2024 Modernisation Committee intends to interact with the Standards Committee's established jurisdiction over the Code of Conduct.

14 current committee members

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Alberto Costa MP

Conservative

South Leicestershire

Chair Commons



Prof Michael Maguire

Lay Member



Mehmda Mian

Lay Member



Victoria Smith

Lay Member



Sir Francis Habgood

Lay Member



Dr Rose Marie Parr

Lay Member



Dr David Stirling

Lay Member



Carys Williams

Lay Member



Paula Barker MP

Labour

Liverpool Wavertree

Commons



Gill Furniss MP

Labour

Sheffield Brightside and Hillsborough

Commons



Anna Sabine MP

Liberal Democrat

Frome and East Somerset

Commons



Dr Nell Shastri-Hurst MP

Conservative

Solihull West and Shirley

Commons



Gareth Snell MP

Labour

Stoke-on-Trent Central

Commons



Michael Wheeler MP

Labour

Worsley and Eccles

Commons

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EXECUTIVE BRIEFING REPORT

PREPARED FOR: Hon. Kim Wells MP, State Member for Rowville, Parliament of Victoria

SUBJECT: Briefing for May 2026 Visit to the Commonwealth Parliamentary Association (CPA) Headquarters, Westminster, London

DATE OF PREPARATION: 28 April 2026

1. Executive Summary

This briefing provides background and contemporary context ahead of your scheduled visit to the Commonwealth Parliamentary Association (CPA) Headquarters Secretariat in Westminster, London, in May 2026. The CPA is currently navigating a highly successful period of historic transition. Most notably, the UK Parliament recently passed legislation granting the CPA status as an international, interparliamentary organisation, freeing it from the constraints of UK charity law. Your meetings at Westminster offer an excellent opportunity to discuss the CPA's newly enacted Strategic Plan 2026–2029, its ongoing advocacy around institutional parliamentary independence, and the continued active role of the Parliament of Victoria within the network.

2. History and Background of the CPA

- **Foundation:** Established in July 1911 as the Empire Parliamentary Association in Committee Room 15 of the Palace of Westminster. The Association was formed to provide a forum for the UK and its dominions to discuss matters of mutual interest.
- **Evolution:** In 1948, reflecting the evolution of the modern, egalitarian Commonwealth, the organisation was renamed the Commonwealth Parliamentary Association.
- **Mission & Scale:** The CPA exists to connect, develop, promote, and support Parliamentarians and their staff to identify benchmarks of good governance, transparency, accountability, and respect for the rule of law. It is an international community comprising roughly 17,000 parliamentarians and staff across over 180 national, state, provincial, and territorial legislatures in 54 Commonwealth countries.

- **Australian Connections:** The Australian Federal Branch was one of the founding members, established in January 1912. The Parliament of Victoria remains a highly active participant in the CPA Australia Region.
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3. Leadership Profile: Mr. Stephen Twigg (8th Secretary-General)

Mr. Stephen Twigg serves as the 8th Secretary-General of the CPA, having taken office in August 2020. He serves as the chief executive officer of the Secretariat, managing the headquarters and driving the Association's strategic initiatives.

- **Political Background:** Mr. Twigg brings extensive experience from the UK Parliament. A former Labour MP, he gained national prominence in 1997 by unseating Conservative Cabinet Minister Michael Portillo. He served as the Member for Enfield Southgate (1997–2005) and later for Liverpool West Derby (2010–2019).
 - **Parliamentary Experience:** During his time at Westminster, Mr. Twigg served as a Minister for Schools and prominently chaired the International Development Select Committee (2015–2019), granting him deep insight into international governance, aid, and diplomacy.
 - **Key Achievements at the CPA:** Upon taking the role in 2020, Mr. Twigg made it a personal priority to resolve the CPA's long-standing legal status issues. He has successfully steered the Secretariat through this complex legislative process, alongside launching the CPA Parliamentary Academy and expanding the Association's focus on youth engagement, digital democracy, and climate change.
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4. Current Issues and Strategic Priorities (2026 Context)

A. Historic Legal Status Change

For decades, the CPA was registered as a UK charity, which severely constrained its ability to operate globally and participate in international forums.

- **The 2025 Act:** A major breakthrough was achieved with the passage of the *Commonwealth Parliamentary Association and International Committee of the Red Cross (Status) Act 2025* by the UK Parliament.
- **Current Operations:** This legislation formally transitions the CPA into a recognised international, inter-parliamentary organisation. The Secretariat is currently operating under the new structural changes stemming from this legislation, which includes the recent creation of the CPA Charitable Funds (CPACF) to manage ongoing charitable initiatives distinct from its diplomatic functions.

B. The New Strategic Plan 2026–2029

- **Implementation:** Approved at the October 2025 CPA General Assembly in Barbados, 2026 marks the first operational year of the CPA's new Strategic Plan.
- **Core Themes:** The strategic focus over the next three years aims to leverage the CPA's newly won legal status to elevate parliamentary voices at international forums like the United Nations. Key operational themes include leveraging Artificial Intelligence and technology to transform parliaments, examining the impact of climate change on global health and agriculture, and building public trust in legislatures.

C. Victorian Branch Engagement

- The Parliament of Victoria maintains strong ties with the CPA network. Most recently, Hon. Wendy Lovell MP represented the Victorian Parliament at the 67th Commonwealth Parliamentary Conference in Barbados (October 2025), where the new 2026–2029 Strategic Plan was formally adopted.
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5. Suggested Discussion Points for Your Visit

1. **Capitalising on the New International Status:** Enquire with Mr. Twigg about how the new legal status under the 2025 Act will practically enhance the direct services, training, and standing the Secretariat can provide to sub-national branches like Victoria.
 2. **AI and Digital Transformation:** Discuss the CPA's current framework for assisting member branches in safely integrating Artificial Intelligence into parliamentary processes, drawing on the priorities set at the 2025 General Assembly.
 3. **Victorian Contributions to the 2026–2029 Plan:** Explore avenues for the Victorian Branch to contribute directly to the rollout of the new Strategic Plan, particularly sharing Victorian expertise in committee scrutiny, constituent engagement, or youth parliament initiatives.
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EXECUTIVE BRIEFING REPORT

PREPARED FOR: Hon. Kim Wells MP, State Member for Rowville, Parliament of Victoria

SUBJECT: Briefing on the Guernsey States of Deliberation and Code of Conduct Standards for Guernsey Visit, May 2026

DATE OF PREPARATION: 28 April 2026

1. Executive Summary

As you prepare for your visit to Guernsey in May 2026, the island's parliamentary standards and accountability mechanisms are at a critical juncture.

The States of Deliberation is currently navigating a period of significant institutional soul-searching following the high-profile resignation of its independent standards watchdog and a subsequent top-to-bottom review of its disciplinary architecture.

Your visit occurs amidst intense political debate regarding whether elected politicians should retain a final veto over independent ethical findings, particularly following a controversial assembly vote that overrode independent recommendations.

2. History and Background - Establishment of Watchdog (2023)

The independent role of the Pan-Island Commissioner for Standards was expanded with the appointment of Dr. Melissa McCullough in March 2023 to ensure objective ethical oversight for Guernsey, Jersey, and Alderney.

The Enforcement System:

Under the structure adopted by the States, the independent Commissioner investigates formal complaints against members, determines whether a breach of the Code of Conduct occurred, and submits a recommended sanction to the parliament.

Mandate:

The parliamentary standards system is responsible for:

- Overseeing the investigation of alleged code of conduct violations by elected Deputies.
- Submitting formal sanction recommendations to the full assembly floor.
- Providing independent ethical interpretation of the parliamentary rules to bolster public confidence.

3. The "St Pier" Controversy

A Unique Structural Vulnerability Structure:

Guernsey's parliament operates under a non-party, consensus-driven model where final disciplinary action requires a direct vote of the full assembly floor rather than an automated, binding independent mechanism.

Voting Rights:

While independent investigators carry out the initial inquiry and an independent Appeals Commissioner reviews disputes, sitting politicians retain the ultimate voting right to implement or discard recommended sanctions.

Recent Activity:

In late November 2025, a major constitutional crisis occurred when the States of Deliberation voted 22 to 11 to override a recommended 25-day unpaid suspension against Deputy Gavin St Pier (former Chief Minister), who was found by two independent commissioners to have committed six breaches of the Code of Conduct by sharing sensitive, misleading child safeguarding information with a national journalist.

4. Current Issues and Political Climate (May 2026 Context)

A. The Resignation of Dr. McCullough & Watchdog Regulatory Vacuum

Following the assembly's decision to reject the independent sanction, the Pan-Island Commissioner for Standards, Dr. Melissa McCullough, resigned with immediate effect.

Current Tension: In her resignation statement, she declared that "a Commissioner cannot uphold standards in a system where standards are not seen to be upheld," warning that the political override signalled to the public an unwillingness to enforce consequences and that deputies prioritized political considerations over standards.

B. Interim Watchdog Appointment and System Stability

The sudden resignation left Guernsey temporarily without any independent arbiter to handle new code of conduct complaints.

Oversight Strategy: To bridge this independent oversight gap, the States Assembly & Constitution Committee (SACC) appointed a local legal figure, Andrew Ozanne OBE, as an interim Commissioner in December 2025 to ensure continuity.

C. The "Top-to-Bottom" Code of Conduct Overhaul

The structural failure exposed by the St Pier controversy has forced a complete evaluation of how the parliament polices itself.

Structural Target: SACC is currently undertaking a comprehensive review of the Code of Conduct rules, specifically debating whether to strip politicians of their final vote on a colleague's sanction and whether to replace the single investigator system with a multi-member independent panel.

5. Key Distinctions for Your Visit

To ensure clarity during your meetings in Guernsey, please note the following distinctions:

States Assembly & Constitution Committee (SACC):

The standing political committee responsible for developing parliamentary procedures, rules, and administering the Code of Conduct framework.

Pan-Island Commissioner for Standards:

The external independent office appointed to investigate complaints against members across the jurisdictions of Guernsey, Jersey, and Alderney.

Consensus vs. Party Discipline:

Unlike Victoria's majoritarian parliament where party lines usually dictate standard enforcement, Guernsey's non-party chamber leaves code enforcement dependent on fluid personal networks, backbench alliances, and factional loyalty.

6. Suggested Discussion Points for Your Visit

Watchdog Sovereignty vs. Political Veto:

Given your focus on public administration, enquiring about the practical structural mechanisms SACC is exploring to eliminate political vetoes over independent ethical findings would be highly pertinent.

Sub-Judice Media Campaigns:

Discuss the island's experience with politicians running public media campaigns to discredit independent investigations while awaiting an assembly vote and explore proposed rules to penalize such actions.

Restoring Institutional Trust:

Explore how the parliament intends to rebuild confidence among public sector professionals—such as health and safeguarding workers—when a political vote overrides an independent finding of institutional harm.

EXECUTIVE BRIEFING REPORT

PREPARED FOR: Hon. Kim Wells MP, State Member for Rowville, Parliament of Victoria

SUBJECT: Parliamentary Briefing for Guernsey

CURRENT LANDSCAPE: April - May 2026 (Post-June 2025 General Election)

DATE OF PREPARATION: 28 April 2026

1. Executive Summary

As you prepare for your visit to Guernsey in May 2026, the island's unique consensus government and its recently established all-island voting system are at a critical juncture.

The States of Deliberation is currently navigating a period of significant institutional evolution following a high-profile executive reshuffle within its senior leadership committee.

Your visit occurs amidst intense political debate regarding fiscal sustainability and structural tax reform, particularly concerning the implementation of a new consumption tax model.

2. History and Background

Guernsey is not part of the United Kingdom, nor is it a British Overseas Territory.

Instead, it is a **Crown Dependency**, maintaining an independent legal, fiscal, and legislative framework distinct from the United Kingdom.

The parliament developed from medieval origins, undergoing structural modifications to remove non-elected judicial and religious seats, ensuring a fully democratic chamber.

- **The Norman Connection:** Guernsey's distinct constitutional status dates back to 1204, when the Channel Islands elected to remain loyal to the English Crown (as the successor to the Dukes of Normandy) rather than the French King.

- **Domestic Autonomy:** The island is entirely self-governing in regards to its internal affairs, including taxation, health, education, and policing.
- **UK Responsibilities:** The UK Government is responsible solely for Guernsey's international defence and formal diplomatic representation, though the island increasingly asserts its own voice in international agreements (such as fiscal transparency frameworks).
- **The Monarch's Representative:** The Sovereign is locally represented by the **Lieutenant-Governor** (currently Lieutenant General Sir Richard Cripwell), who acts as the official conduit between the Crown and the Insular Government.

Mandate:

The assembly is responsible for:

- Overseeing the island's legislative framework and public administration.
- Approving and allocating the fiscal budget and public revenue measures.
- Appointing political members to execute administrative portfolios across principal operational committees.

3. Parliamentary Composition: The States of Deliberation

Guernsey's parliament is known as the **States of Deliberation**.

The Consensus and All-Island Model: A Unique Mechanism

One of the most distinctive features of the Guernsey system is its non-party, consensus-driven structure.

It operates under a unique consensus-based framework where traditional Westminster-style party politics are weak or non-existent; most members sit as independents.

Voting Rights: Elected members do not answer to a party whip; instead, they debate and vote on individual legislative items on an ad-hoc, consensus basis.

Following a major electoral overhaul, the island shifted away from regional districts to a single, **all-island single constituency** system.

The parliament is currently composed of **40 voting members**:

Member Category	Count	Roles & Selection
People's Deputies	38	Elected island-wide by the general public every 4 years. The last general election occurred on June 18, 2025 .
Alderney Representatives	2	Chosen by the States of Alderney (a smaller jurisdiction within the Bailiwick) to represent their interests.
The Bailiff <i>(Non-Voting)</i>	1	Presiding Officer / Speaker of the house. Also serves as the Chief Justice of the Royal Court.
Law Officers <i>(Non-Voting)</i>	2	HM Procureur (Attorney General) and HM Comptroller (Solicitor General). They provide legal counsel during debates but have no vote.

4. The Executive Structure

Guernsey does not have a formal Prime Minister.

Instead, it operates via a committee system.

The senior committee is the **Policy & Resources Committee (P&RC)**, which handles fiscal policy, external relations, and the coordination of government.

The President of the Policy & Resources Committee functions as the de facto head of government or "Chief Minister."

The current President is **Deputy Lindsay de Sausmarez**, who was elected to the post on July 1, 2025, following the general election. She is the first woman to hold this position in Guernsey's history.

As of May 2026, the senior executive body — the Policy & Resources Committee (P&RC) — has undergone a significant membership change, appointing Deputy Andrew Niles and electing Deputy Yvonne Burford as Vice-President under President Lindsay de Sausmarez.

5. Hot Button Political Controversies (Early – Mid 2026)

Mr. Wells will find himself in a highly charged political atmosphere.

The island is currently embroiled in an intense, fast-moving debate regarding fiscal sustainability and tax reform.

The Great Tax Debate & The 3% GST Proposal

For several years, Guernsey's leadership warned of a structural deficit driven by an aging demographic and rising healthcare costs. The primary battleground has been the proposed introduction of a **Goods and Services Tax (GST)**.

- **The Scaled-Back Package:** After years of legislative gridlock and a total rejection of a 5% GST package during the previous term, the current P&RC led by Lindsay de Sausmarez has just proposed a scaled-back "**GST-plus**" package.
- **The Mechanics:** The new plan drops the proposed GST rate to **3%** (targeted for implementation in 2028). To make it palatable, it features a new 15% lower income tax band for income up to £28,000, and introduces a flat **motor tax** of roughly £132 per vehicle, which notably hits electric vehicles for the first time.

