



Media Statement | 10 August 2018

Investigation into complaints against the Member for Lindsay – Ms Emma Husar

The NSW Branch of the ALP briefed Barrister and Mediator Mr John Whelan to assess complaints made against the Member for Lindsay, Ms Emma Husar.

This referral was made after the Party was advised by complainants that the existing public sector dispute resolution procedures had not been of assistance.

The NSW ALP then responded to complainants by way of an Independent Assessment, despite not being a party to the employment relationship.

The advice is, based on this assessment, there is no basis for Ms Husar to resign from the Australian Parliament.

The NSW ALP notes that Ms Husar has publicly announced that she will not recontest the next Federal Election as the Candidate for Lindsay.

In an extensive confidential independent report Mr Whelan has assessed:

- The allegations of misuse of public entitlements should be referred to the Independent Parliamentary Expenses Authority (**IPEA**) for audit, noting that Ms Husar has advised of a self-referral;
- Allegations of sexual harassment on the balance of probabilities and Briginshaw Standard were not supported;
- Allegations of lewd conduct in the office of a fellow Member of Parliament were not supported;
- Allegations of misleading the Commonwealth Parliament were not supported;
- Complaints that staff performed non-work related and personal duties for the Member, even accounting for the particular nature of political offices have merit and should be referred to the Department of Finance's Ministerial and Parliamentary Services for advice regarding the appropriate employment guidelines issued to all Members of Parliament.

- Complaints that staff were subjected to unreasonable management including, unreasonable communication, demands, practices and disciplinary methods have merit;
- In general terms there are two contrasting perceptions which have been expressed to the Assessment:
 - The Member expressed that she manages appropriately to achieve higher standards of performance and loyalty. And does so under a heavy workload, intense personal stress and a desire to serve Western Sydney and in particular the cause of victims of domestic violence.
 - Whereas male and female complainants perceive and allege they have found much of the Member's management offensive and unreasonable.
 - After considering all sides of the relevant issues the Assessment has generally favoured the complainant's perception of events.
- It would be prudent for Ministerial and Parliamentary Services to review the accessibility of the current electorate office staff complaints resolution process.
- The Member and the Department of Finance's Ministerial and Parliamentary Services should be requested to develop a 'return to work plan' considering issues of timing, training, staff needs and office support, mindful that the Member is currently on extended leave.
- The Independent Assessment remarked that the release of a selection of matters subject to this Assessment in the public domain was reprehensible. It had served to elevate tensions in an environment in which many have reported the stress this matter has placed on their mental health. For the record, no public material was released by the Assessment.

The Assessment has emphasised the need for a de-escalation. Thus, any public comment should be limited. To this end the NSW ALP shall not provide further comment.

There are concerns for the well-being of many involved, given the stress associated with this matter. Counselling has been and will continue to be made available.

The full Assessment will not be released given the need to preserve the confidentiality of many of the participants.

The NSW Party Officers have been fully briefed on the Assessment process and findings by Mr Whelan and the Party's legal team and have unanimously endorsed the procedural fairness measures put in place.

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