

Form 40 (version 2)
UCPR 35.1

STATEMENT OF NICOLE PEARSON

COURT DETAILS

Court

List

Registry

Case number

TITLE OF PROCEEDINGS

Plaintiff

INDEPENDENT PARLIAMENTARY EXPENSES
AUTHORITY

Defendant

ANDREW LAMING

FILING DETAILS

Filed for

Plaintiff

Filed in relation to

Plaintiff's Claim

Legal representative

s22(1)

Legal representative reference

Contact name and telephone

STATEMENT

Name	Nicole Pearson
Address	One Canberra Avenue, FORREST ACT 2603
Occupation	Branch Manager, Transparency, Assurance and Legal
Date	11 January 2023

1. I am the Branch Manager, Transparency, Assurance and Legal, for the Independent Parliamentary Expenses Authority ("IPEA"), the Plaintiff in these proceedings.
2. I have access to all the records of the Plaintiff pertaining to these proceedings.
3. The Plaintiff is constituted under both the *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act) and the *Parliamentary Business Resources Act 2017* (PBR Act).
4. The establishment and functions of IPEA are documented on IPEA's website: <https://www.ipea.gov.au/>.

Audit and Ruling 01/2022

5. In October 2020, IPEA commenced an assurance review regarding the use of travel expenses and allowances by Mr Laming, the Defendant, for the period 21 June to 27 June 2019. This assurance review was commenced in accordance with its Statutory Audit Function Factsheet (the Factsheet), to determine if there had been misuse of a parliamentary business resource. The Factsheet is attached and marked with the letter "A"
6. On 5 November 2021, the Defendant was advised by IPEA via email that an audit had commenced on his use of travel expenses and allowances for that period. This correspondence is attached and marked with the letter "B".
7. An audit is the next stage of an assurance review, and is conducted when, as outlined in the Factsheet:
 - There is evidence for, or allegations of, systemic or substantial misuse.
 - IPEA's statutory information-gathering powers may be required to obtain all the required information.
 - There may be an educative benefit in publishing IPEA's findings.
8. On 24 March 2022, IPEA finalised the Audit, and made a Ruling on the Defendant's use of travel expenses and allowances, for the period of 21 June 2019 to 27 June 2019.
9. A copy of the Ruling 01/2022 is attached and marked with the letter "C".
10. A copy of the Audit Report *Mr Andrew Laming MP – Member for Bowman - Travel Expenses and Allowances for the period 21 June to 27 June 2019* (the Audit Report) is attached and marked with the letter "D".

11. A copy of the IPEA Fact Sheet – Rulings, December 2020, is attached and marked with the letter “E”.
12. A copy of the IPEA Protocol – Dealing with Allegations of Misuse of Parliamentary Work Expenses, is attached and marked with the letter “F”.
13. The Ruling states that the travel allowances and expenses incurred by the Defendant for the following were not incurred for the dominant purpose of conducting his parliamentary business:
 - travel between Brisbane and Hobart and within Tasmania between 21 June 2019 and 24 June 2019; and
 - travel between Brisbane and Melbourne and return on 26 June 2019 and 27 June 2019.

Further, the Ruling stated that the Defendant’s use of public resources had contravened section 26 of the PBR Act.

Debt Amount

14. The total amount of the Defendant’s travel expenses and allowances found to be inconsistent with the relevant legislative framework is \$8,228.05 (inclusive of GST and service fees).
15. Subsection 38(4) of the PBR Act provides that if the Commonwealth provides public resources to a member and the member contravenes section 26 of the PBR Act, the member is liable to pay the Commonwealth a penalty for the contravention, an amount equal to 25% of the amount to which the section applies.
16. The Ruling also determined that the Defendant was liable to pay the Commonwealth an additional 25% of the expenses that were found to be a contravention of the PBR Act. The relevant amount is 25% of \$8,288.04, or \$2,072.01.
17. In summary, the Ruling requires the Defendant to repay the Plaintiff a total of \$10,360.05 which includes the following:
 - the amount of travel allowances and expenses of \$8,288.04; and
 - the loading penalty of \$2,072.01.

Finalisation of Audit

18. On 3 March 2022, IPEA sent the Defendant the draft Audit report via email and invited him to:
 - Correct any factual errors in the Draft Report; and
 - Provide any further relevant evidence for consideration regarding the findings of the Draft.
19. IPEA requested that the Defendant provide a response to the draft Audit report by 5:00pm on 17 March 2022. This correspondence is attached and marked with the letter “G”.
20. On 15 March 2022, IPEA sent the Defendant a reminder email that his response was due by 5:00pm 17 March 2022. This correspondence is attached and marked with the letter “H”.

21. The Defendant provided responses to this correspondence on 16 March 2022 and 23 March 2022. This correspondence is attached and marked with the letter "I".
22. On 24 March 2022 the IPEA Chief Executive Officer (the CEO) wrote to the Defendant and:
 - Noted that IPEA had received the Defendant's responses by email on 16 and 23 March 2022;
 - Enclosed the final version of the Audit Report and the Ruling;
 - Enclosed three invoices for the total debt amount of \$10,360.05;
 - Advised the defendant that IPEA intended to publish the Audit Report and the Ruling on Tuesday 29 March 2022 on the IPEA website at www.ipea.gov.au; and
 - Advised that if payment of the invoices was received by close of business Monday 28 March 2022, this would be reflected in the published Audit Report.
23. This correspondence is attached and marked with the letter "J".
24. On 29 March 2022, a day after the deadline provided the Defendant responded to IPEA's correspondence of 24 March 2022. This correspondence is attached and marked with the letter "K".
25. On 30 March 2022, the CEO wrote to the Defendant to advise that after consideration of his provided responses of 16, 23 and 29 March 2022, the Audit report of 24 March 2022, and the associated Ruling, remained unchanged. This correspondence is attached and marked with the letter "L".
26. On 30 March 2022, the Defendant responded and requested a formal response to his questions. This correspondence is attached and marked with the letter "M".
27. On 6 April 2022, the CEO wrote to Mr Laming and advised that the Audit Report of 24 March 2022 still stands, as advised in her letter of 30 March 2022. The CEO also advised the Defendant that IPEA regarded the audit matter as closed. As such, any further correspondence from the Defendant regarding the Audit would be read and placed on file, but that a response may not be provided. This correspondence is attached and marked with the letter "N". No further correspondence was received from the Defendant.

Judicial Review

28. On 1 July 2022 the Defendant provide a response to a separate assurance matter and referred to details of this audit matter. He spoke of obtaining independent assessment of the Audit and indicated that the Audit was subject to appeal. This email is attached and marked with the letter "O".
29. On 7 July 2022 I wrote to the Defendant and advised that while judicial review of an audit outcome and a ruling may be available under section 39B of the Judiciary Act 1903, IPEA had not been advised of any review and accordingly, IPEA regarded the matter as closed.

Internal Reviews of the Audit and Ruling

30. Subsection 37(4) of the PBR Act provides that, a ruling given in relation to a member is, subject to subsection 37(5), conclusive evidence of the matters stated in the ruling.
31. Subsection 37(5) of the PBR Act provides that, a ruling given in relation to conduct engaged in by a member ceases to be conclusive evidence of the matters stated in the ruling to the extent that,
 - (a) the contrary is established by the member; or,
 - (b) that the ruling was based on false or misleading information.
32. On 13 July 2022, an internal review of the Audit Report and the Ruling commenced following correspondence from the Defendant to IPEA on 8 July 2022. The correspondence is attached and marked with the letter "O".
33. The internal review determined that Subsection 37(5a) of the PBR Act had been met. The internal review report is attached and marked with the letter "P". There was no change to the findings of the Audit Report or Ruling.
34. The Defendant was advised of the outcome on 14 September 2022
35. On 27 October 2022, it was determined that a second internal review would be conducted following the receipt of additional evidence from the Defendant, not previously provided, nor considered, in the course of the Audit process.
36. The internal review report is attached and marked with the letter "Q". There was no change to the findings of the Audit Report or Ruling following the second internal review decision.