The Surplus vs. Deficit Contradiction

The central flashpoint right now is a massive communication and political crisis over the state of public finances.

- **The Surprise Surplus:** The States recently published financial statements showing a robust public surplus of **£45 million** for the 2025 financial year, with gross headlines pushing past £100 million due to unexpected windfalls.
- **The Political Backlash:** Backbenchers and public advocacy groups are furious, openly questioning the narrative of a "financial crisis." Opponents of the new tax are leveraging these numbers to demand that the 3% GST package be completely scrapped.
- **The Government's Defense:** Treasury Lead **Deputy Charles Parkinson** and President de Sausmarez are under immense fire to explain that £34 million of the surplus came from one-off, non-repeatable windfalls in the corporate banking sector. They maintain that the long-term structural funding gap remains dangerous, but critics argue the island's finances are fundamentally healthy and do not justify a brand-new consumption tax.

Priority-Based Budgeting and Health Care Oversight

- To ensure public money delivers the greatest impact, the committee is piloting a new Priority-Based Budgeting scheme.
- **Budgetary Target:** This pilot specifically targets a key service area of the Committee for Health & Social Care alongside wider structural reviews.

Digital Governance and Consultancy Savings

- Following historical failures in a program intended to digitize government services, the committee is shifting its governance strategy.
- Oversight Strategy: The States are recruiting an IT Advisory Panel to provide robust challenge to the digital transition, while completing a review of contracted support to target £4 million in savings.

Transition in the Judiciary and Parliament

The civic head and Presiding Officer of parliament, **Bailiff Sir Richard McMahon**, announced that he will officially retire at the end of August 2026 after a six-year term.

This pending vacancy is triggering discussions about judicial succession, with Deputy Bailiff Jessica Roland tipped as a potential historic successor (which would make her the first female Bailiff).

Housing and Demographic Pressures

Mirroring challenges faced in parts of Victoria, Guernsey is grappling with a severe **affordable housing crisis**.

High property costs are driving younger generations off-island, threatening the local tax base.

Candidates in the recent election heavily campaigned on utilizing redundant state-owned properties (such as the Castel Hospital site) for key worker and sheltered housing, though bureaucratic delays remain a source of public frustration.

Cannabis Regulatory Reform

Reflecting a progressive policy shift, the assembly established a dedicated cross-committee working group to evaluate commercial and regulatory models for cannabis cultivation and medical access.

Key Distinctions for Your Visit

To ensure clarity during your meetings regarding legislative representation, please note the following comparative distinctions between the two systems:

- **Guernsey All-Island System (Multi-Member Bloc):** The entire island forms a single constituency where voters select multiple independent candidates up to their allocation limit, prioritizing macro-island policy over regional concerns.
- **Victorian Assembly System (Single-Member Preferential):** Divided into 88 distinct geographic electorates (such as Rowville) where voters rank candidates sequentially, creating direct local accountability but intensifying partisan alignment.
- **Executive Core Formation:** Unlike Victoria, where the majority party leader forms a government, Guernsey's parliament directly elects its executive committee members from the floor of the house, requiring continuous cross-bench consensus to govern.

Suggested Discussion Points for Your Visit

- **Committee Coalition Mechanics:** Given the non-party structure, enquiring about the practical steps senior committee members must take to assemble shifting majorities for controversial revenue bills would be highly pertinent.
- **Geographic vs. Macro Accountability:** Discuss the island's experience with an all-island constituency model, specifically whether the absence of a localized district system creates a representative vacuum for citizens.
- **Fiscal Consensus Challenges:** Explore how the newly appointed Treasury lead intends to balance independent political platforms with the enforcement of priority-based budgeting and public sector cost-reductions.

Comparative Electoral Analysis

This section contrasts Guernsey’s multi-seat, island-wide system with the single-member district model used in the Victorian Legislative Assembly (e.g., the electorate of Rowville).

Electoral Parameter	Guernsey States of Deliberation	Victorian Legislative Assembly
District Architecture	All-Island Single Constituency: The entire island forms one single geographic electorate choosing all 38 deputies.	Single-Member Electorates: Divided into 88 distinct geographic boundaries, each electing one local representative.
Ballot Structure & Mechanism	Plurality-at-Large (Block Voting): Voters receive a single exhaustive ballot and can select up to 38 individual candidates.	Preferential Voting: Voters sequentially rank candidates in order of preference within a specific seat.
Political Alignment	Consensus & Independent-Driven: Candidates run on personal platforms; alliances are fluid and shift by legislative topic.	Westminster Party System: Tightly disciplined parties (Coalition/Labor) dictate voting blocks and policy platform execution.
Constituency Dynamics	Macro-Focus: Deputies represent the collective, macro-strategic interests of the entire island jurisdiction.	Micro-Focus: MPs serve as dedicated champions for localized local infrastructure, schooling, and municipal concerns.
Executive Core Formation	Parliamentary Election: The parliament directly elects individual committee presidents from the floor of the house.	Party Majority: The leader of the political party commanding a majority in the Lower House forms government.

Structural Advantages & Vulnerabilities

The Guernsey Island-Wide Model

- *Advantages:* Ensures every vote holds equal mathematical weight across the entire territory, entirely eliminating the risk of gerrymandering or boundary redistribution disputes. It forces lawmakers to design policy for the collective good of the island rather than provincial interests.
- *Vulnerabilities:* Imposes an exceptional cognitive load on voters, who must evaluate dozens of individual candidates on a massive ballot paper. It fragments accountability, as no individual member is directly responsible for a specific neighborhood or parish grievance. Without party discipline, assembling durable legislative majorities for controversial structural changes (like tax reform) is exceptionally difficult.

The Victorian Single-Member Model

- *Advantages:* Establishes a direct and clear line of accountability between an MP and a bounded geographic community. It guarantees that local issues receive a dedicated, distinct voice in parliament and provides highly stable executive governance backed by disciplined party blocks.
- *Vulnerabilities:* Can produce skewed parliamentary representation where the seat count does not reflect the total popular vote. It risks hyper-local pork-barreling during election cycles at the expense of long-term, macro-level state planning, and marginalizes independent voices in winner-take-all single-seat contents.

Targeted Discussion Questions for Bilateral Meetings

The following professional discussion questions are tailored for meetings focusing on committee governance, consensus mechanics, and electoral accountability.

Theme A: Committee Governance and Executive Accountability

1. *Without a traditional Westminster-style Cabinet or a formal governing party, how does the Policy & Resources Committee maintain policy coherence across six separate, independently elected principal committees?*
2. *In a non-party consensus system, what legislative mechanisms are available to the assembly if a principal committee fails to implement a policy resolution passed by the wider States of Deliberation?*
3. *Given the recent adjustments to the P&RC membership, how does the assembly*

ensure executive continuity and corporate knowledge preservation when committee chairs can change mid-term via floor votes?

Theme B: Electoral Systems and Representative Accountability

- 1. The move to an all-island single constituency shifted accountability from local parishes to the macro-island level. How do Deputies practically manage constituent casework and ensure minor local community concerns are not buried by island-wide debates?*
- 2. With voters wielding up to 38 votes on an exhaustive ballot, what strategies have been successful in mitigating voter fatigue, and how has this format affected the viability of minor political coalitions or loose alliances?*
- 3. In the absence of a formal party structure to vet and endorse candidates, what mechanisms does the Guernsey Parliament use to provide the public with clear, transparent accountability regarding a candidate's policy platforms and financial disclosures prior to an island-wide election?*



CODE OF CONDUCT

for

MEMBERS OF THE STATES OF DELIBERATION

Approved by Resolution of the States pursuant to article 20F(1)
of [The Reform \(Guernsey\) Law, 1948, as amended](#)

Year	Date of Resolution of the States
2006	28 th September 2006
Amended	
2009	30 th September 2009
2011	27 th May 2011
2012	30 th May 2012
2013	24 th September 2013
2015	29 th April 2015
2016	17 th March 2016
2018	28 th June 2018
2020	19 th August 2020
2022	13 th July 2022
2023	24 th May 2023 XX December 2023

CODE OF CONDUCT for MEMBERS OF THE STATES OF DELIBERATION

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Code of Conduct for Members of the States of Deliberation

PART I

Purpose and scope of the Code

1. The purpose of the Code of Conduct is to assist elected Members of the States of Deliberation [hereinafter referred to as “Members”] in the discharge of their obligations to the States, their constituents and the public. All Members are required to comply with the provisions of this code in all aspects of their public life. Whilst it does not seek to regulate what Members do in their purely private and personal lives they must, however, be aware that some private and personal matters may impinge on their public roles. The Code upholds Members’ right to freedom of expression.
2. The obligations set out in this Code are in addition to those which apply to all Members by virtue of the ‘The Rules of Procedure of the States of Deliberation and their Committees’.
3. The Code does not apply to the conduct of a Member:
 - (i) in the States of Deliberation when Rule 8 of the ‘The Rules of Procedure of the States of Deliberation and their Committees’ applies.
 - (ii) in relation to the standard of service and outcomes received from a Member.

The conduct of Members during Meetings of the States of Deliberation and States of Election is normally dealt with by the Presiding Officer through application of Rule 8 relating to maintaining order during proceedings. If, in the course of dealing with such a matter, the Presiding Officer considers that the conduct requires further or fuller investigation, they may refer the matter to the Commissioner for Standards.

Public Duty

4. Members, before entering office¹, take an oath or affirm allegiance to be faithful and bear true allegiance to His Majesty the King, his heirs and successors, according to law. They also take an oath of office or make an affirmation in which they promise that “well and faithfully” they will perform the duties attaching to membership of the States of Deliberation and that they will adhere to the provisions set out in this Code of Conduct.
5. The primary duty of Members is to act in the public interest and to represent the interests of those who they have been elected to serve conscientiously. In so doing Members have a duty on all occasions to act in accordance with their oaths, and in accordance with the public trust placed in them. The Code imposes ethical standards upon Members rather than service or performance standards.
6. Members have a duty to respect the rule of law and the administration of justice. In this context “law” includes such international law and treaty obligations as are for the time being applicable.

¹ Article 19 of [The Reform \(Guernsey\) Law, 1948, as amended](#)

7. Elected members must give due priority to attendance at Meetings of the States of Deliberation and should be present in the Chamber when the States are meeting except with reasonable excuse.

Principles of Conduct

8. Members shall observe the following general principles of conduct for holders of public office –

- | | |
|---------------------------|--|
| 1.1 Selflessness | Members must take decisions and act solely in terms of the public interest. |
| 1.2 Integrity | Members must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships. |
| 1.3 Objectivity | In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, Members must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. |
| 1.4 Accountability | Members are accountable for their decisions and actions to the States and the public and must submit themselves to whatever scrutiny is appropriate to their office to ensure this. |
| 1.5 Openness | Members must act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing. |
| 1.6 Honesty | Members have a duty to be truthful. |
| 1.7 Leadership | Members must exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs. |

The Principles in Practice

Conflict between public and private interest

9. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest. After leaving their official positions, they will not take improper advantage of their previous office.

Members' Conduct

10. Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the States of Deliberation and

never undertake any action which would bring the States, or its Members generally, into disrepute.

11. Members shall at all times treat other Members, civil servants and members of the public with respect and courtesy and without malice, notwithstanding the disagreements on issues and policy which are a normal part of the political process. Members shall act in good conscience and exercise the privileges and discharge the duties of public office diligently and with civility, dignity, care and honour.
12. Members must not engage in unwanted behaviour, harassment, bullying or discrimination.

Relationship with the Civil Service

13. Members shall uphold the political impartiality of the Civil Service and shall not ask civil servants to act in a manner which would conflict with the Civil Service Code. Members should familiarize themselves with the contents of that Code. In reaching decisions they shall give fair consideration and due weight to informed and impartial advice from civil servants, as well as to other considerations and advice from other persons.

Possible inducements, including gifts and hospitality

14. The acceptance by a Member of a bribe, including any fee, compensation or reward, to influence his or her conduct as a Member, in connection with the promotion of, or opposition to, any matter submitted or intended to be submitted to the States of Deliberation, or any Department or Committee of the States, and any trading in influence to secure undue advantage is contrary to law.²
15. The acceptance of hospitality may be acceptable in appropriate circumstances as a means of effecting States' business. However, Members shall not accept gifts, hospitality or services that might appear to place the recipient under any form of obligation to the giver. In receiving any gift or hospitality Members should consider subjectively whether they would be prepared to justify acceptance to the public.
16. Members must comply with the requirements of the Rules of Procedure of the States of Deliberation concerning declarations of interests in respect of gifts and hospitality. Any money or tangible gifts received by a Member which are required to be declared must not be retained but must be transferred or delivered into the ownership of the States.

Use of States facilities

17. To avoid misrepresentation of the States and to avoid the improper use of States' assets, Members must not use any goods, services or facilities provided for the functioning of government
 - (a) for private purposes; nor
 - (b) except where generally available in accordance with published arrangements to all Members, for electoral district purposes.

² [The Prevention of Corruption \(Bailiwick of Guernsey\) Law, 2003](#)

Register and Declaration of Members' Interests

18. Members must fulfil conscientiously the requirements of the Rules of Procedure of the States of Deliberation in respect of the registration of interests in the Register of Members' Interests and must always draw attention to any relevant and material interest in any proceedings of the States of Deliberation, its Departments or Committees.
19. A Member shall not knowingly or recklessly make a false statement in a Declaration of Unspent Convictions.
20. In any activities with, or on behalf of, any organisation with which a Member has a financial relationship, including activities which may not be a matter of public record such as informal meetings and functions, he or she must always bear in mind the need to be open and frank with the Presiding Officer, Law Officers, Ministers, Members and officials.

Payments from Third Parties

21. Members must not accept, from a third party, any payment or gift in respect of their participation in any proceedings of the States, its Departments or Committees.

Confidential Information

22. Members must bear in mind that confidential information which they receive in the course of their duties may only be used in connection with those duties, and that such information must never be used for the purpose of financial gain or otherwise in their own personal interest or that of their families, friends, business associates or any voluntary or charitable organisation with which they are involved.
23. For the avoidance of doubt the 'confidential information' referred to in the previous section includes, but is not limited to, Department and Committee minutes and other papers circulated to members thereof. The content of such minutes and other papers is not to be disclosed to any third party other than by resolution of the Department or Committee concerned.
24. In addition, Members shall not disclose publicly, or to any third party, personal information about named individuals which they receive in the course of their duties, unless it is both lawful and clearly in the wider public interest to do so. Members must, at all times, have regard to all relevant data protection, human rights and other legislation when dealing with confidential information and must be aware of the consequences of breaching confidentiality.
25. For the avoidance of doubt, all correspondence, howsoever received, between a Department or Committee and a Member of the States shall be treated as confidential under the Code of Practice for Access to Public Information unless expressed otherwise and shall not be disclosed to any third party, whether within the States or outside, in whole or in part, by any means, without the express consent of the author of that correspondence.
26. Members shall not disclose details in relation a Code of Conduct investigation except when authorised by law or by the investigatory authority. Information on complaints against Members for alleged breaches of the Code of Conduct is considered confidential information and should remain confidential from the point of submission until the complaint has been finally determined.

