



7 June 2005

BY HAND

Mr Rodney Hide MP
Room 8.07
BOWEN HOUSE

Dear Mr Hide

I have considered your letters of 17 and 18 May raising a matter of privilege involving the Hon David Benson-Pope. I have also considered a response from Hon David Benson-Pope.

Referral of a matter to the Privileges Committee is recognised as a serious and exceptional step to take. The Privileges Committee has examined such an allegation of misleading the House on only six occasions and none were sustained.

The Speaker does not determine whether or not a contempt has occurred. The Speaker decides whether a complaint involves a question of privilege and justifies referral to the Privileges Committee for inquiry. In carrying out this assessment it is proper for the Speaker to have regard to the relatively high standard of proof that is required to make out this type of contempt. The high standard was endorsed in MacIntyre (1980).

After a consideration of all the material presented, I have determined there is no question of privilege on the evidence put forward by you. I am, of course, prepared to look at any material which may be put before me in the future in regard to this matter.

Yours sincerely

Hon Margaret Wilson
SPEAKER

cc: **Hon David Benson-Pope MP**