Judicial Review

37. On 1 July 2022 the Defendant provide a response to a separate assurance matter and referred to details of the Audit. He spoke of obtaining independent assessment of the Audit and indicated that the Audit was subject to appeal.
38. On 7 July 2022 I wrote to the Defendant and advised that while judicial review of an audit outcome and a ruling may be available under section 39B of the Judiciary Act 1903, IPEA had not been advised of any review and accordingly, IPEA regarded the matter as closed. This correspondence is attached and marked with the letter "R".
39. On 14 September 2022 the IPEA CEO wrote to the Defendant, following the release of Freedom of Information Material to the Defendant and a subsequent email. In this correspondence she specified that she understood he had previously been advised of his external rights to a judicial review. This correspondence is attached and marked with the letter "S".
40. To my knowledge, information, and belief, and based upon the records maintained by the Plaintiff, the defendant did not apply for a judicial review of the Audit or the Ruling.

42. Subsection 38(5) of the PBR Act provides, that any penalty imposed by IPEA is a debt due to the Commonwealth by the member and may be recovered on behalf of the Commonwealth by action in a relevant court.
43. Subsection 57(3c) of the PBR Act provides, that any payment of amounts made under the Act is
- a. (i) a debt due to the Commonwealth by the recipient; and
- (ii) may be recovered, on behalf of the Commonwealth by action in a relevant court, and in this instance, applicable to the amount required to be repaid.
44. Section 5 of the PBR defines a "Relevant court" as including a court of a State or Territory that has jurisdiction in relation to the matter.
45. Under section 11 of the *Queensland Civil and Administrative Tribunal Act 2009* (Queensland Tribunal Act) the Queensland Civil and Administrative Tribunal has jurisdiction to hear and decide a minor civil dispute. Under the Queensland Tribunal Act a minor civil dispute is defined in Schedule 3 as a claim to recover a debt or liquidated demand of money of up to the prescribed amount. Prescribed amount means up to \$25,000.
46. In this instance, the total amount that the Defendant needs to pay the Plaintiff is the outstanding amount of \$10,360.05.
47. The Plaintiff claims the total debt amount of \$10,360.05 and is also seeking reimbursement for all of its costs and disbursements associated with these proceedings.

s22(1)



Nicole Pearson

FACT SHEET – STATUTORY AUDIT FUNCTION

October 2020

IPEA audits parliamentarians' work expenses and the travel expenses of their staff under section 12 of the [Independent Parliamentary Expenses Authority Act 2017](#) (IPEA Act). IPEA may make a ruling in relation to travel expenses and allowances under section 37 of the [Parliamentary Business Resources Act 2017](#) (PBR Act).

Preliminary Assessment

A Preliminary Assessment is generally confidential and establishes if further review is necessary.

A Preliminary Assessment is conducted where use of work expense(s) (for example, identified through direct contact, third party reporting or media) indicates a matter requires review.

Preliminary Assessments review information held or accessible by IPEA to determine the threshold question of:

- Has a parliamentary business resource been used?

If the answer is YES, an Assurance Review follows.

Potential pathways:

1. No further action
2. Referral to more appropriate agency
3. Assurance Review

Assurance Review

An Assurance Review determines if there has been a misuse of a parliamentary business resource.

IPEA assesses the use of the parliamentary business resource against the legislative framework to determine:

- Was there misuse?

If the answer is YES, IPEA considers if an Audit, referral or administrative action is appropriate.

An Audit is considered when:

- There is evidence for, or allegations of, systemic or substantial misuse
- IPEA's statutory information-gathering powers may be required to obtain all the required information
- There may be an educative benefit in publishing IPEA's findings.

Referral to the AFP is considered when there is evidence of serious fraud or other criminal conduct.

Potential pathways:

1. No further action
2. Administrative remedial action, including penalty
3. An IPEA initiated Ruling or Audit
4. Referral to the AFP

Audit

An Audit may commence for two main reasons:

1. As the outcome of an Assurance Review
2. As a systematic and comprehensive examination of the use of a specific category of a parliamentary business resource against the legislative framework, potentially by all parliamentarians and/or MOP(S) Act employees.

Where an Audit results from an Assurance Review, the Macquarie Dictionary definitions of these terms are considered:

- Substantial: "of ample or considerable amount, quantity, size etc."
- Systemic: "affecting an organisation, network ... etc as a whole"

Where an educational purpose or benefit is identified, part or all of the Audit may be published. The decision to publish is made on a case-by-case basis.

Potential pathways:

1. No further action
2. Administrative remedial action, including penalty
3. An IPEA initiated Ruling or Audit
4. Referral to the AFP

Post-Payment Checks

Post-Payment Checks are ongoing systematic testing of expense use through regular sampling of transactions. This covers a range of expenses such as:

- business class travel
- short term self-drive hire cars
- accommodation receipts
- desirable destinations
- accompanying family
- travel adjacent to public/school holidays.

Referring to the Australian Federal Police

IPEA may refer a matter to the AFP at any point during the Assessment, Review or Audit process, where compelling prima facie evidence of fraud or other criminal conduct is identified.

Making a Ruling

Rulings are made and finalised by the Members, including where they are, requested by a parliamentarian, recommended by an Assurance Review or Audit.

5 November 2021

Mr Andrew Laming MP
Member for Bowman, Queensland
s22(1)

E: s22(1)

Dear Mr Laming

Audit of Travel Expenses and Allowances

The Independent Parliamentary Expenses Authority (IPEA) has statutory responsibilities under the *Independent Parliamentary Expenses Authority Act 2017* (the IPEA Act), for auditing work and travel expenses provided to current and former parliamentarians.

Section 12(1)(i) of the IPEA Act provides IPEA with the power to
conduct, or arrange for the conduct of, such audits as the Authority considers appropriate of matters relating to:
(i) *MP work resources...*

Since 1 April 2021, IPEA has engaged with you on many occasions seeking information to verify the dominant purpose of Transport costs and Travel allowances accessed by you and your family during the period 21 to 27 June 2019. You were advised in the letter dated 31 August 2021 that in the absence of this information IPEA may proceed to an audit in this matter.

I am writing to inform you that IPEA has commenced an audit of your use of travel expenses and allowances. The scope of the audit is the use of Transport costs and Travel allowances, and the use of your Family transport costs, in the period 21 June to 27 June 2019.

The IPEA Act provides IPEA with information gathering powers. Under these provisions, IPEA may require a person to provide information or to produce a document that is relevant to the performance of its auditing functions. If required, IPEA will use these powers in seeking information from yourself and other persons in the conduct of this audit.

IPEA will seek your assistance in providing further information and supporting documentation, where required.

Should you wish to discuss this matter further, please contact the Director, Audit and Assurance, s22(1) via email assurance@ipea.gov.au or by phone on s22(1)

Yours sincerely

s22(1)

Angwyn Godwin
Chief Executive Officer
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603



Ruling 01/2022 - Section 37 of the *Parliamentary Business Resources Act 2017*

Ruling

The Independent Parliamentary Expenses Authority (IPEA) determines that the travel expenses incurred by Mr Andrew Laming MP:

- for travel between Brisbane and Hobart and within Tasmania between 21 June 2019 and 24 June 2019; and
- for travel between Brisbane and Melbourne and return on 26 June 2019 and 27 June 2019

were not incurred for the dominant purpose of conducting his parliamentary business and that his use of public resources contravened section 26 of the *Parliamentary Business Resources Act 2017* (PBR Act).

Background

On 5 November 2021, IPEA commenced an audit of work expenses and allowances, and the use of family travel costs of Mr Laming for the period 21 June 2019 to 27 June 2019 (Audit report of 24 March 2022). For the purpose of the audit, Mr Laming's expenses over this period were divided into three segments:

- expenses incurred for travel between Brisbane and Hobart and within Tasmania between 21 June 2019 and 24 June 2019.
- expenses incurred for travel between Hobart, Canberra and Brisbane between 24 June 2019 and 25 June 2019.
- expenses incurred for travel between Brisbane, Melbourne, and return, and within Melbourne between 26 June 2019 and 27 June 2019.

The threshold consideration in relation to each segment was whether the dominant purpose of Mr Laming's travel was parliamentary business. This is a key determinant in assessing whether associated family travel is consistent with the provisions of the legislative framework.

Assessment

An assessment of all work expenses within scope of the audit is set out in the attached audit report. This assessment was based on:

- direct communication with, and information provided by Mr Laming;
- publicly available material;
- internal records held by IPEA;
- records and information held by third parties;
- travel bookings records maintained by IPEA's external service provider; and
- information received in response to notices under section 53 of the *Independent Parliamentary Authority Act 2017*.