Members operating private office or administrative scheme

27. The obligations under section 24 not to disclose personal information publicly or to any third party, and under section 25 to treat correspondence as confidential and not to disclose correspondence to any third party, shall be treated as not having been breached or disregarded where the disclosure or treating takes place in accordance with arrangements approved for the operation and management of a private office or administrative scheme under section 28.
28. The Chief Executive may from time to time approve arrangements for the operation and management of any private office or administrative scheme that are proposed by any Member and are intended for the purpose of enabling that Member to deal with correspondence and information relating to the affairs or business of the States of Deliberation or any committee of the States. An approval under this section shall be made upon and subject to the current application process requirements being met and such terms and conditions as the Chief Executive and the States' Assembly & Constitution Committee thinks fit, including for the purpose of ensuring that –
- (a) information relating to the affairs of the States of Deliberation or any committee of the States, and
 - (b) information relating to any third party (including personal data relating to any individual),
- are given suitable protection including, in the case of personal data relating to a living individual, protection in accordance with the provisions of the current Data Protection Law.
29. Where the Chief Executive is of opinion that –
- (a) the terms or conditions of an approval given under section 28
 - (i) have been breached, or
 - (ii) are inadequate for the purpose referred to in section 28, or
 - (b) there is other good reason,
- he may at any time by written notice given to the Member concerned revoke, suspend or vary an approval under section 28.

PART II

Complaints to the Commissioner for Standards

30. Any person may complain to the Commissioner for Standards (the Commissioner) that an elected Member has breached the Code of Conduct relating to Part I matters.

Procedure for Complaints relating to Part I matters

31. Complaints, whether from Members or from members of the public, alleging that the conduct of a Member is in breach of the Code of Conduct set out in Part I must be addressed in writing to the Commissioner.

32. In the interests of natural justice, a complaint submitted to the Commissioner must remain confidential from the point of submission until the complaint has been determined, unless disclosure is authorised.
33. Whilst a complaint will normally be submitted by a third party, the Commissioner may initiate an investigation if they believe that a breach of the Code may have occurred. A Member can also request that their own behaviour is investigated by the Commissioner to establish if a breach of the Code has taken place.
34. Members must not make frivolous, vexatious or manifestly unfounded complaints to the Commissioner for Standards and where the Commissioner is of opinion that a complaint is frivolous, vexatious or manifestly unfounded, the Commissioner shall not initiate an investigation into the complaint.
35. Immediately upon receipt of a complaint, or notification that the Commissioner is initiating an investigation, the Commissioner shall notify the Member concerned that a complaint has been made and the nature of the complaint.
36. All Members are required to co-operate fully and promptly with the Commissioner during any consideration and/or investigation, even if the Member concerned considers that the alleged breach is unsubstantiated. Failure to co-operate in any investigation will, in itself, be regarded as a breach of the Code.
37. If the Commissioner, in the course of the investigation, has cause to believe that a criminal offence may have been committed, he or she shall immediately suspend the proceedings and forthwith refer the matter to the Chief Officer of Police. The investigation shall not be resumed until either judicial proceedings have been concluded or the Chief Officer of Police has certified to the Commissioner that they have no further interest in the matter.
38. The Commissioner may decide to agree remedial action with the Member. Remedial action may be agreed if the complaint, though justified, is minor and is acknowledged by the Member concerned. Remedial action involves “putting the record straight”, for instance by making an amendment to the Register of Interests of Elected Members. The Member will normally be expected to make a formal apology, either in writing or by means of a formal statement to the States. If the Commissioner and Member agree remedial action, the Commissioner will report the matter and remedial action direct to the States’ Assembly & Constitution Committee. The Commissioner will inform the complainant of the action taken in response to the complaint.
39. Where the Commissioner finds that a complaint has been substantiated but is of the view that the breach of conduct was of a minor nature he or she will normally dispose of the matter by cautioning the Member concerned. A report of the Commissioner’s decision in such cases shall be forwarded to the Presiding Officer and to the Greffier who shall make the said report available for public inspection whenever the Greffe is open for normal business.
40. Where the Commissioner finds that a complaint has been substantiated and is of the opinion that the Member should be formally reprimanded, suspended, removed from a particular office or expelled, or, where a Member refuses to accept a caution in the circumstances set out in the previous section, he or she shall report their findings to the States Assembly and Constitution Committee which, in turn, shall submit that report to the Presiding Officer for

inclusion in a Billet d'État with the recommendations of the Commissioner. Notwithstanding a Member's refusal to accept a caution, the States may resolve that the Member be cautioned.

41. A Member has a right of appeal against a decision of the Commissioner for Standards in accordance with the provisions of the First Schedule to the Reform (Guernsey) Law, 1948 and the mechanism established by the Commissioner for Standards thereunder.
42. For the avoidance of doubt mediation between the complainant and the accused Member is not permitted in the processing of complaints made pursuant to this Code of Conduct.

PART III

Absolute Privilege for States Proceedings

43. The Law³ confers absolute privilege on Members in respect of any words spoken in, or in any report to, the States or any Department or Committee thereof. This includes requêtes, amendments, sursis, questions, reports and other written documents. Absolute privilege is a complete defence to any legal proceedings arising as a result of what is said or published. It confers protection even when the words complained of are spoken or published maliciously, or when their being spoken or published would otherwise amount to a criminal offence.
44. Members are afforded this immunity to enable them to air any matter, regardless of the power, wealth or status of those criticised.
45. The counter-balance to privilege, however, is responsibility; and Part IV of this Code sets out the mechanism for the investigation of allegations of abuse of privilege and, where such an allegation is found to be substantiated, the penalties which may be imposed on the Member concerned.

PART IV

Investigation of Allegations of Abuse of Privilege

46. A Privileges Panel convened for the purpose of investigating an alleged abuse of privilege shall comprise five of the ten most senior Members, by length of service, appointed by the Presiding Officer, save that
 - a. If the Presiding Officer deems it inappropriate for some or all of the ten most senior Members to sit on the Privileges Panel he may appoint some or all of the next ten most senior Members as Members of the Panel;
 - b. The two Members appointed to sit on the First Instance Panel shall not be eligible to sit on the Privileges Panel.
47. A Member alleging that another Member has abused privilege shall request the Presiding Officer to direct that the alleged abuse be referred to a Privileges Panel for consideration.

³ Article 20A of [The Reform \(Guernsey\) Law, 1948, as amended](#)

48. A request that an alleged abuse of privilege be referred to a Privileges Panel shall include a statement that it is a motion laid pursuant to this section and shall set out the full details of the basis on which the Member making the request alleges abuse of privilege. In particular, the said Member shall provide sufficient information to show that there is a prima facie case for the matter to be referred to a Privileges Panel.
49. A request made pursuant to the previous section shall be referred by the Presiding Officer to a First Instance Panel selected by him and comprising two of the ten most senior Members, by length of service and one of the Law Officers.
50. The alleged abuse shall only be so referred to a Privileges Panel if the First Instance Panel has resolved that a prima facie case has been made by the Member alleging the abuse of privilege.
51. The Member concerned will be invited to address the Privileges Panel. All Members are required to co-operate fully with the Privileges Panel during any investigation, even if the Member concerned considers that the alleged abuse is unsubstantiated. Failure to co-operate in an investigation will be regarded as a breach of the Code.
52. The Privileges Panel may request the production of papers and records and may request the attendance of any person before it, and may request that specific documents in the possession of a Member relating to its inquiries be laid before it.
53. When the Privileges Panel has concluded its investigations it shall report its findings directly to the States, and, if the allegation is upheld, the Privileges Panel shall advise the States as to whether they should reprimand, suspend or expel the offending Member. When a suspension is proposed the terms of the proposed suspension shall be set out in the report of the Privileges Panel. Members of either the First Instance Panel or Privileges Panel shall not be precluded from taking part in the States proceedings.

PART V

Suspension of a Member

54. The States may, in dealing with breaches of conduct or abuse of privilege, suspend a Member either from all States service or from a particular office or function, e.g. from the membership of a particular Department or Committee.
55. A Member suspended from a particular office or function may not, during the period of his suspension, take any part in meetings or other matters relating to that office or function but may, in all other matters, continue to serve as a Member of the States.
56. A Member suspended from all States service shall not, during the period of his suspension:
 - enter the States Chamber or its precincts when the States are meeting;
 - take part in any meeting or other matter relating to the States or a Department or Committee of the States;
 - sign any report, requête or other document relating to the business of the States;
 - ask any question pursuant to Rule 14 of the Rules of Procedure.

57. The States shall, when resolving that a Member be suspended, specify in each case whether any or all of the allowances payable to the Member pursuant to the Rules for Payments to States Members should cease during the period of suspension.

PART VI

General

Applicability to Former Members of the States of Deliberation and Non-States Members of States Departments and Committees

58. This Code shall, where the context so permits, apply in relation to sections 23, 24 and 25 (Confidential Information), to former Members of the States of Deliberation and Non-States Members of States Departments and Committees.

Definitions

59. In this Code

- “absolute privilege” has the meaning assigned to it in Article 20A of the Reform (Guernsey) Law, 1948, as amended;
- “abuse of privilege” means abuse of absolute privilege;
- “Members of the States of Deliberation” and “Members” means People’s Deputies and Alderney Representatives;
- “bullying” means offensive, intimidating, malicious or insulting behaviour; or an abuse or misuse of power in a way that intends to undermine, humiliate, criticise unfairly or injure someone, whether through persistent behaviour or a single grossly unacceptable act;
- “discrimination” includes behaviour that discriminates against any person on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, political opinion and language preference;
- “harassment” means unwanted conduct which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual and includes sexual harassment;
- “unwanted behaviour” means behaviour which is not encouraged or reciprocated by the recipient, regardless of whether it was meant to cause offence, and whether it is repeated or an isolated incident.
- In interpreting and applying the definitions of "bullying", harassment", "discrimination" and "unwanted behaviour":
 1. the intention of the person complained about is irrelevant.

2. the test is whether a reasonable and impartial person would consider the conduct would fall within one of the definitions having regard to the context of the behaviour complained about.
 3. the respective rights under the Human Rights (Bailiwick of Guernsey) Law, 2000 of both the person complained about and the person subject to the conduct in question must be respected.
- the disciplines and standards of behaviour prescribed are also applicable in the context of electronic communications.

Commencement

60. This Code of Conduct shall come into force on the day following the registration in the Royal Court of The Reform (Guernsey) (Amendment) Law, 2006.

Appendix 1

COMMISSIONER FOR STANDARDS

Commissioner for Standards Dr Melissa McCullough

Address: Commissioner for Standards
c/o The States' Greffier
The Royal Court House,
St Peter Port,
GY1 2NZ

E-mail Address: Commissioner@pi-cfs.org

Website Address: www.gov.gg/memberscodeofconduct

CIVIL SERVICE CODE

INTRODUCTION

1. The Civil Service forms an integral and key part of government. It supports the States of Deliberation, Departments and Committees in formulating and implementing their policies, and in the delivery of public services. Civil servants are recruited on merit through fair and open competition. You can take pride in carrying out your role with dedication and a commitment to the Civil Service and its core values: integrity, honesty, objectivity and impartiality.
 - > **Integrity** is about putting the public good above your own personal interests in whatever you do as a civil servant.
 - > **Honesty** involves being truthful and transparent.
 - > **Objectivity** means that you base your advice and decisions on rigorous analysis of the evidence.
 - > **Impartiality** requires you to act solely according to the merits of the case and without bias. In a politically impartial Civil Service, you must not let your own political views influence your work.
2. These core values support good government and ensure the achievement of the highest possible standards in all that the Civil Service does. This in turn helps the Civil Service to gain and retain the respect of States Members¹, the public, other organisations it works with, and its many customers, and to fulfil its role in Island life.
3. This Code sets out the standards of behaviour expected of you and all other civil servants and the duties that civil servants owe to States Members² the public, other organisations the Civil Service works with, and its many customers. These standards and duties flow from the core values. Individual Departments and Committees may also have their own separate mission and values statements based on the core values including the standards of behaviour expected of you in your dealings with your colleagues.

¹States Members include non-States Members of States Departments or Committees.

²Similar standards are set out in the Code of Conduct for Members of the States of Guernsey.

STANDARDS OF BEHAVIOUR

INTEGRITY

4. You must:
 - > conscientiously fulfil your duties and obligations
 - > always act in a way that is professional and that deserves and retains the confidence of those with whom you have dealings, whether they be States Members, members of the public or other civil servants
 - > ensure the proper and efficient use of public money
 - > deal with the public and their affairs fairly, efficiently, promptly and effectively
 - > comply with the law.

5. You must not:

- > misuse your official position or information acquired in the course of your official duties to further your private interests or those of others
- > accept gifts or hospitality or receive other benefits from a third party which might reasonably be seen to compromise your personal judgement or integrity
- > disclose confidential information without authority. This duty continues to apply after you leave the Civil Service.

HONESTY

6. You must:

- > set out facts and issues truthfully
- > use resources only for the authorised public purposes for which they are provided.

7. You must not:

- > be influenced by pressures from others or the prospect of personal gain
- > deceive or knowingly mislead States Members, other civil servants or members of the public .

OBJECTIVITY

8. You must:

- > provide information and advice, including advice to States Members, on the basis of the evidence, and accurately present the options
- > take decisions on the merits of the case
- > take due account of expert and professional advice.

9. You must not:

- > ignore inconvenient facts or relevant considerations when providing advice or taking decisions
- > frustrate the implementation of policies once decisions are taken by declining to take, or abstaining from, action which flows from decisions.

IMPARTIALITY

10. You must:

- > carry out your responsibilities in a way that is fair, just and equitable and reflects the Civil Service commitment to equality and diversity.

11. You must not:

- > act in a way that unjustifiably favours or discriminates against particular individuals or interests.

POLITICAL IMPARTIALITY

12. Civil servants must maintain political impartiality: you must serve the States of Guernsey to the best of your ability in a way which is consistent with the requirements of this Code and irrespective of your own political beliefs.

13. You must:

- > implement decisions conscientiously
- > act in a way which deserves and retains the confidence of States Members, while at the same time ensuring that you will be able to establish the same relationship with those whom you may be required to serve in the future
- > comply with any restrictions that have been laid down on your political activities.

14. You must not:

- > allow your personal political views to determine any advice you give or your actions.

RIGHTS & RESPONSIBILITIES

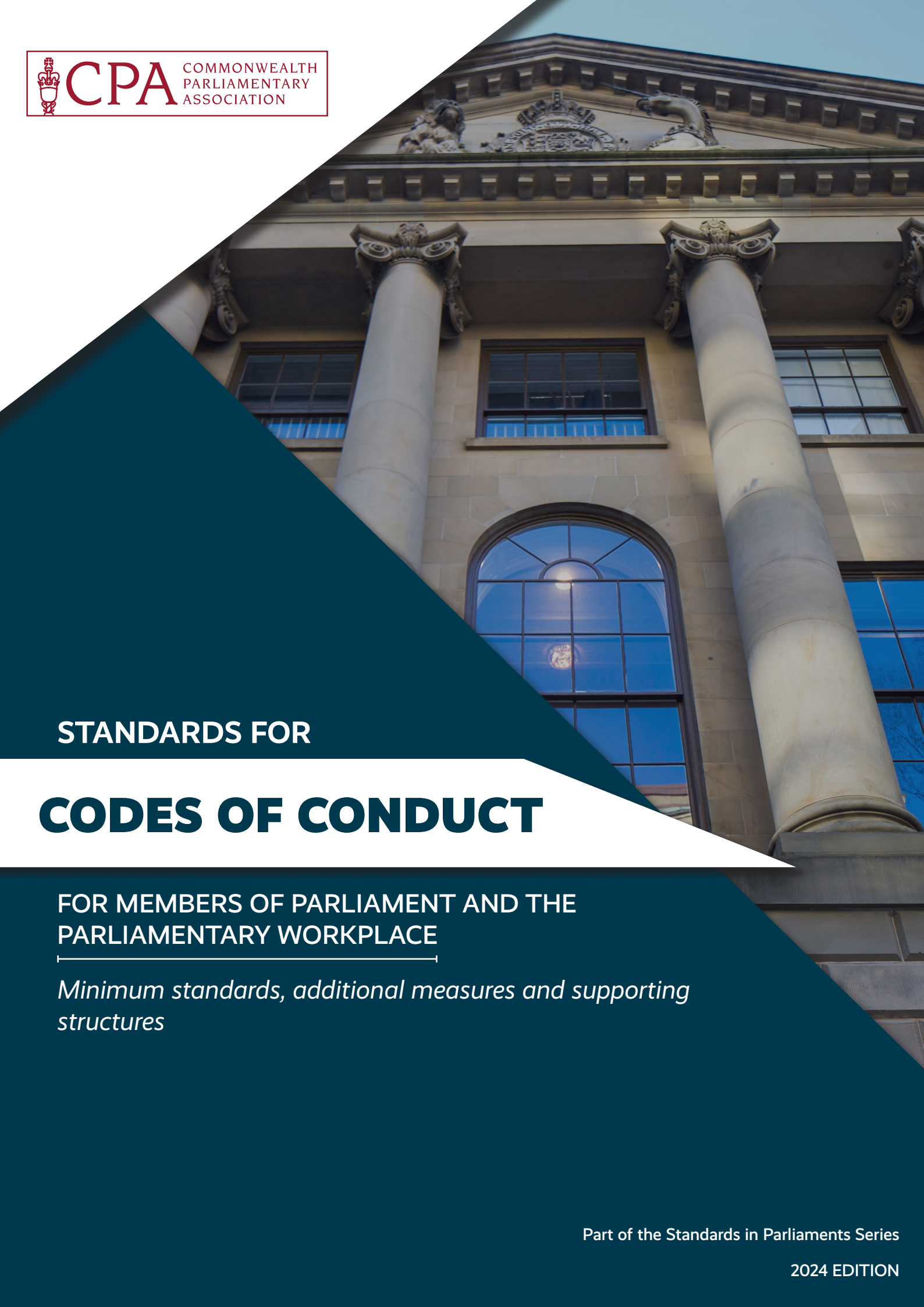
15. Your Chief Officer has a duty to make you aware of this Code and its values. If you believe you are being required to act in a way which conflicts with this Code, your Chief Officer has a duty to consider your concern, and to ensure that you are not penalised for raising such a concern.
16. If you have such a concern¹, you should in the first instance raise it with your line manager or someone else in your line management chain. If for any reason you would find this difficult, you should raise the matter with your Chief Officer or equivalent.
17. If you become aware of actions by others which you believe conflict with this Code you should report this to your line manager or someone else in your line management chain; alternatively you may wish to seek advice from your Chief Officer or equivalent.
18. This Code is part of the contractual relationship between you and the States of Guernsey as your employer. It lays down the high standards of behaviour expected of you which follow from your position in public and Island life as a civil servant. You can take pride in living up to these values.

¹ *The Disclosure of Malpractice section in the Established Staff Directive "Conduct" may also apply in some circumstances, and is available on the States Intranet*

<http://bridge/hr/empinfo/Established%20Staff%20Information/Conduct.aspx>

Evidence of criminal or unlawful activity should be reported to the Police or other appropriate authorities.

November 2007



STANDARDS FOR **CODES OF CONDUCT**

FOR MEMBERS OF PARLIAMENT AND THE
PARLIAMENTARY WORKPLACE

*Minimum standards, additional measures and supporting
structures*

About the CPA

The Commonwealth Parliamentary Association (CPA) connects, develops, promotes and supports parliamentarians and their staff to identify benchmarks of good governance and the implementation of the enduring values of the Commonwealth. The CPA collaborates with parliaments and other organisations, including the intergovernmental community, to achieve its statement of purpose. It brings parliamentarians and parliamentary staff together to exchange ideas among themselves and with experts in various fields, to identify benchmarks of good practices and new policy options they can adopt or adapt in the governance of their societies.

About the authors

The CPA Headquarters Secretariat extends its thanks to the authors of this publication, namely Deakin University, and in particular Andrew Young, former Clerk of the Legislative Council and Clerk of the Parliaments, Victoria, Associate Professor Amy Nethery, Dr Peter Ferguson, and Associate Professor Zim Nwokora at Deakin University with editorial support from Matthew Salik, Head of Programmes, CPA.

Developed in partnership with:



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This publication acknowledges the *Recommended Benchmarks for Codes of Conduct applying to Members of Parliament*, (the Benchmarks 2016) by Associate Professor Hon. Dr Ken Coghill, Monash University, Australia, published by the Commonwealth Parliamentary Association (CPA) in 2016. While this publication has updated the Benchmarks 2016 in line with emerging standards and expectations, we acknowledge the excellent and enduring content and guidance published in 2016.

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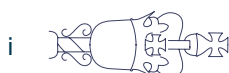
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Foreword

Parliamentarians are entrusted with significant power and responsibility in a democratic society and as such must demonstrate the highest ethical standards.

As stipulated in the *CPA Recommended Benchmarks for Democratic Legislatures*, parliaments should encourage values around ethical governance. In particular:

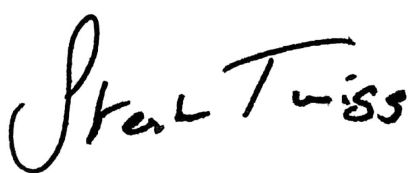
“Legislators should maintain a high standard of accountability, transparency, responsibility, and propriety in the conduct of all public and parliamentary matters including strict adherence to codes of conduct, and interest disclosure rules.”

Codes of conduct for Members of Parliament help to maintain public trust, establish clear ethical standards, help to prevent corruption and the abuse of power, seek to prevent harassment and bullying within the workplace, promote fairness and equity, and importantly for parliamentarians, set guidelines for public officers to uphold the highest standards of good governance. Its importance to the fabric of parliamentary life is unquestionable.

With this in mind I am delighted to present the *Standards for Codes of Conduct for Members of Parliament and the Parliamentary Workplace*. These Standards have evolved from the CPA's existing [*Recommended Benchmarks for Codes of Conduct Applying to Members of Parliament*](#), which were first published in 2016. My thanks go to Associate Professor Hon. Dr Ken Coghill and his colleagues at Monash University for their exemplary work in establishing these invaluable early Benchmarks. The initial Benchmarks have proved their worth in aiding parliaments who have taken the important steps in establishing their own Codes. But in an ever-changing world, it is important to seek continuous improvement and to adapt and adopt new practices. Whereas in 2016, the primary focus of the Benchmarks was on tackling corruption, today the additional challenges of harassment, bullying and abuse in the workplace must also be tackled, especially when technology and online harms are added to the current landscape. In 2023, the time came for the CPA to work on updating the existing Benchmarks, and with the support of Deakin University and its team led by Dr Amy Nethery and Andrew Young, a new set of Standards have been developed, which I am confident will have equal value to parliaments across the globe.

I strongly encourage parliamentarians and parliamentary officials to pay close attention to the Standards as drafted in this publication and its accompanying report *Standards for Codes of Conduct for Members of Parliament: Context, Research Findings, and Recommendations*. This additional resource provides more information on the context and reasoning for codes of conduct and its application across the globe.

It would be remiss of me not to highlight the important role played by all those parliaments, Members and officials who have taken the time to feed into these updated Standards and their belief in its value and significance. I hope that we can continue the conversation with our colleagues on the implementation of codes of conduct. The CPA's commitment in championing the highest principles of parliamentary democracy means this work shall not end at the publishing of the Standards, we will continue to work with our parliaments to help them adopt codes of conduct where requested.



Stephen Twigg, Secretary General,
Commonwealth Parliamentary Association

KNOW THE
RULES



INTRODUCTION

Why codes of conduct, standards of behaviour and related structures are important

For a parliament to effectively perform its functions, it must ensure a high level of integrity of its Members and its operations. The public's trust in its elected Members of Parliament is a fundamental aspect of good governance and an open, democratic society.

Members of Parliament have individual responsibility for the functioning and integrity of the Parliament in two fundamental ways:

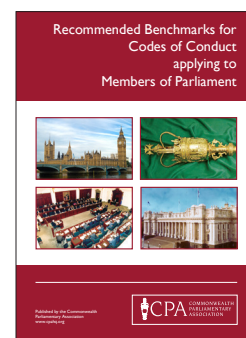
1. By upholding the ideals of democratic government, particularly by respecting the separation of powers and the rule of law; and
2. By demonstrating high standards of integrity and ethical behaviour, including workplace behaviour, consistent with their important public interest roles, especially when they are making laws for their community and scrutinising the government.

Codes of conduct for Members and standards of behaviour expected of all persons at the parliamentary workplace can help a parliament to function with integrity, to encourage ethical behaviour, and build public trust.

Updating the CPA Benchmarks 2016

The CPA published its inaugural Recommended Benchmarks for *Codes of Conduct applying to Members of Parliament* in 2016. These provide some enduring content and well researched guidance for this updated Standards for Codes of Conduct.

Since 2016, several conduct issues in parliaments around the world have necessitated a revision of the scope of codes of conduct and related structures. There is increasing recognition that parliaments are both law-making institutions and workplaces in which Members, staff and others should be safe and respected. In the same period, social media and artificial intelligence have developed rapidly, and the ethical handling of information has become increasingly complex.



This publication has updated the content of the earlier version in line with emerging standards and expectations. It also updates the terminology from 'Benchmarks' to 'Standards'.

How to use these standards

Implementation

The standards are designed to facilitate best practice by enabling incremental implementation from minimum standards to additional measures.

This design recognises that CPA member parliaments vary greatly in size, resources, cultural settings, and parliamentary practice.

We recommend flexibility in the implementation of codes of conduct. However, all CPA parliaments should implement at least the minimum standards of conduct.

The standards are designed so that a parliament can monitor its progress in a meaningful way, separate from a more formal self-assessment or external assessment. They are not intended to be the exact measures for assessment of implementation, but rather serve as the basis for developing a separate assessment tool.

Written guidance may be developed to accompany the code but not form part of it unless the guidelines have been resolved by the Parliament as enforceable rules in addition to the code of conduct. The most common and practical purpose of guidelines is to assist in understanding the rules in the code, not to provide additional rules.

A separate code of conduct for Ministers should be developed within government. A separate code for ministerial staff should similarly be established within government, but this should not exempt ministerial staff from behavioural standards in the parliamentary workplace whenever they are on the parliamentary precinct.

Standing Orders/Resolutions, Legislation, or both?

Existing codes of conduct for Members of Parliament throughout the CPA's membership may be found in standing orders, standing resolutions and/or legislation.

Related or complementary functions and structures, such as ethics / integrity advisers, standards commissions and workplace support services are found in both standing orders/resolutions and/or legislation.

Who develops the written guidance might depend on whether the code is legislated or found in standing orders or standing resolutions. Where the code is legislated on the basis of work done by government officials in support of the government of the day, it may be more likely that the government will also take responsibility for preparing the written guidance.

However, when the code is in standing orders or standing resolutions, the House may delegate the writing of guidance to the presiding officer (assisted by the clerk), a procedure/standing orders/ethics committee, a corporate board of the Parliament or similar body. The code itself may require one of these groups to prepare written guidance.

Standards organised into themes

The standards for codes of conduct and related structures (advisory and enforcement processes and offices) are organised into nine themes.

1. Commitment to parliamentary democracy, institutional integrity and a code of conduct
2. General conduct in public office
3. Disclosure and publication of financial and other interests and conflicts of interest
4. Commitment to a safe and respectful workplace
5. Online behaviour, social media, artificial intelligence and information management
6. Complaints, independent investigations, and procedural fairness
7. Rectification and sanctions
8. Ethics adviser
9. Awareness and education

Each theme has minimum standards that should be adopted by all Commonwealth parliaments. Each theme also has additional measures that may be adopted now or in the future by some parliaments; for other parliaments, because of contextual factors associated with the countries in which they operate, these additional measures might only ever be partially adopted.

The minimum standards and additional measures are followed by a discussion about the key considerations for standards of conduct and related structures, which is intended to prompt consideration of the context in which each parliament operates (such as its size and financial capacity, parliamentary practice, cultural factors, and legal framework).



**moral,
ethics
never**

COMMITMENT TO PARLIAMENTARY DEMOCRACY, INSTITUTIONAL INTEGRITY AND A CODE OF CONDUCT

Minimum standards

The House(s) shall have a code of conduct for Members.

The code of conduct for Members applies to all Members of the House(s), including the presiding officer and all ministers (who are also Members).

Each Member should affirm in the House their commitment to the code of conduct at least once every parliamentary term, ideally within three sitting weeks following a general election. This may occur as part of the ceremony of being sworn in or at another, similarly significant time in proceedings.

The code of conduct shall provide that it be reviewed not less than once every two parliamentary terms and the report of the review be tabled in the House(s) regardless of whether any amendments to the code are recommended.

The code of conduct may be adopted by legislation, standing orders, a standing resolution of the House(s) or a combination of these.

Additional measures

Parliaments may develop written guidance for applying and adhering to the code of conduct. The code may expressly permit or even require that guidelines be made. Such guidelines or instructions do not form part of the code, unless the Parliament has resolved or enacted that the guidelines be enforceable standards or rules.

Key considerations for developing codes of conduct and related structures

The code of conduct is vital for the Parliament to be an effective and respected democratic institution. It demonstrates a commitment to transparency, accountability, and responsibility of all Members.

The House(s) should have a code that is specifically for Members, distinct from codes applying to a broad group of people (such as 'public office holders'). As elected representatives, Members should be guided by a higher ethical obligation. Therefore, the standards and expectations of behaviour for Members should be equal to or higher than the standards expressed in other codes.

Some parliaments have developed codes of conduct after first undertaking a democratic legislature benchmarking exercise, which may bring to light areas for improvement in ethical governance. While democratic



legislature benchmarking is of great value to all parliaments, the need for a code of conduct is universal to all parliaments and there is no need to delay development of a code until after a democratic legislature benchmarking exercise.

Some parliaments have undertaken a very consultative approach to developing a code by inviting public submissions or releasing a draft code and inviting public feedback.

Definitions, interpretations

Members' affirmation of commitment to the code of conduct – affirmation may be individual, such as at the time of swearing in, or collectively, such as a motion in the House affirming all Members' commitment to the code.