For the reasons set out in the attached audit report, IPEA found:

- the dominant purpose of Mr Laming's travel from Brisbane to Hobart on 21 June 2019 was not parliamentary business.
- expenses incurred by Mr Laming on 24 and 25 June 2019 in relation to travel from Hobart to Canberra and Canberra to Brisbane were for the dominant purpose of parliamentary business.
- the dominant purpose of Mr Laming's travel from Brisbane to Melbourne and return on 26 and 27 June 2019 was not parliamentary business.

Notwithstanding the findings of the audit, Mr Laming has maintained his position that the dominant purpose of all his travel within scope was parliamentary business.

Subsection 37(1) of the PBR Act provides that IPEA may make a ruling that:

... conduct engaged in by a particular member or any other person in relation to travel expenses of, or travel allowances for, the member, was not in accordance with this Act and as a result of the conduct, the member contravenes section 26, 27 or 28.

Loading penalty

The total value of expenses that were found to be inconsistent with the relevant legislative provisions, inclusive of GST and service fees, is \$8,288.04.

Subsection 38(4) of the PBR Act provides that if the Commonwealth provides public resources to a member and the member contravenes section 26, 27 or 28 in relation to the resources, then:

The member is liable to pay the Commonwealth, by way of penalty for the contravention of section 26, 27 or 28, an amount equal to 25% of the amount to which this section applies.

IPEA has no discretion whether to apply this loading as it arises automatically as a result of the operation of section 38. Mr Laming is therefore liable to pay the Commonwealth 25% of the expenses that have been found to be inconsistent with the relevant legislative provisions, that is 25% of \$8,288.04 or \$2,072.01.

Amount due to the Commonwealth

The total amount that Mr Laming needs to repay to the Commonwealth is the amount of \$8,288.04 and the loading penalty of \$2,072.01 i.e a total of \$10,360.05.

Independent Parliamentary Expenses Authority

March 2022



Australian Government

**Independent Parliamentary
Expenses Authority**

Audit Report

Mr Andrew Laming MP

Member for Bowman

Travel Expenses and Allowances for the period

21 June to 27 June 2019

24 March 2022

Contents

Executive summary	3
Audit Findings	3
Audit function	8
IPEA's statutory audit function	8
Responsibilities of members of parliament	8
Legislative framework	9
Audit methodology	10
Background	10
Audit criteria	11
Method	12
Assessment of work expenses	13
Summary of findings	13
Application of audit questions	14
Appendix A – Segment One	21
Appendix B – Segment Two	22
Appendix C – Segment Three	23

Executive summary

1. The Independent Parliamentary Expenses Authority (IPEA) conducted an audit of Commonwealth-funded travel and travel related expenses for Mr Andrew Laming MP.

Scope and Purpose

2. The audit examined expenses incurred by Mr Laming, his spouse and two children, during the period from 21 June 2019 to 27 June 2019. Thirty expense items, totalling \$10,991.43 including GST and associated fees were examined. Details of all thirty expense items are at Appendix A, Appendix B and Appendix C.
3. The purpose of the audit was to determine whether the travel and travel-related expenses incurred by Mr Laming and his family during the relevant period were consistent with the relevant legislative provisions. In particular, the audit sought to establish:
 - whether Mr Laming's travel was for the dominant purpose of parliamentary business; and
 - whether travel by Mr Laming's family was consistent with the meaning of **family reunion purposes** as defined in section 6 of the *Parliamentary Business Resources Regulations 2017* (the Regulations).

Engagement with Mr Laming

4. In October 2020 IPEA commenced an Assurance Review into these matters, in accordance with its Statutory Audit Function Factsheet (**Attachment A**). During the period from 1 April 2021 to 13 October 2021, IPEA engaged with Mr Laming on a number of occasions, seeking information to verify the dominant purpose of the relevant travel. Responses provided by Mr Laming generally lacked the requested detail, were unsupported by evidence and were, at times, inconsistent.
5. As a result, Mr Laming was advised on 5 November 2021 that an audit had commenced. On 8 November and 25 November 2021, IPEA wrote to Mr Laming asking that he provide specific information in relation to the audit. IPEA's request of 25 November 2021 was issued pursuant to its information-gathering powers in subsection 53(2) of the *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act). Mr Laming's two responses, dated 2 December and 6 December 2021, did not provide the information sought. Subsection 53(4) of the IPEA Act sets out the penalty that may be applied where a person is found to have contravened a notice made pursuant to subsection 53(2) of the IPEA Act.
6. On 3 March 2022, Mr Laming was provided with a draft copy of this Audit Report. Mr Laming was invited to:
 - correct any factual errors in the Draft Audit Report; and
 - provide any further relevant evidence for consideration in regards to the findings of the Draft Audit Report.
7. Mr Laming's responses to the draft audit report, an email dated 16 March 2022 and two emails of 23 March 2022 (**Attachments B1-B3**), contained vague references and no further specific and material evidence. IPEA's extensive engagement with Mr Laming over the course of this matter (refer to **Attachment C**) has afforded him numerous opportunities to provide definitive information in relation to his travel and his parliamentary business over the relevant period. In general, and specifically in relation to the audit report, Mr Laming's responses have been deficient in content and detail. Further, in a number of instances where IPEA posed specific

questions to Mr Laming he obfuscated, provided inconsistent answers or ignored the question altogether.

8. In these circumstances, IPEA has made findings based upon verifiable information, including information obtained from three organisations and one individual using its powers under subsection 53(2) of the IPEA Act.

Audit Findings

9. For the purpose of this audit, Mr Laming's expenses are divided into three segments:
 - Segment one includes expenses incurred for travel between Brisbane and Hobart and within Tasmania between 21 June 2019 and 24 June 2019.
 - Segment two includes expenses incurred for travel between Hobart, Canberra and Brisbane between 24 June 2019 and 25 June 2019.
 - Segment three includes expenses incurred for travel between Brisbane, Melbourne, and return, and within Melbourne between 26 June 2019 and 27 June 2019.

Segment One - Finding

10. The audit finds that the dominant purpose of Mr Laming's travel from Brisbane to Hobart on 21 June 2019 was not parliamentary business. As a consequence, the audit finds that all associated expenses, including fares for the travel of Mr Laming and his family, hire car and taxi expenses and travel allowance incurred within Tasmania over the period 21 June to 24 June 2019 were not incurred in accordance with the *Parliamentary Business Resources Act 2017* (PBR Act).
11. The basis of this finding is that the principal reason given by Mr Laming for his travel to Tasmania, to attend and address a conference of medical professionals, was not at the conference organisers' invitation. Organisers were unaware of his intention to attend until shortly before the conference commenced. Further, his documented participation was restricted to the last morning of the conference which had commenced two days earlier and his address to participants took place during the morning tea break. While this activity may satisfy the definition of parliamentary business, it fails the dominant purpose test when examined within the context of Mr Laming's activities, and use of business resources, over a three day period.
12. IPEA notes a parliamentarian's obligation to act in good faith (section 25 of the PBR Act). Paragraph 38 of this report sets out the key recommendation of the 2016 Review, *An Independent Parliamentary Entitlements System* upon which this obligation is based. The recommendation notes that "... parliamentarians must not seek to disguise as 'parliamentary business' an activity whose dominant purpose is personal or commercial." IPEA is of the view that Mr Laming's extensive use of a hire car for personal reasons over the days prior to his limited participation at the conference indicates that the dominant purpose of his travel was personal.
13. In relation to segment one, recoverable expenses total \$2,542.67 including GST and associated fees.

Segment Two - Finding

14. The audit finds that expenses incurred by Mr Laming's dependent children in travelling from Hobart to Brisbane on 24 June 2019 were not incurred in accordance with the PBR Act. As the dominant purpose of Mr Laming's travel from Brisbane to Hobart was found to be not

parliamentary business, the travel of his dependent children did not comply with the meaning of *family reunion purposes* as defined in section 6 of the Regulations.

15. The audit finds that expenses incurred by Mr Laming on 24 and 25 June 2019 in relation to travel from Hobart to Canberra and Canberra to Brisbane were for the dominant purpose of parliamentary business.
16. In relation to segment two, recoverable expenses total \$1,324.64 including GST and associated fees.