FURTHER RESOURCES

The United Nations Sustainable Development Goal 16, Peace, Justice and Strong Institutions, [Goal 16 | Department of Economic and Social Affairs \(un.org\)](#)

Commonwealth Latimer House Principles, CPA Library ([cpahq.org](#))

CPA Recommended Benchmarks for Democratic Legislatures, [CPA Library \(cpahq.org\)](#)

Anguilla – CPA, Benchmarks for Democratic Legislatures, Final Report of Self-assessment of the House of Assembly, provides an example of how a democratic legislature benchmarking exercise was able to identify gaps in ethical governance and the need for a code of conduct, [anguilla-benchmarks-report-2020.pdf \(cpahq.org\)](#)

Commonwealth Parliament of Australia, Joint Select Committee on Parliamentary Standards, Final Report, November 2022, [Joint Select Committee on Parliamentary Standards 47th Parliament – Parliament of Australia \(aph.gov.au\)](#)

United States of America, House of Representatives, Committee on Ethics, Ethics Manual, see *Chapter 1 General Ethical Standards*, pp. 1-20, [House Committee on Ethics](#) |

Anguilla House of Assembly, Call for feedback, Code of Conduct and Register of Interests for Members, 2023, [Call for Public Feedback on Draft Code of Conduct and Register of Interests for Members of House of Assembly.pdf \(gov.ai\)](#)

Kenya, *The Public Officer Ethics Act*, Chapter 183, (revised ed. 2009), provides an example of a generic code applicable to all public officers, including MPs, but with a requirement (section 5) that each body develop its own, separate code including all provisions in the general code and any additional standards beyond those in the general code, [www.kenyalaw.org](#)

Scottish Parliament, Code of Conduct, 8th Edition, 6 May 2021, see *Introduction, para 5, statement that separate guidelines to the code are not part of the code and not enforceable*, [c160dbee10264603aafe30f11d3ffaed.ashx \(parliament.scot\)](#)

Northwest Territories (Canada) Legislative Assembly, Guide to the rules relating to the conduct of Members, see p.1 – *Introduction – guidelines are made pursuant to statute and approved by resolution of the Legislative Assembly as enforceable rules, read in conjunction with the Code*, [code_of_conduct_guide.pdf \(ntassembly.ca\)](#)

Welsh Parliament (Senedd), Code of Conduct on the Standards of Conduct of Members of the Senedd, March 2021, [Code of Conduct on the Standards of Conduct of Members of the Senedd](#)

ACT Legislative Assembly, Code of conduct for all members of the Legislative Assembly of the Australian Capital Territory, Continuing Resolution 5, see *paragraph (E) regarding affirmation of commitment to the code Standing orders - ACT Legislative Assembly*

Minimum standards

The code of conduct shall include in a preamble, or opening section, a commitment from Members to:

- uphold democratic values, the separation of powers and the rule of law;
- conduct themselves in accordance with the following principles:

Selflessness - Members of Parliament should act solely in terms of the public interest.

Integrity – Members of Parliament must avoid placing themselves under any obligation to people or organisations that might try to inappropriately influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any potential conflicts of interest.

Objectivity - Members of Parliament must act and take decisions impartially, fairly and on merit, using the best available evidence and without discrimination or bias.

Accountability - Members of Parliament are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness - Members of Parliament should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty – Members of Parliament should be truthful.

Leadership - Members of Parliament should lead by example by exhibiting these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and be willing to challenge poor behaviour whenever it occurs.

Members shall prioritize and attend sittings of the House and committees, except with reasonable excuse, or in the case of extended absences, if excused in accordance with the practice of the House.

Elected Members shall meet with and attend to the needs of their constituents in a manner consistent with their representative role.

Elected Members shall represent the interests of constituents on an equitable basis, not because of personal or political affiliations or inducements.

Members shall use public funds, property and facilities only in the public interest and as permitted by law.

Members shall not engage in outside employment or activity to such a degree that it interferes with the Member's ability to perform their public duties as a Member.



Members shall not engage in paid lobbying, paid advice or paid advocacy in any way that relates to their parliamentary work (or that might be perceived as such).

Members shall not use their position to seek or secure future employment, paid lobbying, consultancy work or other remuneration or benefit upon ceasing to be a Member of Parliament. This does not prevent a Member from obtaining such work, on merit, after ceasing to be a Member, subject to any restrictions otherwise provided by law, this code or any other code to which a Member may be subject (such as a ministerial code of conduct).

Members shall respect the roles, independence, rights and responsibilities of parliamentary staff, public servants and other staff who do not work at the direction of Members.

Additional measures

In the event that a decision of the Member's political party requires the Member to act in a manner that is inconsistent with the code of conduct, the Member shall comply with the code.

The House shall tolerate Members' employment or paid activities outside of the Parliament only to the extent that it is reasonable in the context of their MP salary and demands of their public duties.

A former Member shall not undertake paid lobbying or consultancy related to their work as a Member or minister for at least one year after ceasing to be a Member.

Members are accountable for the welfare of their staff. Members are accountable for their staff being mindful of the Members' obligations and commitment to the code of conduct.

Members should avoid employing family members in any parliamentary /Member support roles and should not seek to gain advantage for their family members in securing other roles in the parliamentary workplace.

Key considerations for developing codes of conduct and related structures

The values that inform the minimum standards - selflessness, integrity, objectivity, accountability, openness, honesty and leadership - are the seven principles of public life, known as the Nolan principles. The principles, first prescribed in 1995, outline the ethical standards those working in the public sector are expected to adhere to. The only amendment to the principles arising from the most recent review in 2021 was the inclusion of 'treat others with respect' in the description of 'Leadership'. While the committee has not added principles to its list, it is accepting of organisations choosing to include additional principles in their own codes or statements of principles of conduct.

It is recommended that they are included in their exact or fit for purpose form in a preamble to the codified standards because they are general principles that provide the foundation for a code of conduct.

Members' daily conduct and the processes that lead them to take a certain position in the House, a committee, and in their constituency, should derive from the Nolan principles, rather than their own personal benefit.

Members of Parliament must avoid placing themselves under any obligation to people or organisations that might try to inappropriately influence their judgement.

The concept of the Member always acting in the public interest can have a number of different practical implications. For example, it might mean that they should vote or contribute to committee proceedings according to their conscience, or according to their party's political platform or to promote certain constituents' views.

A code for Members may or may not mention political parties. Parties should structure their activities so that they accord with the code; in the event that a party directive requires a Member to act contrary to the code, the Member has a clear obligation to act in accordance with the code.

Members' staff

Not all Members have staff. However, many Members have constituency staff, political staff, volunteers or similar, working at the direction of the Member, or assigned to the Member. Regardless of who the legal employer of those staff is, Members are accountable for their staff. This means:

- Members are responsible for the welfare of their staff; and
- Members are responsible for their staff being mindful of the Member's responsibilities and commitment to the code of conduct.

Members should avoid employing family members in a constituency office or other political role, even if the family member is qualified for that role. The perception of a conflict of interest in such situations may harm the reputation of the Parliament.

Other staff

Members deal with other staff, including parliamentary or chamber officers, public servants and others, none of whom work at the direction of Members. These staff may be subject to a separate code of conduct. Members must respect the roles and independence of these staff and treat these staff respectfully in the workplace (also addressed in a later theme).

Overlap with privilege and other parliamentary procedures

Some existing codes encourage or require Members to avoid abusing the protection they require to speak freely in the chamber. In other words, Members are encouraged to carefully consider their privileged freedom of speech in circumstances where its use could damage the reputation of another person.

Some codes include general reference to Members having to conduct themselves in an orderly manner in the chambers and committees in accordance with certain standing orders and to comply with committee confidentiality.

A parliament may have reason to reinforce aspects of privilege, practice and procedure applying to the chamber and committees, but it is not essential that all codes do this.

Definitions, interpretations

Public duties – for the purposes of code of conduct standards, includes constituency business, parliamentary business (including sittings of the House), committee business and ministerial business.



FURTHER RESOURCES

The Seven Principles of Public Life ("Nolan Principles") for holders of public office, Committee on Standards in Public Life, UK. (1995). First set out by Lord Nolan in 1995 in the [first report of the Committee on Standards in Public Life](#) and they are included in a range of codes of conduct across public life. Descriptions and analysis of alternative approaches were updated and included in the 14th Report of the Committee on Standards in Public Life, *Standards Matter, A review of best practice in promoting good behaviour in public life*, January 2013. They were most recently reviewed in the Committee's 2021 report, *Upholding Standards in Public Life*, Final Report of the Standards Matter 2 review. www.gov.uk/government/publications/the-7-principles-of-public-life

Bermuda House of Assembly, Code of Conduct for Members of the Legislature, November 2021, *see in particular Section 4, which lists the seven principles of public life and refers to the CPA's benchmarks for codes of conduct*, [The-Code-of-Conduct-for-Members-of-the-Legislature-Bermuda-November-8-2021.pdf \(bernews.com\)](#)

ACT Legislative Assembly, Code of conduct for all members of the Legislative Assembly of the Australian Capital Territory, Continuing Resolution 5, *see paragraph (C) (5) for an example of a code requiring Members to be careful in their use of the privilege of freedom of speech*, [Standing orders - ACT Legislative Assembly](#)

Scottish Parliament, Code of Conduct, 8th Edition, 6 May 2021, *see section 7, paras 9-16 'Conduct in the chamber and committees' and 'Confidentiality rules' for an example of a code referring to matters that are also governed by standing orders and procedural practice*, [c160dbee10264603aafe30f11d3ffaed.ashx \(parliament.scot\)](#)

DISCLOSURE AND PUBLICATION OF FINANCIAL AND OTHER INTERESTS AND CONFLICTS OF INTEREST

Minimum standards

For the Code of Conduct

A Member shall not accept any form of inducement that could give rise to a real or perceived conflict of interest or influence their behaviour.

A Member shall not provide any form of financial inducement to another Member, including the gifting or lending of money to another Member.

The code of conduct shall require Members to disclose their personal financial and other interests in a Register of Members Interests.

The information to be registered shall be prescribed in the code of conduct or in a separate code.

The personal financial and other interests to be prescribed shall be those that may reasonably be perceived to have the potential to conflict with the public duties of Members, or that a public officer should reasonably declare in the interests of transparency.

These prescribed interests shall be disclosed (subject to any disclosure threshold) immediately following election (or appointment) and continuously updated within a reasonable period specified by the Parliament.

The annual or periodic report of Members' interests (the register) shall be tabled and made publicly available upon request.

The administration, including collection of information from Members, shall be undertaken by the clerk or another body that is separate from executive government.

Members shall publicly account for their receipt and use of travel, allowances, constituency / electorate resources and similar (which may be in accordance with separate rules established by Act or administrative policy).

A Member shall declare a personal financial or other interest in relation to a matter of debate, including a bill, in the House or in a matter before a committee when it would be reasonable for others to think that the Member could be influenced by their personal interest.



A Member shall not vote on a question about a matter in which he or she has a direct pecuniary interest.

For the Code of Conduct or a separately enacted or prescribed Register of Interests of Members of Parliament

Each Member shall disclose to the Parliament all relevant interests that a reasonable person might think could give rise to a conflict of interest between the Member's duties and responsibilities and his/her personal interests, including but not limited to:

- land and property assets;
- shareholdings;
- gifts;
- provision of funding, staff or other benefits by a third party in support of the Member's parliamentary duties (including when the Member shares the benefit from the third party with other Members);
- non-personal travel, including, but not limited to parliamentary travel fully or partially paid for by a third party such as a foreign government, another parliament or interest group;
- sources of income, including remunerated employment (other than employment as a Member);
- directorships and trusteeships;
- trusts and blind trusts of which the MP is a beneficiary;
- liabilities;
- financial loans made to or received from an individual(s) other than immediate family members, who are not a financial institution in the ordinary business of lending money;
- hospitality; and
- affiliations.

Relevant interests, gifts or other donations may be subject to specified thresholds (monetary values).

Failure to report interests or serious inaccuracy in a report will be referred to the House's privileges/ethics/standards committee or the standards commissioner for inquiry and report back to the House.

Additional measures

For the Code of Conduct – Declaration of a Personal Interest

The obligation to declare an interest lies with the Member who holds it, but a failure to declare an interest that becomes known may be dealt with by the House or referred to the privileges committee (or standards committee or other committee) as a potential contempt of parliament.

For the Code of Conduct or a separately enacted or prescribed Register of Interests of Members of Parliament

The Parliament shall publish the interests disclosed and the purposes and amounts of expenditure of public funds by each Member as soon as practicable in the most accessible means available (for example, on the parliamentary website).

Relevant interests held by the Member's spouse, partner or close family members are clearly included in the requirements of a register of interests and any other rules or practices relating to declarations of conflict of interest.

Where there is no separate law or rule requiring election campaign donations to be declared, the register of interests should include a requirement for financial and non-financial donations to be declared where such donations are made to the Member directly by the donor.

There should be an effective mechanism to verify any disclosure and to immediately notify any discrepancy in a public report to the House. Sanctions, such as public apology, admonishment by the House or suspension of the Member for one or more sitting days are prescribed in relation to any breach of the requirements.

Key considerations for developing codes of conduct and related structures

In the parliamentary context 'conflicts of interest' can exist between a Member's personal interest and the public interest. The public interest should always prevail in the Member's deliberations on all matters.

It is not enough to simply declare a relevant personal interest; all public duties, including voting in the House, should be carried out according to the public interest. This requires Members to recuse themselves from debating and voting on issues in which they have a conflict of interest.

Beyond direct pecuniary interests, this document cannot provide a complete list of interests that should be disclosed, declared or that might otherwise give rise to a conflict of private and public interest. The first point of guidance for the criteria should be the core principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Register of Interests

It is ideal to capture most interests in one reporting process and document, which may be called a Register of Interests of Members of Parliament (Register of Interests). The word 'financial' is not appropriate in the title, because not all interests that should be reported are financial.

When designing the rules for a register of interests there may be several objectives, for example:

- increasing the transparency of individual Members' interests;
- increasing the reputation of Members and the Parliament as a whole;
- providing a basis upon which a Member and the House may better judge whether the Member should absent themselves from a particular vote or proceeding; and
- acting as an incentive for Members to avoid the conflict of interest in the first place by either divesting themselves of the personal interest, or not attaining a certain personal interest in the first place.

The last objective is part of a broader theme of improving the Parliament's culture of transparency and ethical governance. It does not mean that a register of interests is designed to prohibit a Member from owning private possessions or having personal interests.

The rules for reporting financial interests may be complex and require separate legislation or a schedule to the code, in which case the code need not duplicate the rules but may refer to the crucial link between the Register of Interests and the integrity aims of the code.

If there is no separate law, standing order or other provision in place requiring a declaration of interests by Members, the House(s) should consider the following:

- whether Members already have to report separately in relation to certain things such as travel and allowances. If so, there may be no need to include it as a registrable interest under the code of conduct or register of interests;
- a Member may benefit directly from something owned by or gifted to their spouse/partner. As such, relevant



- assets or interests of spouses, partners and family members should be reported; and
- when considering what and how interests are to be declared, there is a balance between transparency and protecting the privacy of the Member and their family. For example, a Member might be required to declare land holdings by including the name of the town or city, but not the street address. However, the privacy of the Member and their family should not outweigh the public interest of transparency.

Interests change over time, and it is appropriate that Members regularly update their declaration, at least annually, in the form of a new return or a report of any amendments to the previous return. Material changes that arise between the comprehensive reporting dates should be reported and made publicly available in as close to real time as possible and at a minimum within 30 days of the material change occurring.

It is important that Members can seek guidance from, and report required interests to, a nonpartisan office. The clerk, or another officer independent of executive government, is the most appropriate person to carry out this function.

It is not enough for interests to simply be reported. To achieve transparency and address any perceptions of conflict and ultimately increase public faith in the Parliament, the register of interests must be public. An authorising Act, the code itself or standing orders should require the register to be tabled or that it be published on the Parliament's website or similar public location.

Gifts may be given and received with no intention of creating a conflict of interest. They may be given or received as a matter of protocol, such as parliamentary delegations and international visits. Regardless of the circumstances of the giving or receiving of gifts, it is widely accepted that Members should publicly report the receipt of gifts.

In the case of gifts and reportable interests more generally, monetary thresholds should be set above which reporting is mandatory. Some gifts or items owned by Members may be of such little value that a reasonable person would not think it necessary for the Member to report. Such thresholds may be adjusted over time according to rules about how and when such adjustments should be made.

Donations made to the Member to assist their election campaign should be part of a register of interests if no separate law, rule and process is already in place to regulate and report such activity. Consideration of the inclusion of campaign donations should include:

- whether donations are made directly to the Member or to the Member's party, in which case reporting may be difficult or impractical;
- an election candidate, who has not been a Member, would need to know in advance that it is a requirement to report campaign donations if they are successfully elected as a Member; and
- financial thresholds may be required if it is considered that very small donations are not required to be reported.

Declaration of personal interest or conflict of interest

One test for when Members should declare a personal interest on a matter is when a reasonable person would think the Member's vote or contribution to debate or committee could be influenced by their personal interest. An equally effective test is how a reasonable member of the public would respond if it became known that the Member had not disclosed their interest. The obligation to declare the interest lies with the Member. This requirement may be expressed in standing orders or be understood as a matter of parliamentary practice to be upheld by the presiding officer, the House and the Member themselves.

Definitions, interpretations

Interest – may be a financial or non-financial interest (such as an affiliation or membership) but is different from an opinion, view, life experience or party affiliation.

Direct pecuniary interest – *matters on which a Member should not vote* – The Member should not vote if the relevant pecuniary (financial) interest is held by the Member alone or the Member and a small number of other persons and not broader sections of the community. Where a bill or other question before the House is a matter of public policy which coincides with an interest of a Member, but the Member is one of many people who have the same interest, the Member may not be prevented from voting.

Declaration of a personal interest or conflict of interest – declaration of a personal interest on a particular matter before the House or committee in which a reasonable member of the public would think the Member could be influenced by their personal interest.

Registration of interests – Registration of Members interests at regular, prescribed intervals and for general reporting purposes.

Gift – may be monetary or things that are not money, but which have a financial value or other benefit.

Spouse/partner – according to local laws/customs of what constitutes a married or other civil union or legally recognized relationship. It will usually involve the Member and spouse/partner living together.

FURTHER RESOURCES

House of Lords, UK, Guide to the Code of Conduct, 12th edition, June 2022, see paras 104 & 105 for an explanation of 'registration' and 'declaration' of interests, [Code of Conduct for Members of the House of Lords, Guide to the Code of Conduct and Code of Conduct for House of Lords Members' Staff \(parliament.uk\)](#)

House of Commons, Code of Conduct, December 2022, Guide to the rules relating to the Conduct of Members, see Section 1 Registrations of Members' Financial Interests and Section 2 Declaration of Members' Interests, [Code of Conduct and Guide to the Rules \(parliament.uk\)](#)

Parliament of the Republic of South Africa, Code of Conduct, see Section 5 – Conflict of Financial or Business Interests; and Section 6 – Prohibited Business Activity, for an example of a member's 'immediate family' being included as persons who should not improperly benefit from the member's conflict of interest, [Code of Conduct - Parliament of South Africa](#)

McGee, Parliamentary Practice in New Zealand, 5th edition, 2023, (edited by David Wilson), see Chapter 10, sections 10.11 and 10.12, pp 124 & 125, for an explanation of declarations of financial interests in business before the House and Members' personal interests, [Parliamentary Practice in New Zealand - New Zealand Parliament \(www.parliament.nz\)](#)

Members of Parliament (Standards) Act 1978 (as amended to 16 September 2019), Victoria, Australia, see Part 4 Register of Interests, [Members of Parliament \(Standards\) Act 1978 \(legislation.vic.gov.au\)](#)

Legislative Council, New South Wales, Australia, Review of Members' Code of Conduct (2022), Report 90, November 2022, re: 'conflict of interest' see paras 3.21 – 3.31; and re: 'improper influence' and 'online access to the Register of Disclosures' see paras 3.42 – 3.49, [Report \(nsw.gov.au\)](#)

House of Lords, UK, Conduct Committee, 5th Report, September 2023, Parliamentary advice and services: proposed changes to the Code of Conduct and Guide to the Code of Conduct (provides an updated rule for the prohibition of Members receiving payment from others for the performance of parliamentary duties and activities, [Conduct Committee - Publications - Committees - UK Parliament](#)

Welsh Parliament (Senedd), Standing Orders 2020, see Standing Order 2 Financial and Other Interest of Members: Annex for an approach to declarations of interests that includes a Member's 'partner' and a clear definition of 'partner'; and see Standing Order 4 Recording Time Involved in Registrable Activity, which requires Members to indicate the number of hours spent on other paid employment, not related to their parliamentary duties, [www.senedd.wales](#)





CONDUCT

COMMITMENT TO A SAFE AND RESPECTFUL WORKPLACE

Minimum standards

For the Code of Conduct

Every Member commits to making the Parliament a safe and respectful workplace for all Members, staff and visitors.

Members commit to use their role as leaders to ensure that the Parliament is a safe and respectful workplace.

Members will not abuse their power, influence and authority.

Members commit to upholding the letter and spirit of laws relating to the rights and obligations of people in the workplace.

Members commit to respecting all people, by encouraging and promoting diversity, equality, and emotional/psychological safety in the workplace.

No Member will behave in the parliamentary workplace in a manner that constitutes–

- discrimination (e.g. based on gender, ethnicity, race, religion, age or disability);
 - bullying;
 - harassment;
 - sexual harassment and sexual assault;
 - victimisation.
-

Members will take appropriate action if they observe another person engaging in unacceptable workplace behaviour.

For a statement of standards of behaviour for all in the parliamentary workplace

Separate from a code of conduct for Members, the Parliament should publish or display a brief 'Standards of behaviour in the workplace' that obliges everyone, including ministerial staff, visitors, contractors, media and others to ensure a safe and respectful workplace.



Additional measures

For the Code of Conduct

Members will take care to consider the rights and reputations of others when speaking with the protection of parliamentary privilege in parliamentary proceedings.

Members will comply with the terms and conditions on which their personal staff are engaged and with all applicable laws and policies. It is the responsibility of Members to be aware of these conditions, laws and policies.

Members are accountable for making their personal staff aware of their rights and obligations in the workplace. Members will ensure that their personal staff are mindful of the Member's commitment to the code of conduct.

Supporting structures and processes

An office of parliamentary staff and Member staff support shall be set up independent of Members and executive government.

The office may provide the following: advice in relation to workplace rights, health and safety; counselling services in support of employees' psychological wellbeing; and resolution of local workplace/office disputes for issues that are below the threshold for an investigative standards commission or other body tasked with investigating a code of conduct breach, and/or breach of employment or criminal law.

Key considerations for developing codes of conduct and related structures

Parliaments as a safe and respectful workplace

Every parliament is a workplace. Members, staff, the media and other visitors to the Parliament should be in a safe and respectful environment.

Parliaments have a duty of care for all who work in and visit parliamentary workplaces. Parliamentary staff, public servants and other workers are usually subject to codes of behaviour and it is reasonable to expect that the code of conduct for Members will include standards relating to the behaviour of Members in the workplace to further ensure that the parliamentary workplace is safe and respectful for everyone.

General behaviour on the precinct / parliament workplace – obligations for everyone, including visitors

Every parliament will likely have visitors: people who are not Members, Members' staff or parliamentary staff. Visitors come to watch proceedings, appear before committees, and undertake contracted work on the precinct. They include visitors to electorate/constituency offices and school groups participating in civic education.

It is reasonable to expect that visitors and other non-Members will act courteously when they are on the Parliament precinct. Some parliaments publish or display signs that set out a standard or code of behaviour for everyone on the precinct. This is separate from the Members code of conduct and should be considered part of setting the overall culture of the workplace.

Acceptable and unacceptable workplace behaviours

It is not enough for the code to simply require Members to be courteous. There cannot be a meaningful workplace behaviour component of a code of conduct if some behaviours are not at least listed in basic terms and described as unacceptable.

Discrimination, bullying, harassment, sexual harassment and sexual assault are unacceptable. For the purpose of this document, these terms are included in the definitions section that follows. Local laws might override the definition provided.

These standards explicitly prohibit sexual harassment and sexual assault. Both sexual harassment and sexual assault may be criminal offences listed in a criminal code. Nevertheless, it is important to also include them in the code of conduct because of the broad chilling effects of this behaviour on the participation in political life of women and those with diverse gender identities. Parliaments should ensure that there is an explicit statement or principle within the codes of conduct that condemns such behaviours.

The Parliament chamber and committees

The parliamentary sittings in the chamber and formal committee meetings constitute 'proceedings of parliament' that attract parliamentary privilege, most importantly, freedom of speech. A code of conduct should not override parliamentary privilege.

Nevertheless, acknowledging that the chamber and committees are part of the workplace, it is reasonable that a code of conduct requires Members to exercise their freedom of speech and privilege responsibly. This does not diminish the presiding officer's role in applying normal standing orders and practice to the content and tone of debate, but it may contribute to the overall culture of a safer and more respectful workplace for Members.

Staff

Parliaments with Members who have staff should include Members' management obligations in the code, regardless of whether the Member is an employer of the staff or the supervisor of the staff.

For example, it may be relevant for the code to require Members to instruct their staff to behave appropriately towards others, and a failure to provide such instruction might then be a failure subject to sanction or corrective action. Similarly, consideration should also be given to the extent to which Members are responsible for informing staff of their legal workplace rights.

The code of conduct for Members should not impose obligations on Members' staff, however. Members' staff and parliamentary staff should be governed by separate codes of conduct, enforced by corporate managers/employers, and not subject to investigations or sanctions by the chamber, privileges committees or other bodies that are better suited to regulating Member obligations.

Where the Members' staff are employed by a public sector agency or the Parliament, the Members' management obligations should be consistent with any codes of conduct or rules to which the staff are subject.

Definitions, interpretations

Members' staff – Electorate, administrative, political/policy advisers.

Ministerial staff – Staff employed to assist ministers carry out their political and ministerial work, often employed in the minister's office, rather than the public service.

Parliamentary staff – Staff employed to provide services to the Parliament or a House as a whole, for all Members equally and in a nonpartisan manner, not for one Member or a minister or the government of the day. Such staff include the clerk, chamber staff, committee staff, security, Hansard etc.

Employment, health and safety laws – These are typically laws that include many aspects of conduct in the workplace, but are much broader than codes of conduct because they include matters of industrial relations, such as employee age qualification, salary, leave, termination and the like. However, they are likely to include rules that are relevant for codes of conduct, such as rules around discrimination, harassment, bullying, psychological and physical safety and the like.



Parliamentary workplace – May include but not be limited to: the Parliament House and precincts; electorate/constituency offices; any place a committee is meeting; official travel of Members (and staff) on delegations, committees and the like.

The following definitions are used as a guide only and there should be reference to any laws or relevant codes in each jurisdiction.

Discrimination – Treating someone differently based on their personal attributes, including but not limited to: gender; age; ethnicity; religious beliefs; disability.

Bullying – Repeated, unreasonable behaviour directed at a worker or group of workers that creates a risk to physical or mental health and safety.

Harassment – The unwanted behaviour directed at an individual which has the effect of humiliating, disrespecting, intimidating, or offending them.

Sexual Harassment – An unwanted or unwelcome sexual advance, or an unwelcome request for sexual favours, to another person.

Sexual Assault – An act of a sexual nature carried out against a person's will through the use of physical force, intimidation or coercion, including any attempts to do this.

Sexual Harassment Complaint Form

By signing and submitting Sexual Harassment Complaint Form, I certify that this application is complete and all information provided is true and accurate and contains no willful false misrepresentation. I understand that falsifications, representations, or omissions may result in consideration to this position. I hereby authorize responsible person to contact previous employers for verification, conduct a background investigation, and maintain a record.

Full legal name	Last Name
Home Phone:	

FURTHER RESOURCES

ACT Legislative Assembly, Code of conduct for all members of the Legislative Assembly of the Australian Capital Territory, Continuing Resolution 5, see *paragraph (D)*, [Standing orders - ACT Legislative Assembly](#)

Anti-harassment Policy Guidelines: A toolkit for Commonwealth Parliaments, CPA, 2020, [cwp-anti_harassment-guidelines.pdf \(cpahq.org\)](#)

Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces, Australian Human Rights Commission, November 2021, [Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces \(2021\) | Australian Human Rights Commission](#)

Parliament of Sri Lanka, Code of Conduct, see *Part VIII Attendance, Behaviour and Civility, which applies the standards inside and outside the chamber*, [code-of-conduct.pdf \(parliament.lk\)](#)

UK Gender Sensitive Parliament Audit 2018, *Report of the gender-sensitive Parliament audit panel to the House of Commons Commission and the House of Lords Commission*, 26 November 2018 (Audit facilitated by Inter-Parliamentary Union), [UK Parliament Gender Sensitive Parliament Audit Report](#)

The Bullying And Harassment Of House Of Commons Staff, Independent Inquiry Report, Dame Laura Cox DBE, October 2018 (Report commissioned by House of Commons Commission), [dame-laura-cox-independent-inquiry-report.pdf \(parliament.uk\)](#)

Working for an MP website, UK, [w4mp – The site for everyone working for an MP](#)

Commonwealth Parliament of Australia – Parliamentary Workplace Support Service, ([pwss.gov.au](#))

Independent Complaints and Grievance Scheme UK Parliament re: UK Parliament Behaviour Code; Bullying and Harassment Policy; Sexual Misconduct Policy, [www.parliament.uk/about/independent-complaints-and-grievance-scheme/](#)

Broderick, Elizabeth. 2022. *Leading for Change: Independent Review of Bullying, Sexual Harassment and Sexual Misconduct in NSW Parliamentary Workplaces 2022*. Sydney, [Independent Broderick Report.pdf \(nsw.gov.au\)](#)

Welsh Parliament (Senedd), Code of Conduct on the Standards of Conduct of Members of the Senedd, March 2021, [Code of Conduct on the Standards of Conduct of Members of the Senedd](#)

House of Commons, Canada, Members of the House of Commons Workplace Harassment and Violence Prevention Policy, January 2021 – [www.ourcommons.ca/content/boie/pdf/policy_preventing_harassment-e.pdf](#)

Legislative Assembly of Saskatchewan, Anti-Harassment Code of Conduct, *example of a code exclusively for allegations of personal harassment and sexual harassment between Members*, [Anti-Harassment Code of Conduct \(legassembly.sk.ca\)](#)

United States House of Representatives Rules, Rule XXIII, Code of Official Conduct, see *Sections 9 and 18*, [Code of Official Conduct | House Committee on Ethics](#)

New Zealand Parliament - Code of Conduct – *How things are done at the office of the Clerk of the House of Representatives* – [office-of-the-clerk-code-of-conduct-2021.pdf \(www.parliament.nz\)](#)





ONLINE BEHAVIOUR, SOCIAL MEDIA, ARTIFICIAL INTELLIGENCE AND INFORMATION MANAGEMENT

Minimum standards

Members shall be open and honest in their use of social media and other online activities.

Members shall not use social media, email or any other online activity/forum to bully, harass or otherwise treat another person, including another Member, in a way that would breach workplace and community standards or the rules and practices of the chamber.

Members shall not misrepresent their identity or be anonymous when using social media or other online tools.

Members are accountable for the context in which they share third-party content on their social media.

A Member shall not use for personal benefit any confidential information (i.e. non-public information) gained as a public officer.

Information about individual constituents that comes into possession of Members should be kept confidential by Members unless they have a valid reason to use the information in proceedings of parliament, or with the consent of the individual, or unless required by law.

Members will not use artificial intelligence (AI) in any way that breaches their obligation to be open, honest and accountable.