Segment Three - Finding

17. The audit finds that the dominant purpose of Mr Laming's travel from Brisbane to Melbourne on 26 June 2019 was not parliamentary business. It follows that the expense incurred by Mr Laming's spouse in travel from Melbourne to Brisbane on 27 June 2019 was not incurred in accordance with the PBR Act as the travel did not comply with the meaning of *family reunion purposes* as defined by the PBR Regulations.
18. All associated expenses including Mr Laming's return travel, taxi expenses and travel allowance were not incurred in accordance with the PBR Act, with the one exception being a taxi expense for travel between Melbourne airport and Parkville on 26 June 2019 (see paragraph 107).
19. The basis of this finding is that Mr Laming has not provided sufficient evidence to establish that he undertook parliamentary business in connection with the horticultural conference he nominated as the dominant purpose of his travel from Brisbane to Melbourne and return. Further, to the extent that there is evidence of his attendance at that conference, it was restricted to the concluding hour of the post-conference dinner, the conference having commenced two days earlier.
20. Mr Laming asserted that his spouse attended the Hort Connections conference only because he was at the same conference in his capacity as a parliamentarian. This assertion is not supported by verifiable evidence. IPEA understands his spouse attended in her own right and for the entirety of the Hort Connections conference. By his own evidence, Mr Laming was only in attendance for the final hour of the dinner that concluded the conference.
21. The intent of travel for *family reunion purposes* (refer to paragraph 39) is that the family of a parliamentarian is able to travel to accompany the parliamentarian when the parliamentarian is travelling for parliamentary business. In the circumstances outlined above, the travel of Mr Laming's spouse was to return home from a conference. IPEA is of the view that it was more probable Mr Laming's travel was to facilitate his spouse's return from the conference at Commonwealth expense and his claiming of expenses was not consistent with his obligation to act in good faith.
22. IPEA notes that even if the dominant purpose of Mr Laming's travel to Melbourne was parliamentary business, the travel of his spouse from Melbourne to Brisbane did not meet the definition of *family reunion purposes*. From verifiable evidence outlined above, their separate attendance patterns at the conference indicate that the travel of Mr Laming's spouse was not, on the whole, *for the dominant purpose of facilitating the family life of the member's family*.
23. In relation to segment three, recoverable expenses total \$4,420.73 including GST and associated fees.

Recovery of Expenses

24. The total value of expense that have been found to be inconsistent with the relevant legislative provisions, inclusive of GST and service fees, is \$8,288.04. A 25 per cent loading is payable in relation to those recoverable expenses. This amounts to \$2,072.01. The total amount recoverable in relation to the three segments is \$10,360.05 including GST and associated fees.

Mr Laming's Response to Draft Audit Report

25. On 3 March 2022, Mr Laming was provided with a draft copy of this Audit Report. Mr Laming was invited to:
- correct any factual errors in the Draft Audit Report; and
 - provide any further relevant evidence for consideration in regards to the findings of the Draft Audit Report.
26. Mr Laming provided a response on Wednesday 16 March 2022 (**Attachment B1**). He did not provide further evidence for consideration but noted that a loss of data from his electorate office share folder deprived his office of written documentation for the period. Based on the information provided, IPEA understands that the data loss related to email records during the period from March to December 2019.
27. In relation to his attendance at, and participation in, the combined meeting of the Royal Australian and New Zealand College of Ophthalmologists and Australia and New Zealand Society of Ophthalmic Plastic Surgeons in Hobart, Mr Laming's response contends that IPEA has misrepresented the statements made to IPEA by the conference convenor. He also asserts that he has previously provided IPEA with evidence of his registration as a speaker at the conference. The latter assertion is incorrect, the evidence provided by Mr Laming on 18 May 2021 being a copy of his registration to attend the conference, rather than to speak. The evidence of the conference convenor, as directly quoted in this report, is that he became aware of Mr Laming's plan to attend "*at the last minute*".
28. In relation to his only verified attendance at the Hort Connections conference in Melbourne late on the evening of 26 June 2019, Mr Laming notes that "*Parliamentarians regularly work such hours, particularly when meeting stakeholders and conducting parliamentary business*". He says that his journey to Melbourne "*for the Hort Connections dinner can have no alternative purpose*".
29. Having carefully considered Mr Laming's responses of 16 March 2022 and 23 March 2022, IPEA concludes that he has not provided information that would alter the findings set out in the Draft Audit Report. In particular, the dominant purpose of Mr Laming's travel from Brisbane to Hobart on 21 June 2019 and from Brisbane to Melbourne and return on 26 June and 27 June 2019 was not parliamentary business.

Ruling

30. These findings represent IPEA's assessment of the dominant purpose of Mr Laming's use of business resources within the scope of the audit. IPEA notes that Mr Laming has asserted constantly that the dominant purpose of his travel to Hobart and to Melbourne was parliamentary business, notwithstanding that his account of his activities has varied throughout the conduct of the Assurance Review and the Audit. As Mr Laming has continued to maintain this position, the recovery of expenses in these circumstances requires a written ruling be made under the provisions of section 37 of the *Parliamentary Business Resources Act 2017*.

Audit function

IPEA's statutory audit function

31. Subsection 12(1)(i) of the *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act) empowers IPEA to audit parliamentarians' work and travel resources.
32. The authority to undertake an audit has been delegated to the Chief Executive Officer of IPEA. This audit report was prepared under that delegation and in accordance with the IPEA Act.

Responsibilities of members of parliament

33. Certification is an accountability mechanism requiring parliamentarians to certify that their use of parliamentary work expenses, including travel expenses, is consistent with the legislative framework in force at the time. Mr Laming has certified the majority of his Expenditure Reports relating to his parliamentary work expenses since the 2018/2019 financial year including the audit period.

Reporting Period	Certified	Date Certified
1 July to 30 September 2018	No	
1 October to 31 December	No	
1 January to 31 March 2019	No	
1 April to 30 June 2019	Yes	15/08/2019
1 July to 30 September 2019	Yes	28/11/2019
1 October to 31 December	Yes	24/02/2020
1 January to 31 March 2020	Yes	17/06/2020
1 April to 30 June 2020	Yes	19/08/2020
1 July to 30 September 2020	No	
1 October to 31 December	Yes	26/03/2021
1 January to 31 March 2021	Yes	18/05/2021
1 April to 30 June 2021	Yes	24/08/2021
1 July to 30 September 2021	Yes	10/11/2021

34. Parliamentarians have a responsibility to understand the legal framework in which they are operating. Parliamentarians and staff can seek IPEA advice and attend or request information sessions to assist them in this understanding.

Legislative framework

35. IPEA applied the *Parliamentary Business Resources Act 2017* (the PBR Act) and its associated instruments as the relevant legislation for the audit period. The PBR Act is a principles-based framework that requires parliamentarians to ensure expenditure is incurred for the ‘*dominant purpose*’ of conducting parliamentary business and in a manner that represents ‘*value for money*’. The legislation provides a definition of parliamentary business that includes ‘parliamentary duties, electorate duties, party political duties and official duties’.

36. The key instruments relevant to the audit are:

- *Independent Parliamentary Expenses Authority Act 2017*;
- *Parliamentary Business Resources Act 2017*;
- *Parliamentary Business Resources Regulations 2017*;
- *Parliamentary Business Resources (Parliamentary Business) Determination 2017*;
- *Remuneration Tribunal (Members of Parliament) Determination 2018*.

37. Parliamentarians are not able to claim public resources, including the work expenses prescribed in the PBR Regulations, unless their travel:

- is for the dominant purpose of conducting their parliamentary business;
- represents value for money; and
- meets the relevant conditions connected to the travel claim or expense.

38. The legislative framework is based upon the recommendations of the 2016 review:

An Independent Parliamentary Entitlement System. This Review set out principles that should guide parliamentarians’ decision making on work expenses. In particular, the Review noted:

Good faith

Parliamentarians are to act in good faith in making decisions about whether expenditure is incurred for the dominant purpose of conducting parliamentary business, and represents value for money. In particular, parliamentarians must not seek to disguise as ‘parliamentary business’ an activity whose dominant purpose is personal or commercial.