Members will not use artificial intelligence or any other online, technology-based information and communication systems to misrepresent another individual or group, distort the appearance of community sentiment or otherwise provide disinformation about an issue or public policy matter.

Additional measures

Members are accountable for the content posted in their accounts by their authorized staff.

Members are accountable for making their staff aware of relevant information and social media and online behaviour laws and policies.



Key considerations for developing codes of conduct and related structures

Online behaviour and social media

In most jurisdictions, Members are expected to be accessible and active online. As community leaders, Members should set an example of honest, respectful and responsible use of social media.

Many jurisdictions have laws about appropriate use of communications technologies, information, and information management. Standards of behaviour and compliance by Members should be equal to, or higher, than existing laws and community standards.

Members should be particularly mindful that misuse of social media, email and other information technologies can be harmful.

In addition, Members themselves can be harmed by the use of social media by members of the public. When this harm is directed at Members, Parliaments should take action to support the Member.

In many cases Members engage in online activities using resources provided by the Parliament, such as phones, computers, and communications infrastructure. Members are responsible for using these communications resources with integrity.

Information management and protection of private information by Members

Members come into possession of a large amount of information that is not publicly available, including:

- private information regarding individuals (e.g., constituents), who have come to the Member in confidence; and
- parliamentary information that is confidential, such as committee matters that have not yet been made public.

The code of conduct should include reference to the requirements and responsibilities of Members to maintain the confidentiality of such information.

Artificial Intelligence

Artificial Intelligence (AI) is a rapidly-developing technology that can generate outputs that resemble human-produced text, articles, speeches, submissions and social media content. AI, therefore, has the capacity to generate disinformation and produce false narratives. Online disinformation may include videos and audio of people saying things they have never actually said.

The requirement for Members to be open, honest and accountable also applies to their responsible use, or avoidance, of AI. As such, Members should provide truthful information, engage in debate and proceedings according to their own conscience, and actually author the contributions over which they claim authorship.

The value of including reference to AI in a code of conduct is to acknowledge its risks, to increase Members' awareness of the risks, and make codes of conduct more ready to adapt to further challenges that may arise as this technology and its applications evolve.

Definitions, interpretations

Artificial intelligence (AI), sometimes referred to as generative AI – the ability of a digital computer or other capable machine to perform tasks and functions commonly associated with human intelligence. As an emerging technology, the definition of AI will change over time.

Online disinformation - the intentional creation and/or dissemination online of false information with the intention to deceive.

FURTHER RESOURCES

Centre for Countering Digital Hate, [Center for Countering Digital Hate | CCDH \(counterhate.com\)](https://counterhate.com)

Seema Shah (2015) *Guidelines for the Development of a Social Media Code of Conduct for Elections*, International IDEA, 1-18, www.idea.int/publications/catalogue/guidelines-development-social-media-code-conduct-elections

UK Gender Sensitive Parliament Audit 2018, *Report of the gender-sensitive Parliament audit panel to the House of Commons Commission and the House of Lords Commission*, 26 November 2018 (Audit facilitated by Inter-Parliamentary Union), see pp. 2, 6, 16, [UK Parliament Gender Sensitive Parliament Audit Report](#)

Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces, Australian Human Rights Commission, November 2021, see pp. 86, 99, 119, 120, 163, paras 4.17-4.19, [Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces \(2021\) | Australian Human Rights Commission](#)

Social media guide for parliaments and parliamentarians, Inter-parliamentary Union (IPU), 2021, [Social Media Guidelines | Inter-Parliamentary Union \(ipu.org\)](#)

Welsh Parliament (Senedd), *Guidance on the Code of Conduct for Members of the Senedd*, March 2021, *While the Welsh code does not have a social media rule, the Guidance includes reference to use of social media by Members in the context of other principles and rules*, [code of conduct guidance-en-template.pdf \(senedd.wales\)](#)

Members' Integrity Act 1994, Ontario, Canada – *provisions relating to Members' use of social media accounts were inserted into the Act in 2021. The Integrity Commissioner, established by the same Act, can inquire into and report their opinion on an alleged contravention of the Act*, [SO 1994, c 38 | Members' Integrity Act, 1994 | CanLII](#)

Members' protection of private information

Legislative Assembly of Saskatchewan, *Code of Ethical Conduct* (2015), see in particular, *rules relating to Members protecting the personal information of citizens* – [Code of Ethical Conduct \(legassembly.sk.ca\)](#)

Artificial Intelligence (AI)

Parliamentary Handbook on Disinformation, AI and Synthetic Media, CPA in partnership with OAS, 2023, [handbook-on-disinformation-ai-and-synthetic-media.pdf \(cpahq.org\)](#)

A Democratic Approach to Global Artificial Intelligence (AI) Safety, Alex Read, Westminster Foundation for Democracy, Policy Brief, November 2023, [A democratic approach to global AI safety | Westminster Foundation for Democracy \(wfd.org\)](#)

Recommendation on the Ethics of Artificial Intelligence, UNESCO, November 2021, [Recommendation on the Ethics of Artificial Intelligence - UNESCO Digital Library](#)

AI Principles, OECD, May 2019, <https://oecd.ai/en/ai-principles>





COMPLAINTS, INDEPENDENT INVESTIGATIONS, AND PROCEDURAL FAIRNESS

MINIMUM STANDARDS

A Member will only make a complaint about the compliance of another Member with the code of conduct where they believe there are reasonable grounds to suspect non-compliance.

A Member who makes a complaint of non-compliance against another Member that is frivolous or vexatious is in breach of the code and may be subject to sanction.

A person who is not a Member may make a complaint that a Member has not complied with the code of conduct by referring their complaint to the appropriate authority.

A Member and the complainant shall treat any complaint in confidence other than any necessary communication with investigators, direct managers and support services.

Members shall cooperate with, and assist, an investigator inquiring into a complaint under the code of conduct.

A Member who is aware of evidence of a breach of criminal law shall refer such evidence to the police or integrity/anticorruption agency as appropriate.

Members who are aware of another Member or person making a complaint of bullying, harassment, sexual assault and harassment, discrimination or other inappropriate workplace behaviour, shall provide support to the person and respect any decision the person makes about whether and how they pursue their complaint.

A Member will not imply, threaten, take detrimental action or otherwise victimize a person because they have or intend to make a complaint against a Member.

The process for lodging a complaint that a Member has not complied with the code will be published by the Parliament on the website or by other means that are readily available to the public.



Procedural fairness

A Member who makes a complaint and a Member who is the subject of the allegation shall not sit on the committee or body that is responsible for inquiring into the complaint, or for making findings.

A Member who is alleged to have breached the code of conduct shall be provided with the evidence that is being used in support of the allegation and be given reasonable time to seek advice and prepare answers or defence of the allegations.

The parliamentary committee, standards commissioner, or other body that is inquiring into the complaint will not make any findings until it has provided the Member with reasonable time to answer the allegation and until it has considered the Member's answers or submissions.

The parliamentary committee, standards commissioner, or other body inquiring into a complaint against a Member shall not unduly delay the matter such that a complainant or the respondent Member are denied justice.

Report of findings

The report of the investigation shall be presented to the relevant parliamentary committee or to the presiding officer (or Deputy if concerning the presiding officer) who must determine whether a breach has occurred, and if a breach has occurred, refer the report to the House for further proceedings in accordance with its rules.

If a complaint has become known publicly and has not been upheld, or is found to have been frivolous or vexatious, this outcome shall be made public.

Appeal or Review

The code of conduct shall provide that a Member against whom a complaint has been upheld, has right to appeal or review unless such complaint has been upheld by the House itself.

ADDITIONAL MEASURES

For the code of conduct – a standards commissioner / independent investigator

A complaint alleging a breach of the code by a Member shall be made to an independent investigator, being a standards commissioner or other independent officer, who must, as soon as possible, make a preliminary determination as to whether to inquire further or not.

The investigator may determine that a complaint is frivolous or vexatious and cease investigation and report back.

The independent investigator is an independent office holder who is appointed for a fixed term.

The investigator must be selected by a non-partisan process designed to ensure multiparty support. Such a process should be led by the presiding officer and clerk.

An investigator shall have knowledge, investigative skills, experience, personal qualities and standing suitable to the office.

Supporting structures and legislation – a parliamentary standards commission

A parliamentary standards commission should be a statutory authority that is independent of ministerial direction and the government of the day.

A parliamentary standards commission is separate from and independent from an anticorruption agency.

There should be a non-partisan process for appointment of senior office holder(s) of the standards commission.

There should be a non-partisan process of parliamentary oversight of the commission and for recommending annual appropriations for the commission that is arms-length from government.

The legislation providing for the commission should include rules for procedural fairness and rights of appeals.

The legislation establishing the independent office shall prescribe the burden of proof to be applied in substantiating a complaint.

Unless separate legislation permits a sanction to be imposed by the independent agency, the report of the agency should be presented to the presiding officer for any further action by the House in relation to sanctions for breach of the code and, if relevant, contempt of parliament.

Key considerations for developing codes of conduct and related structures

For a code of conduct to have credibility there must be fair, safe and transparent processes for investigation of complaints of non-compliance by a Member. This is particularly the case as codes of conduct develop to include workplace behaviour standards that may result in a staff member or other non-Member being a complainant.

As the range of standards in a code of conduct may be broad and require professional investigative skills, it may



be that a privileges committee or other parliamentary committee is not the most appropriate investigator. In some cases, particularly where it is appropriate that a privileges committee recommend rectification or sanctions flowing from the investigation, the independent investigator should be required to report to the privileges committee.

Not all jurisdictions will have the financial or technical capacity to establish a standing independent parliamentary standards commission, in which case it is important that the Parliament consider other options. These may include appointing an independent investigator if and when required, or sharing a standards commissioner with other jurisdictions.

Where a privileges, ethics or other parliamentary committee remains the only option for investigation of a breach of the code, the committee can commit to standards of procedural fairness that would be applied by an independent commission.

Definitions, interpretations

Oversight – in relation to a parliamentary standards commission or similar office tasked with investigating alleged breaches of the code of conduct, may include appointment of office holders, consultation and recommendations about annual funding (appropriations) of the commission and monitoring general performance (not reviewing individual investigations).

Parliamentary Standards Commissioner – an office or office holder established by statute or resolution of the Parliament, who is independent of the government, who investigates alleged breaches of the code and reports back to either the House(s), presiding officer or relevant committee.

Procedural fairness – acting fairly in the process of investigation and making findings which, at a minimum, ensures that all sides receive a fair hearing and that those making finding are not biased and have not pre-judged the complaint or allegation.

FURTHER RESOURCES

Parliament of the Republic of South Africa, Code of Conduct, see *Section 10 Breaches of the Code of Conduct and the Investigation Procedures, which provides a detailed process of investigation and procedural fairness and a 'balance of probabilities' threshold*, [Code of Conduct - Parliament of South Africa](#)

House of Commons, Code of Conduct, December 2022, see *Part E – Rules relating to upholding the Code*, [House of Commons Code of Conduct and Guide to Rules - UK Parliament](#)

Independent Complaints and Grievances Scheme UK Parliament re: making and handling complaints, see www.parliament.uk/globalassets/documents/icgs-documents/making-a-complaint-a-guide-for-complainants.pdf

House of Commons, UK, Procedural Protocol in respect of the Code of Conduct, February 2023, see *Appeals (to Independent Expert Panel) paras 86 – 102*, [Procedural Protocol in respect of the Code of Conduct - House of commons \(parliament.uk\)](#)

ACT Legislative Assembly, Commissioner for Standards, Continuing Resolution 5AA, provides an example of a commissioner established by resolution and appointed by the Speaker, [Standing orders - ACT Legislative Assembly](#)

Bermuda House of Assembly, Code of Conduct for Members of the Legislature, November 2021, see *Sections 7.3 and 7.5 for a description of the role of the Legislative Appeals Committee, which can hear appeals against findings or sanctions recommended by the Parliament's Ethics Complaints and investigations Committee*, [The-Code-of-Conduct-for-Members-of-the-Legislature-Bermuda-November-8-2021.pdf \(bernews.com\)](#)

United States of America, House of Representatives, Committee on Ethics, Rules Adopted February 28, 2023, 118th Congress, see *Rules 19 – 27 for an example of procedural fairness rules adopted by a committee of Members responsible for investigating complaints against Members*, [Committee Rules | House Committee on Ethics](#)

States of Jersey, Commissioner for Standards – Statement, Presented to the States on 4th April 2023, revised statement 2 June 2023 by the Privileges and Procedures Committee, [r.93-2023.pdf \(gov.je\)](#)

States of Alderney, Code of Conduct for States Members, as amended to January 2023, see in particular Part III in relation to investigation of complaints and rights of appeal for Members, [CHttpHandler.ashx \(gov.gg\)](#)

Ontario Legislative Assembly, Members' Code of Conduct on Harassment, provides an example of a code dealing only with behaviour between Members and prescribing formal roles for the clerk, party Whips and select committee in dealing with complaints; further provides a process for less formal and mediated resolution of complaints, [Report of the Speaker's Panel to Establish a Members' Code of Conduct on Harassment \(ola.org\)](#)

Saskatchewan Legislative Assembly, Anti-Harassment Code of Conduct, provides an example of a complaint resolution process that includes options for mediation or more formal investigation, corrective action and appeal rights in relation to allegations of personal harassment and sexual harassment between Members, [Anti-Harassment Code of Conduct \(legassembly.sk.ca\)](#)

Zambia, *The Parliamentary and Ministerial Code of Conduct Act 1994*, Chapter 16 of the Laws of Zambia, see *Section 14 in which a tribunal is established by the Chief Justice to inquire into allegations of a breach of the code, which then reports back to the presiding officers and see Section 17 which provides a penalty for anyone found to have 'knowingly' made a false allegation*, [Printing - The Laws of the Republic of Zambia \(parliament.gov.zm\)](#)

CPA Recommended Benchmarks for Democratic Legislatures 2018. See section on natural justice. <https://www.cpahq.org/media/10jkk2nh/recommended-benchmarks-for-democratic-legislatures-updated-2018-final-online-version-single.pdf>





Minimum standards

The code of conduct shall require that the privileges committee (standards committee or other relevant committee), upon inquiry and substantiation of a breach of the code, make a report to the House recommending that the Member take rectification (corrective) action or be sanctioned.

The code of conduct shall state that the privileges committee and the House will have regard to the seriousness of the breach of the code and that the corrective action or sanction should be proportionate.

The code of conduct shall state that findings and sanctions in relation to a breach of the code by a Member should be consistent with principles of justice and shall not be based on political advantage.

The code of conduct shall specify that a Member convicted of a breach of the criminal law or workplace law, may in addition be subject to a sanction or penalty if found to have breached the code.

Additional measures

The code of conduct may prescribe or provide guidance for proportionate sanctions for breaches of the code according to the impact on a person(s) and effects on the functioning and reputation of the Parliament.

Where a standards commission has the power to inquire into alleged breaches and make findings, the code of conduct or legislation establishing the commission should require reports of more serious breaches to be made to the privileges committee, who shall be required to recommend a sanction to the House.

The code of conduct should state that the Member found by the standards commission or privileges committee to have breached the code may make a submission to the privileges committee in relation to the sanction to be recommended to the House.

Key considerations for developing codes of conduct and related structures

There are two fundamental matters that a code should address in relation to rectifications and sanctions -

1. What sanction should be imposed for a particular breach of the code.
2. Who should determine the sanction to be imposed or recommended.



The sanctions to be imposed on Members who have breached the code should be determined by the seriousness of the breach. It may not be practical to list potential breaches in the code because there would be too many.

On the other hand, it may be possible to list potential rectifications and sanctions, or indicative sanctions in an order that is not an exact hierarchy or gradation of sanctions, but which provides a commission, the privileges committee and the House with some guidance.

While these standards do not prescribe exact sanctions, the following table provides an indicative guide as to what is meant by sanctions that are proportionate to the breach committed by a Member. These are indicative only, and parliaments should have regard to their own context.

Breach of the code of conduct	Proportionate sanction
A standards commission or equivalent, or internal parliamentary office, finds that a Member has inadvertently made a one-off claim for a small expense for a type of office supply that is not covered by the office expenses eligible for reimbursement. The claim was paid to the Member in error.	Corrective action is undertaken. The amount claimed is repaid by the Member, who is reminded about the rules. The matter is not made public. The presiding officer and/or clerk may be advised if there is a requirement to keep a record of minor breaches.
A Member is found to have not reported a registrable interest, such as a direct, but small shareholding in a company. There is no evidence that the Member deliberately failed to report the interest, but the House is concerned that Members take compliance with the code and the register of interests very seriously.	The Member is required to make a public apology in the House and the Register of Interests is amended.
A Member is found to have shouted at a staff member on two separate occasions in a week, where the staff member has done nothing to provoke such behaviour. The Member is remorseful and cooperative with the investigation of the staff member's complaint. The Member has not victimized or otherwise reacted poorly to the complaint being lodged.	The Member is required to make an in person, private apology to the staff member and to attend a 'respectful workplace' training session. A report of the matter may be made public, or just an outcome made public, only if the code or related rules require it for such matters.
A Member is found to have harassed another Member who did not support their motion during a committee meeting. The offending Member is found to have entered the other Member's office at the Parliament on several occasions in one week to make heated comments and to have continuously rung the other Member's phone and posted content on Facebook that claims the other Member is lazy. There is evidence that the other Member emailed the offending Member to request that they stop the behaviour because they found it intimidating and upsetting, but the behaviour continued.	The House resolves that the behaviour is unacceptable and suspends the Member from the chamber for one sitting week. The House might also consider a resolution removing the offending Member from being a member of any committee for 6 months.
A standards commission report finds that a Member has claimed two weeks' accommodation and expenses on an overseas trip that was not official travel, but was private travel, contrary to the rules.	The House may decide to publicly admonish the Member and suspend the Member from the service of the chamber for a period of time. The standards commission may have power to order the repayment of the monies claimed by the Member. Depending on local laws, the investigation might be referred onto Police or an anticorruption agency.
A Member is found to have sexually harassed a staff member.	The House resolves that the behaviour is unacceptable and suspends the Member from the chamber for four sitting weeks. The Member's salary is withheld for all or part of the period of the suspension. The Member is required to attend 'respectful workplace' awareness training.

The list does not include an expulsion of the Member; that is, where the House resolves that a Member's seat is vacant and the Member is no longer a Member of the House. The power of a House to impose this most serious of sanctions may not exist in some jurisdictions or there may be legal uncertainty about the power. These standards leave the matter to the determination of each jurisdiction.

Where a standards commission or equivalent has the power to both investigate a breach of the code and impose sanctions, it is better practice that the commission be limited to sanctions or corrective actions that are lesser than a suspension of the Member. The exclusive cognisance of the House is part of the law of the Parliament. The House is the regulator of its own affairs, including any decisions affecting a Member's ability and right to attend the precincts, the House and committee proceedings. Suspension directly affects these rights of a Member. The House might delegate other, lesser matters to a standards commission, but should not delegate the power of suspension of Members.

A standards commission may be empowered to investigate a matter which would otherwise be inquired into by a privileges committee. A commission could be empowered to impose corrective actions or sanctions including:

- private apology or other corrective action in relation to a matter of inappropriate behaviour involving another Member, a staff member or other non-Member;
- public apology;
- repayment of an allowance or other financial benefit claimed in breach of rules or standards.

Where a standards commission makes a finding of a more serious breach, it is important that the code require that the commission's report be transmitted to the privileges committee and the committee be required to recommend a sanction.

Definitions, interpretations

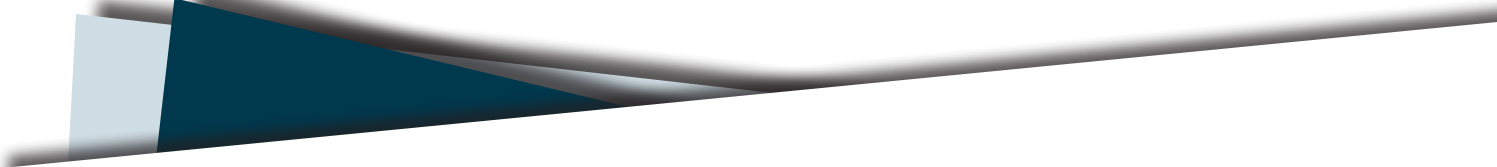
Breach of the code of conduct – a failure to comply with a provision(s) of the code, which may be found to be deliberate or inadvertent.

Privileges Committee – may also be an ethics committee, standards committee or other committee with appropriate terms of reference to deal with conduct and standards of Members.

Public apology – Where the sanction imposed on a Member is that they are required to make a public apology, the apology should be made in public proceedings of the House, recorded in Hansard and the minutes (votes and proceedings) of the House.

Sanction – a penalty which may be financial or non-financial and a failure of the Member to comply with the sanction would constitute contempt of the House.





FURTHER RESOURCES

Parliament of Kenya, see Factsheet 5 – Rules Governing Conduct of Members – *provides a graduated list of statutory sanctions for the House to impose, from the less serious, ‘formal warning’ to most serious, ‘vacation of seat’*, [FS05 Rules Governing Conduct of Members.pdf \(parliament.go.ke\)](#)

Parliament of the Republic of South Africa, Code of Conduct, see Section 10.7.7 – *Penalties - for an example of a code prescribing specific penalties for certain breaches and a more open ended approach for other breaches*, [Code of Conduct - Parliament of South Africa](#)

House of Commons, UK, Procedural Protocol in respect of the Code of Conduct, February 2023, see *Parliamentary Commissioner for Standards rectification procedures, paras 47 – 52; see Committee on Standards sanctions, paras 78 – 85*, [Procedural Protocol in respect of the Code of Conduct - House of commons \(parliament.uk\)](#)

Members of Parliament (Standards) Act 1978 (as amended to 16 September 2019), Victoria, Australia, see Part 5, Sections 30 and 31, [Members of Parliament \(Standards\) Act 1978 \(legislation.vic.gov.au\)](#)

Independent Complaints and Grievance Scheme UK Parliament re: Informal resolution of certain complaints, see [The Independent Complaints and Grievance Scheme \(ICGS\) - UK Parliament](#)

United States of America, House of Representatives, Rules of the Committee of Ethics, 2023, see *Rule 24. Sanction Hearing and Consideration of Sanctions or Other Recommendations*, [House Committee on Ethics](#)

Minimum standards

Members shall seek advice from suitably qualified and/or appointed persons in relation to rules and practices governing matters of integrity in public office and seek advice more generally in relation to ethical dilemmas.

The adviser shall not disclose the fact that they have been consulted, nor any information provided by the Member or any advice given to the Member.

Advice sought and given is confidential and shall not be accessible through provisions for freedom of information.

A person or entity who provides advice to a Member shall not investigate any complaint.

When the clerk or another officer is not a specialist in providing ethics advice but is expected to be the main source of ethical advice to Members, they should be provided with ethics training.

Additional measures

It shall be mandatory for Members to attend ethics training at least once per parliamentary term.

A specialist ethics adviser to Members should be appointed on a fixed term.

The adviser shall be selected by a non-partisan process or other method designed to secure multiparty support.

The adviser shall have knowledge, experience, personal qualities, and standing within the community suitable to the office; skill in professional ethics or law is desirable.

The code of conduct shall protect the adviser from removal except for proven misbehaviour or other reasonable grounds.



The ethics adviser may be given complementary roles, such as providing ethics training and awareness sessions for Members, which may include code of conduct awareness and training.

An ethics adviser should be required to keep a written record of all advice given to Members, including written advice (correspondence, emails etc) and advice provided orally on the phone or in person.

The code of conduct should require the ethics adviser to keep records of advice confidential except where:

- an order of the House requires that a record of advice be provided to the House or the privileges committee because a Member is defending an allegation by relying on the advice; or
 - the Member who sought and received the advice gives permission for it to be made public.
-

The code should clearly state that advice provided by an ethics adviser is not legal advice. Members who wish to seek legal advice should do so separately.

Key considerations for developing codes of conduct and related structures

An ethics adviser is an important role that can complement a code of conduct. An adviser may help to prevent breaches of the code of conduct.

Describing the importance of ethical behaviour and how it differs from simply acting legally is difficult to describe in code of conduct standards and may be better addressed in accompanying guidelines.

The term 'ethics adviser' is a preferable term to 'integrity adviser' because it is a clearer expectation that the adviser will be available to provide advice to Members not only about rules, but also about conduct that is not covered by written rules. Some choices may be more ethical than others or might require the Member to choose between two actions that are usually seen as good, for example having to choose between being loyal and being truthful. These can be described as ethical dilemmas.

Naming the position *Ethics and Integrity Adviser* is also appropriate if the clear intent is that the adviser provide guidance to Members on both rules of conduct and ethical dilemmas.

In some parliaments there may be impediments to appointing and remunerating a full-time ethics adviser. There are several options that could be considered:

- An ethics adviser may be part-time, depending on the number of Members in the House(s) and the size of additional tasks, such as running general ethics training and awareness sessions for Members.
- The clerk or another senior parliamentary officer could be given the role of providing ethics advice in addition to the usual advice about rules of conduct and procedure. In this case, the clerk should be provided with additional ethics training, even if such training must be sourced from outside the jurisdiction.
- An ethics adviser already serving other public offices, such as public servants, police and others, could have their scope expanded to include Members of Parliament.
- An ethics adviser need not be on-site at the Parliament, other than occasionally, as most advice can be sought and provided by phone, email or other virtual methods. This creates the opportunity for smaller legislatures to share an ethics adviser.

It is strongly advised that the role of providing confidential advice to Members is kept separate from the role of investigating complaints. It is equally strongly advised that integrity agencies, standards commissions and privileges committees respect the confidentiality of the ethics adviser's notes which might reflect both information provided in confidence by a Member and the advice provided. It is also strongly advised that advisors' notes are not subject to Freedom of Information (FOI) provisions.

Definitions, interpretations

Ethical behaviour – ethical behaviour is more nuanced than behaviour that is compliant with the law. A Member may act in compliance with the law or a rule, but still have alternative courses of action to choose from. Some of these alternatives may be contrary to the public interest, or may cause the public to lose faith in the Parliament, and should not be the chosen course of action even when they are legal.

Ethical training and advice – because ethical behaviour includes making choices between alternative courses of action, ethical training and advice aims to assist Members to develop skills in making good choices.

Ethics Adviser or Ethics and Integrity Adviser – a role whose occupant provides advice to Members about integrity matters, including compliance with written rules of conduct, and ethical matters, where Members must make a judgement about the best way to act on a matter. The adviser will also provide general awareness training and education to Members. The adviser will be separate from a standards commissioner or any person who investigates complaints against Members.

FURTHER RESOURCES

Bermuda House of Assembly, Code of Conduct for Members of the Legislature, November 2021, see Section 6 for a description of the appointment and role of the Ethics Adviser, [The-Code-of-Conduct-for-Members-of-the-Legislature-Bermuda-November-8-2021.pdf \(bernews.com\)](#)

ACT Legislative Assembly, Ethics and Integrity Adviser, Continuing Resolution 6A, provides an example of an adviser established by resolution and appointed by the Speaker; required to meet annually with the relevant standing committee and report annually to the House on level of activity (without breaching individual Members' confidentiality), key issues/themes and proposals to address these issues, [Ethics and accountability - ACT Legislative Assembly](#)

United States of America, House of Representatives, House Committee on Ethics, [House Committee on Ethics](#)

Victorian Parliament, Integrity Adviser, ongoing resolution can be found in Legislative Assembly Standing Orders, [Assembly standing orders \(parliament.vic.gov.au\)](#)

Sweden, Rikstag – A code of conduct for members of the Rikstag 2017, Guidelines, see p.9 for an explanation of ethical behaviour by Members. (version at October 2022), [uppforandekod-eng-webb-nov-2022.pdf \(riksdagen.se\)](#)

For an approach to understanding ethics as a process of an individual questioning, discovering and defending their values, principles and purpose, see [What is ethics? We have the answer - The Ethics Centre](#)





Minimum standards

The code of conduct and any related provisions or structures, such as an ethics adviser and standards commissioner, shall be made available to Members.

Induction of new Members after an election shall include training in the code of conduct, harassment and violence prevention (safe workplace) training and ethics.

Returning Members shall attend training in the code of conduct, harassment and violence prevention (safe workplace) training and ethics after an election.

The code of conduct shall encourage every Member to participate in activities to enhance their ethical competence on an ongoing basis.

The code of conduct and any related information shall be made available to the public.

Additional measures

The legislative code or resolution establishing the ethics adviser includes a prominent role for the adviser to provide rules of conduct awareness training to Members at least once per year.

The adviser is also required to provide ethics education training to Members at least once per year.

Members are required to attend the awareness and education sessions and failure to attend is recorded in the adviser's annual report to the House.

Members are required to attest in the House at least once per year, and after any significant amendment, that they have read and understood the provisions of the code of conduct.

The ethics adviser is required to meet at least once per year with the relevant committee that oversees Member standards to discuss general issues that have arisen and any proposals to address them, but no confidentiality requirements are to be breached in this process.



Key considerations for developing codes of conduct and related structures

Awareness and education of Members includes:

- training that focuses on awareness of the code of conduct, appropriate workplace behaviour, declaration of interests and other rules of conduct; and
- education of Members in relation to ethics, such as making judgements where only some or no rules may be in place and the Member has a choice of how to act, presenting the Member with uncertainty or an ethical dilemma.

While these activities are best delivered in person, they could be conducted online, if resources permit and if it assists Members to comply with their obligation to attend such sessions.

Awareness and education objectives include the broader parliamentary community and the public. The activities of the Parliament to promote ethical decision making and integrity of conduct may contribute to public faith in the Parliament and help to improve community, government and private sector standards of conduct and ethics.

Definitions, interpretations

Induction of new Members – training provided shortly after an election to Members elected for the first time. Such training may be mandatory, may be sponsored by the presiding officer and may be provided by clerks, parliamentary staff and ethics advisers, with contributions from former Members and others, where appropriate.

FURTHER RESOURCES

House of Lords UK, *Code of Conduct for Members of the House of Lords, 12th Edition, June 2022, paragraph 19, and Guide to the Code of Conduct, paragraph 124*, [Code of Conduct for Members of the House of Lords, Guide to the Code of Conduct and Code of Conduct for House of Lords Members' Staff](#) (parliament.uk)

House of Commons, Canada, Members of the House of Commons Workplace Harassment and Violence Prevention Policy, January 2021, see *Harassment and Violence Prevention Training*, [policy_preventing_harassment-e.pdf](#) (ourcommons.ca)

Australian Senate, Safe and Respectful Workplaces Training Program, [Safe and Respectful Workplaces Training Program Register – Parliament of Australia](#) (aph.gov.au)

CPA Handbook for Parliaments in Election Planning, https://www.cpahq.org/media/vilpux02/election-planning-handbook_final.pdf



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