39. Australia-wide family reunion travel, as provided under section 17 of the PBR Regulations, is a focus of this audit. Section 6 of the PBR Regulations prescribes the meaning of *family reunion purposes* as:

*A family member of a member travels for **family reunion purposes** if:*

- (a) the member is travelling for the dominant purpose of conducting the member’s parliamentary business; and*
- (b) the family member travels to accompany or join the member; and*
- (c) the travel by the family member is for the dominant purpose of facilitating the family life of the member’s family.*

Audit methodology

Background

40. Mr Laming was first elected to Parliament as the Member for Bowman on 9 October 2004. He has been re-elected at each subsequent election and remains the Member for Bowman.
41. Since his election, Mr Laming has held the following roles and positions:
- Member of the Australian National Commission for UNESCO from 2005.
 - Member, Joint Statutory Committee:
 - Public Accounts and Audit
 - Human Rights
 - Australian Commission for Law Enforcement Integrity
 - Member, Joint Standing Committee:
 - Treaties
 - Foreign Affairs, Defence and trade
 - Member, Joint Select Committee:
 - Australia Fund Establishment (Chair from 14.11.2014 to 25.6.2015)
 - Member, House of Representatives Standing Committee:
 - Communications, Information Technology and the Arts
 - Aboriginal and Torres Strait Islanders Affairs
 - Employment and Workplace Relations
 - Health
 - Indigenous Affairs
 - Health, Aged Care and Sport
 - Economics
 - Social Policy and Legal Affairs
 - Education and Employment (Chair from 13.10.2015 to 9.5.2016)
 - Employment, Education and Training (Chair from 19.10.2016).
42. Mr Laming's electorate office and home base is in Cleveland, Queensland.
43. On 9 June 2020, in accordance with IPEA's Statutory Audit Function Factsheet, IPEA commenced a Preliminary Assessment in relation to travel and travel-related expenses incurred by Mr Laming and his family during the period 21 June 2019 to 29 June 2019, the period surrounding the Hort Connections Conference held at the Melbourne Convention Centre.
44. The Preliminary Assessment found that parliamentary business resources were used by Mr Laming, and his family, during June 2019 in Tasmania, Canberra, Brisbane and Melbourne.
45. On 13 October 2020, the matter progressed to an Assurance Review. For resource management purposes the Assurance Review was scheduled for commencement in March 2021. On 1 April 2021, IPEA first wrote to Mr Laming advising of the Assurance Review and seeking his response to a number of questions about his use of business resources during the relevant period. In the period to 5 November 2021, IPEA exchanged correspondence with Mr Laming on many occasions. IPEA officials also met with Mr Laming in his Parliament House office on 22 June 2021. On two occasions Mr Laming sought, and was granted, extensions to deadlines to respond to IPEA's questions. One of the reasons given by Mr Laming for seeking extensions was

the loss of his email records for a part of 2019 (March to December). A summary of IPEA's interactions with Mr Laming is at **Attachment C**.

46. During the course of the Assurance Review, Mr Laming provided IPEA with a number of responses to its requests for information, the last of these on 13 October 2021. Mr Laming's responses were generally of limited assistance to IPEA in its attempts to verify the dominant purpose of his use of business resources during the relevant period. His responses lacked the requested detail and were often unsupported by evidence. On some occasions, Mr Laming failed to address specific requests and on others he provided information that was inconsistent with his earlier position on a matter. As a result, it was considered necessary to proceed to an audit, in accordance with IPEA's protocol 'Dealing with Misuse of Parliamentary Work Expenses' (**Attachment D**). The Members of the Authority agreed that the matter should progress to an audit.
47. On 5 November 2021, IPEA commenced an audit of work expenses and allowances, and the use of family transport costs of Mr Laming for the period 21 June 2019 to 27 June 2019.

Audit criteria

48. The scope of the audit involved examining Mr Laming's use of work expenses and allowances, and the use of family transport costs for the period 21 June to 27 June 2019 to determine consistency with relevant legislative provisions.
49. For the purpose of this audit, 'Travel resources' includes scheduled flights, self-drive hire cars, Cabcharge, other car-with-driver services (i.e. COMCAR) and travel allowance. The travel of Mr Laming and his family over the audit period was sorted into three segments for analysis.
50. IPEA considered the relevant legislative framework and applied the following questions to the travel of Mr Laming and his family:
- what was Mr Laming's dominant purpose in accessing each expenses?
 - what was the nature of any parliamentary business?
 - has Mr Laming met the relevant conditions attached to the expense?
 - was family travel for *family reunion purposes* within the meaning prescribed?

Method

51. IPEA conducted the audit by examining and assessing:

- direct communication with, and information provided by, Mr Laming;
- publicly available material;
- internal records held by IPEA;
- records and information held by third parties;
- travel bookings records maintained by IPEA's external service provider; and
- information received in response to section 53 notices.

52. IPEA gathered data from its internal and external sources for all of Mr Laming's travel during the audit period. IPEA identified three travel segments that were within scope and required further examination to determine whether they were consistent with the relevant legislative framework. IPEA made further enquiries and sought additional information from Mr Laming in relation to this travel.

53. On 5 November 2021, IPEA wrote to Mr Laming to inform him that an audit of his use of work expenses and allowances had commenced.

54. On 8 November 2021, IPEA wrote to Mr Laming with six questions for his response, due on 22 November 2021.

55. On 9 November 2021, IPEA contacted Mr Laming's office to confirm the email had been received. Mr Laming's staff confirmed that the email had been received and was with Mr Laming.

Section 53 Notice

56. Section 53 of the IPEA Act applies to a person if the Authority has reason to believe that the person has information or a document that is relevant to the performance of a function conferred on the Authority by any of paragraphs 12(1)(e) to (i) of the Act.

57. Section 53(2) of the IPEA Act provides that the Authority may, by written notice given to the person, require the person:

- (a) to give to the Authority, within the period and in the manner and form specified in the notice, any such information; or
- (b) to produce to the Authority, within the period and in the manner specified in the notice, any such documents; or
- (c) to make copies of any such documents and to produce to the Authority, within the period and in the manner specified in the notice, those copies.

58. On 25 November 2021, having received no response to the letter of 8 November 2021, IPEA provided Mr Laming with a notice pursuant to section 53(2). Neither Mr Laming's response of 2 December 2021, nor his subsequent advices of 6 and 13 December 2021, provided the information sought. Of the six questions put to Mr Laming, only two were addressed.

59. Section 53 notice were also provided to the following individuals and accommodation providers:

- Conference Convenor, Royal Australian and New Zealand College of Ophthalmologists (RANZCO) and the Australia and New Zealand Society of Ophthalmic Plastic Surgeons (ANZSOPS).

- Amberley House, Sandy Bay
- Hotel Grand Chancellor, Hobart
- Ibis Budget Melbourne CBD

60. All provided responses to the section 53(2) notice.

Assessment of work expenses

Summary of findings

Segment One

61. Expenses incurred in travel between Brisbane and Hobart and within Tasmania between 21 June 2019 and 24 June 2019.
62. IPEA examined eight expense items accessed by Mr Laming and his family in this segment. Each of the eight expense items was found to be inconsistent with relevant legislative provisions.

Segment Two

63. Expenses incurred in travel between Hobart, Canberra and Brisbane between 24 June 2019 and 25 June 2019.
64. IPEA examined 13 expense items accessed by Mr Laming and his family in this segment. Five of these expense items were found to be inconsistent with relevant legislative provisions.

Segment Three

65. Expenses incurred in travel between Brisbane and Melbourne, and return, and within Melbourne, between 26 June 2019 and 27 June 2019.
66. IPEA examined nine expense items accessed by Mr Laming and his family in this segment. Eight of these expense items were found to be inconsistent with relevant legislative provisions.

Application of audit questions

Segment One

67. The threshold consideration in relation to segment one is whether the dominant purpose of Mr Laming's travel from Brisbane to Hobart on 21 June 2019 was parliamentary business. Another important consideration, because it assists in determining the answer to the first, is whether the dominant purpose of Mr Laming's use of a hire car over the period 21 June to 24 June 2019 was parliamentary business.

Attendance at Conference

68. Mr Laming, his spouse and two dependent children flew from Brisbane to Hobart using business resources on Friday 21 June 2019, arriving at Hobart airport at 12:50 pm. They were accompanied by an adult female.
69. Mr Laming advised that the dominant purpose of his travel was to attend the combined meeting of the Royal Australian and New Zealand College of Ophthalmologists (RANZCO) and the Australia and New Zealand Society of Ophthalmic Plastic Surgeons (ANZSOPS). The combined conferences ran from 8:30am on Friday 21 June to 1:30pm on Sunday 23 June 2019. The extent of Mr Laming's attendance and participation in the conferences has been unclear. His responses throughout the Assurance Review and Audit have varied. He has said *"the key elements of the conference were Saturday, a ticketed Saturday evening reception and Sunday"* inferring that he attended during those times. When asked about his use of a hire car (see below), he responded *"Saturday – Conference/evening event for electorate and parliamentary purpose"*. In his most recent response, on 6 December 2021, he stated *"the RANZCO & ANZSOPS Conference invitation was to address delegates.....not to attend sessions"*, suggesting that his attendance was limited to a portion of the final morning.
70. There is evidence from the Conference Convenor that Mr Laming spoke to the RANZCO meeting around the morning tea break on Sunday 23 June 2019. The Conference Convenor advised that there was no record of any formal invitation for Mr Laming to attend the conference. He said *"We got to know of Mr Laming's plans to attend at the last minute"* and *"We came to know about Mr Laming's plan to attend the conference quite close to the actual meeting and we made a slot for him to speak on Sunday the 23rd of June"*.
71. There is no evidence that Mr Laming attended the conference at any time other than the Sunday morning "slot". In fact, there is evidence to suggest that he was not in Hobart city until late in the second day of the two and a half day conference (see Hire Car and Travel Allowance below). Further, while the conference dinner was underway, commencing at 6:30pm on the evening of Saturday 22 June 2019, Mr Laming used business resources to travel by taxi from Sandy Bay to Glebe, arriving at 8:00pm. Mr Laming advises he can not recall the purpose of this taxi journey, though it is noted that the suburb of Glebe borders on the city and is within one kilometre of the conference venue.

Hire car

72. Mr Laming used business resources to hire a vehicle upon his arrival at Hobart airport early on the afternoon of Friday 21 June 2019. When it was returned on Monday afternoon, the vehicle had travelled 951 kilometres. When asked about his use of the vehicle, Mr Laming initially advised *"we used it for getting around the State"* and *"we did the loop"*. After Mr Laming was advised that if the dominant purpose of the car hire was "travelling around with the family" it

could not be parliamentary business, he reflected and advised that *“the dominant purpose of the Tasmanian hire car from Saturday afternoon, through the Sunday address and to the Monday morning Hobart meet was Parliamentary. The first day of the three-day hire was not predominantly Parliamentary and should be reimbursed.”*

73. Mr Laming was advised that it was not possible to apportion costs between personal and parliamentary use. He subsequently repeated his offer to repay part of the cost saying *“I have also agreed the dominant purpose of the first 24 hours was not Parliamentary...”*

74. In a further advice from Mr Laming dated 8 October, he introduced new information. He advised that use of the car was:

“Saturday; Conference/evening event for electorate and Parliamentary purpose. Central plateau national parks. 600km route (Highland lakes Rd) for electorate purpose

Sunday: Conference for electorate and Parliamentary purpose

Sorell/ Port Arthur return. 200km (Arthur Highway) for electorate purpose.”

75. Mr Laming advised that the electorate purpose related to inspections of the use of composite fibre technology boardwalk materials in particular Tasmanian locations. This purpose had not been mentioned in any of the previous exchanges with Mr Laming and he has not repeated or supported the contention when invited to do so in the context of this audit. IPEA therefore gives no weight to this version of events. Mr Laming’s advice about the destinations visited does, however, raise other questions. It is implausible that Mr Laming departed Hobart on the morning of Saturday 22 June 2019, drove at least 800km through the highlands of Tasmania and returned to Hobart on that day in time to participate in any part of the conference, including the dinner which commenced at 6:30pm.
76. There is reason to believe that Mr Laming’s travel on Saturday 22 June 2019 did not commence from Hobart. There is also evidence to suggest that he did not arrive in Hobart city until approximately 7:20pm on that evening (see Travel Allowance below).

Travel Allowance

77. Mr Laming claimed, and was paid, three nights Travel Allowance at the commercial rate for overnight stays in Hobart on 21, 22 and 23 June 2019. The claim was supported by a Wotif booking confirmation. IPEA held doubts about Mr Laming’s actual accommodation arrangements because of the understanding that it would not be possible for the family of five to have stayed in a double room at Amberley House, the booked hotel. Mr Laming’s responses to questioning on the matter have been vague and evasive. When initially asked to confirm his arrangements he replied *“yes we stayed at Amberley House in Hobart”*. When asked again to confirm his accommodation arrangements on each of the three nights, on the basis that the Wotif booking confirmation was for a double room only, he responded *“the two night [sic] claim for the Hobart hotel stay is appropriate. On the first night we purchased a second room closer to the conference because one adult was ill and needed to isolate. On the second night we booked an additional night in the same hotel.”*
78. On 8 October 2021, after once again being asked to describe accommodation arrangements for 21, 22 and 23 June 2019, Mr Laming wrote *“Accommodation was at Amberley House in Sandy Bay, paid online June 12, 2019. Due to a family member falling ill, a hotel room at the conference venue was secured to make caring for children easier. This room was not submitted for reimbursement. The Tasmania leg was three days, and the three-day claim submitted concurs.”*

79. Evidence has been obtained from Amberley House and from the Hotel Grand Chancellor (the conference venue). The Amberley House information has the Laming family checking in around 7:20pm on Saturday 22 June 2019, the second night of their stay in Tasmania. Records show that after unsuccessfully enquiring about the availability of an additional room at Amberley House on that night, Mr Laming booked a room at the Hotel Grand Chancellor. Hotel Grand Chancellor records show this booking as being made at 7:33pm on Saturday 22 June 2019. He subsequently booked a second room at Amberley House for the night of Sunday 23 June 2019.
80. There has been a degree of opacity in Mr Laming's responses to questions about his accommodation arrangements. He has not responded to specific questions about the location of his overnight stays on each of the three nights he was in Tasmania. In particular, at no stage has Mr Laming definitively answered the specific question of where he and his family stayed on the night of Friday 21 June 2019. IPEA notes that the extent of Mr Laming's travel in the hire car (at least 800km) through country Tasmania following his arrival would, in all likelihood, preclude his being in Hobart on the night of Friday 21 June 2019. On the information available to IPEA, Mr Laming checked into Hobart accommodation on the evening of Saturday 22 June 2019.
81. On 3 March 2022, Mr Laming was provided with an opportunity to correct any factual errors and to provide further evidence with regard to a preliminary draft assessment of his travel. In the absence of any further information from Mr Laming, IPEA is of the view that, on the balance of probability, Mr Laming has incorrectly claimed Travel Allowance at the commercial rate for an overnight stay in Hobart on Friday 21 June 2019, when he did not stay in that location on that night.

Conclusion

82. On the basis of verifiable evidence and probability, IPEA has concluded that the dominant purpose of Mr Laming's travel to Hobart on Friday 21 June 2019, and his use of other business resources and allowances in Tasmania over the period from Friday 21 to Monday 24 June 2019, was not parliamentary business.
83. The principles require parliamentarians to act in good faith when making decisions about whether expenditure – in this case accommodation arrangements and hire car usage – is incurred for the dominant purpose of conducting parliamentary business and whether it represents value for money. In particular, parliamentarians must not seek to disguise as 'parliamentary business' any activity whose dominant purpose is personal or commercial.
84. IPEA has formed the view that the manner in which Mr Laming answered or did not answer questions in relation to his accommodation arrangements and his use of the hire car raises concerns about whether Mr Laming was acting in good faith (section 25 of the PBR Act).
85. IPEA has also formed its view about the dominant purpose of Mr Laming's use of work expenses in segment one, based on the following verifiable evidence:
- Mr Laming did not stay overnight on Friday 21 June 2019 at Amberley House, as the documentation he provided in support of his Travel Allowance claim indicates – the circumstances of his use of the hire car strongly suggest that he stayed at a location other than Hobart and did not arrive in Hobart before approximately 7:00pm on Saturday 22 June 2019.
 - Mr Laming's use of a hire car was predominantly personal, having travelled in the order of 800 kilometres for reasons not related to either the Conference or other parliamentary business;

- Mr Laming's attendance at the RANZCO and ANZSOPS Conference was not known to the organisers until "*the last minute*";
- Organisers "*found a slot*" for Mr Laming to address the meeting around the morning tea break on Sunday 23 June 2019, the last morning of the conference which had commenced two days earlier on Friday 21 June – Mr Laming did not attend the conference until that final morning; and
- The other documented parliamentary business undertaken by Mr Laming, the meeting with Independent Schools Tasmania, was arranged after all other plans were decided, took place for approximately one hour on Monday 24 June 2019, his final morning in Tasmania, and was not, according to Mr Laming, the dominant purpose of his travel.

86. As Mr Laming did not travel for the dominant purpose of parliamentary business, the travel of his spouse and two dependent children from Brisbane to Hobart on Friday 21 June 2019 was not consistent with the meaning of *family reunion purposes*, and was therefore inconsistent with the relevant legislative provisions.

87. In relation to segment one, recoverable expenses total \$2,542.67 including GST and associated fees.

Segment Two

88. This segment covers the return to Brisbane of Mr Laming's two dependent children and Mr Laming's use of work expenses while traveling from Hobart to Canberra and Brisbane.

Family reunion travel

89. Mr Laming's dependent children travelled from Hobart to Brisbane, through Melbourne, on Monday 24 June 2019. Mr Laming has advised that they were accompanied by the other adult who had been with the family in Tasmania.

90. In considering whether the travel by Mr Laming's dependent children was consistent with the relevant legislative provisions, it is noted that this travel represents the return leg of a Brisbane – Hobart – Brisbane trip. The forward leg of their travel, from Brisbane to Hobart, has been assessed as inconsistent with the meaning of *family reunion purposes* as defined by section 6 of the PBR Regulations because Mr Laming's travel to Hobart was not for the dominant purpose of parliamentary business.

Mr Laming's travel from Hobart to Canberra and Brisbane

91. Mr Laming used business resources to travel from Hobart to Canberra, through Melbourne, on Monday 24 June 2019. He claimed Travel Allowance in Canberra on that night. Mr Laming has provided evidence of his participation in the ANU Crawford Leadership Forum, on the evening of 24 June 2019. He used business resources to travel from Canberra to Brisbane on Tuesday 25 June 2019, arriving home at 9:41am.

92. Mr Laming advises that the purpose of his return to the electorate was a "*mandatory event that was unable to be postponed or rescheduled*". He has been unable to provide further information or evidence of the nature of his business in the electorate, citing the loss of email records for a part of 2019 (March to December) as the reason for lack of detail. Mr Laming says he had a "*confidential medical meeting in Redland City with medical practitioners relating to the MBS review task force*". He also advises that he may have met with "*a senior indigenous representative*" though does not nominate that person.

93. IPEA accepts that Mr Laming's return to his electorate should, in a general sense, be regarded as parliamentary business (electorate duties), noting that this trip was returning him from the conduct of parliamentary business in Canberra.

Conclusion

94. IPEA has concluded that the dominant purpose of Mr Laming's travel from Hobart to Canberra and Brisbane on Monday 24 and Tuesday 25 June 2019 was parliamentary business and that his use of business resources was consistent with relevant legislative provisions.
95. IPEA has concluded that the travel of Mr Laming's dependent children from Hobart to Brisbane on Monday 24 June 2019 was not for *family reunion purposes* as prescribed because it was the return leg of travel that had been similarly assessed on the basis that the dominant purpose of Mr Laming's travel to Hobart was not parliamentary business.
96. In relation to segment two, recoverable expenses total \$1,324.64 including GST and associated fees.

Segment Three

97. This segment covers Mr Laming's travel from Brisbane to Melbourne and return on Wednesday 26 and Thursday 27 June and the travel of Mr Laming's spouse from Melbourne to Brisbane on 27 June 2019. The two matters to be determined are:
- what was the dominant purpose of Mr Laming's travel; and
 - was the travel of Mr Laming's spouse consistent with the meaning of *family reunion travel* as defined by legislation.
98. Mr Laming used business resources to travel from Brisbane to Melbourne on Wednesday 26 June 2019, arriving at 6:35pm. He then took two taxi trips using Cabcharge – the first from the airport to Parkville, where he arrived at 7:47pm, and the second from Parkville to Southbank where he arrived at 9:49pm. Southbank is the location of both the Melbourne Convention Centre, where the Hort Connections conference was held, and the Crown Palladium, which hosted the conference pre-dinner drinks and Gala Dinner. IPEA does not have access to data showing the drop-off address at Southbank but assumes it to be the Crown Palladium, as the Hort Connections program had moved to this venue at 7:00pm.
99. In relation to his travel to Melbourne, Mr Laming has advised *"The purpose of the travel was parliamentary business....attending a Horticulture congress relevant to my parliamentary business. Specifically, I was developing a Birkdale food hub proposal in my electorate"* and *"I was invited by a sponsor to attend the Congress to advance the food hub project"*.
100. During the course of the Assurance Review and the Audit, Mr Laming's account of his participation in the Hort Connections conference has changed in response to IPEA's questioning.
101. After being informed that IPEA was aware he had not arrived at the conference until 9:49pm on Wednesday 26 June 2019, Mr Laming advised:
"The parliamentary grounds for travel to Melbourne was to attend the conclusion of the Gala dinner where all relevant stakeholders would be assembled. This was by arrangement with a Queensland sponsor at a time when formal award presentations had concluded that evening".
102. During the 22 June 2021 meeting with IPEA officials, Mr Laming undertook to provide evidence of the Queensland sponsor and the invitation to present at the Gala dinner. He subsequently

advised, on 30 June 2021, *“the Queensland sponsor of the Hort Connections event is no longer employed with the organisation nor able to correspond on that matter”*.

103. Mr Laming was further pressed on this matter and, on 8 October 2021, advised: *“A Queensland AusVeg representative provided informal information on when, where and who to meet. This was not a formal invitation from that organisation, because I was attending at their suggestion, rather than on their behalf”*. In the same correspondence, Mr Laming advised: *“The sponsor alluded to previously was a Queensland table sponsor at Hort Connections and AusVeg member who had invested significant time in understanding our proposal and its limitations, examining opportunities across the three days of Hort Connect and identifying relevant entities. Importantly they played no formal role in my attendance nor had any authority to. They played no material role in introductions or negotiations because that was not required. I performed the electorate-related meetings without their assistance, apart from being notified when in the evening meetings could commence. No third party played any role in the authorisation, planning or purpose of this journey, nor managed or arranged the activities at Hort Connections 2019.”*
104. Mr Laming’s response of 2 December 2021 to IPEA’s section 53(2) notice includes an unverified email identified by Mr Laming as being from a former Growcom CEO and part-time employee of Mr Laming, who advises that it was he who suggested Mr Laming’s attendance at the Conference. The email notes: *“Mr Laming was not a delegate to the conference but took the opportunity to attend as a visitor. I introduced him to a couple of my table guests at the dinner and he then independently worked the room.”*
105. Mr Laming has not responded to IPEA’s request to provide the names of persons who could confirm that he engaged with them on the evening of 26 June 2019 to advance the electorate food hub project.
106. In assessing whether the dominant purpose of Mr Laming’s Brisbane – Melbourne return travel and associated costs was parliamentary business, IPEA notes that the apparent haphazard nature of his attendance arrangements and status as a visitor are inconsistent with the importance he says attached to the event.
107. IPEA considers that if Mr Laming understood his attendance at the event to be crucial, he would have made arrangements that were both more certain and more timely. The function at the Crown Palladium was programmed to run from 7:00pm to 11:00pm. To arrive around 10:00pm, with no guarantee that potential stakeholders would still be in attendance or be disposed to engage with him, does not suggest the event held sufficient significance to be categorised as the dominant purpose of the travel.
108. IPEA notes Mr Laming’s advice that he attended two meetings in Melbourne upon arrival – the first at the Melbourne University Graduate School of Education (which is located in Parkville) and the second at Arthur Roe and Associates, located nearby. In Mr Laming’s words *“These meetings were not the grounds for the journey, but were included once the itinerary was settled to maximise value-for-money”*. IPEA has not been provided with evidence supporting the conduct of these meetings. However, in the absence of any information to the contrary, IPEA accepts Mr Laming’s advice that this taxi trip was for parliamentary business. IPEA notes this single trip was not material to the assessment of the dominant purpose of Mr Laming’s travel to Melbourne overall.

Conclusion

109. IPEA has concluded that the dominant purpose of Mr Laming's travel from Brisbane to Melbourne and return on Wednesday 26 and Thursday 27 June 2019 was not parliamentary business.
110. As Mr Laming did not travel for the dominant purpose of parliamentary business, the travel of his spouse from Melbourne to Brisbane on Thursday 27 June 2019 was not consistent with the meaning of *family reunion purposes*, and was therefore inconsistent with the relevant legislative provisions.
111. Mr Laming asserted that his spouse attended the Hort Connections conference only because he was at the same conference in his capacity as a parliamentarian. This assertion is not supported by verifiable evidence. IPEA understands his spouse attended in her own right and for the entirety of the Hort Connections conference. By his own evidence, Mr Laming was only in attendance for the final hour of the dinner that concluded the conference.
112. The intent of travel for *family reunion purposes* (refer to paragraph 39) is that the family of a parliamentarian is able to travel to accompany the parliamentarian when the parliamentarian is travelling for parliamentary business. In the circumstances outlined above, the travel of Mr Laming's spouse was to return home from a conference. IPEA is of the view that it was more probable Mr Laming's travel was to facilitate his spouse's return from the conference at Commonwealth expense and his claiming of expenses was not consistent with his obligation to act in good faith.
113. IPEA notes that even if the dominant purpose of Mr Laming's travel to Melbourne was parliamentary business, the travel of his spouse from Melbourne to Brisbane did not meet the definition of *family reunion purposes*. From verifiable evidence outlined above, their separate attendance patterns at the conference indicate that the travel of Mr Laming's spouse was not, on the whole, *for the dominant purpose of facilitating the family life of the member's family*.
114. In relation to segment three, recoverable expenses total \$4,420.73 including GST and associated fees.

Appendix A – Segment One

Work Expense	Departure Location	Departure Date	Departure Time	Arrival Location	Arrival Date	Arrival Time	Amount (GST excl.)	GST	Cabcharge Service Fee	Amount (GST incl. + Cabcharge Service)
Cabcharge	Ormiston	21/06/2019		Brisbane Airport	21/06/2019	9:16 AM	\$85.95	\$8.60	\$4.73	\$99.28
Travel Provider - Andrew Laming	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider - Mrs Laming	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider – Dependent child	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider – Dependent child	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider Avis Rent a Car	Hobart	21/06/2019	12:50 PM	Hobart	24/06/2019	2:05PM	\$362.79	\$36.28		\$399.07
Parliamentarians Travel Allowance – Parliamentary Duties Three nights – Commercial Rate				Hobart	21/06/2019		\$1,071.00			\$1,071.00
Cabcharge	Sandy Bay	22/06/2019		Glebe	22/06/2019	8:00PM	\$9.09	\$0.91	\$1.00	\$11.00

Appendix B – Segment Two

Work Expense	Departure Location	Departure Date	Departure Time	Arrival Location	Arrival Date	Arrival Time	Amount (GST excl.)	GST	Cabcharge Service Fee	Amount (GST incl. + Cabcharge Service)
Travel Provider – Andrew Laming	Hobart	24/06/2019	2:05PM	Melbourne	24/06/2019	3:20PM	\$1,277.27	\$127.73		\$1,405.00
Travel Provider – Andrew Laming	Melbourne	24/06/2019	4:20PM	Canberra	24/06/2019	5:25PM	-	-		-
Parliamentarians Travel Allowance – Parliamentary Duties One night – Canberra Rate				Canberra	24/06/2019		\$288.00			\$288.00
COMCAR	Pialligo	24/06/2019	5:44PM	Acton	24/06/2019	6:32PM	\$110.04			\$110.04
COMCAR	Canberra	24/06/2019	10:55PM	Capital Hill	24/06/2019	11:02PM	\$58.80			\$58.80
Travel Provider – Dependent child	Hobart	24/06/2019	2:05PM	Melbourne	24/06/2019	3:20PM	\$440.52	\$44.05		\$484.57
Travel Provider – Dependent child	Melbourne	24/06/2019	4:10PM	Brisbane	24/06/2019	6:20PM	-	-	-	-
Travel Provider – Dependent child	Hobart	24/06/2019	2:05PM	Melbourne	24/06/2019	3:20PM	\$680.42	\$68.04		\$748.46
Travel Provider – Dependent child	Melbourne	24/06/2019	4:10PM	Brisbane	24/06/2019	6:20PM	-	-	-	-
Cabcharge	Brisbane Airport	24/06/2019		Ormiston	24/06/2019	7:26PM	\$79.32	\$7.93	\$4.36	\$91.61
COMCAR	Capital Hill	25/06/2019	6:15AM	Pialligo	25/06/2019	6:24AM	\$58.80			\$58.80
Travel Provider – Andrew Laming	Canberra	25/06/2019	7:20AM	Brisbane	25/06/2019	9:00AM	\$582.59	\$58.26		\$640.85
COMCAR	Brisbane Airport	25/06/2019	8:51AM	Ormiston	25/06/2019	9:41AM	\$58.80			\$58.80

Appendix C – Segment Three

Work Expense	Departure Location	Departure Date	Departure Time	Arrival Location	Arrival Date	Arrival Time	Amount (GST excl.)	GST	Cabcharge Service Fee	Amount (GST incl. + Cabcharge Service)
Cabcharge	Ascot	26/06/2019		Brisbane Airport	26/06/2019	3:40PM	\$26.82	\$2.68	\$1.48	\$30.98
Travel Provider – Andrew Laming	Brisbane	26/06/2019	4:10PM	Melbourne	26/06/2019	6:35PM	\$1,178.91	\$117.89		\$1,296.80
Cabcharge	Melbourne Airport	26/06/2019		Parkville	26/06/2019	7:27PM	\$71.95	\$7.20	\$3.95	\$83.10
Cabcharge	Parkville	26/06/2019		Southbank	26/06/2019	9:49PM	\$16.27	\$1.63	\$0.89	\$18.79
Parliamentarians Travel Allowance – Parliamentary Duties One night – Commercial Rate				Melbourne	26/06/2019		\$389.00			\$389.00
Cabcharge	City	27/06/2019		Bentleigh	27/06/2019	12:10AM	\$51.45	\$5.15		\$59.43
Travel Provider – Andrew Laming	Melbourne	27/06/2019	10:10AM	Brisbane	27/06/2019	12:20PM	\$1,178.91	\$117.89		\$1,296.80
Travel Provider – Mrs Laming	Melbourne	27/06/2019	10:10AM	Brisbane	27/06/2019	12:20PM	\$1,178.91	\$117.89		\$1,296.80
Cabcharge	Brisbane Airport	27/06/2019		Ascot	27/06/2019	1:03PM	\$27.82	\$2.78		\$32.13
Cabcharge	Alexandra Hills	27/06/2019		Ormiston	27/06/2019	2:11PM	\$20.45	\$2.05	\$1.13	\$23.63
Cabcharge Repayment*							-\$20.45	-\$2.05	-\$1.13	-\$23.63

*IPEA notes that Mr Laming requested to repay the above cabcharge as a result of an IPEA post payment check.

FACT SHEET – STATUTORY AUDIT FUNCTION

October 2020

IPEA audits parliamentarians' work expenses and the travel expenses of their staff under section 12 of the [Independent Parliamentary Expenses Authority Act 2017](#) (IPEA Act). IPEA may make a ruling in relation to travel expenses and allowances under section 37 of the [Parliamentary Business Resources Act 2017](#) (PBR Act).

Preliminary Assessment

A Preliminary Assessment is generally confidential and establishes if further review is necessary.

A Preliminary Assessment is conducted where use of work expense(s) (for example, identified through direct contact, third party reporting or media) indicates a matter requires review.

Preliminary Assessments review information held or accessible by IPEA to determine the threshold question of:

- Has a parliamentary business resource been used?

If the answer is YES, an Assurance Review follows.

Potential pathways:

1. No further action
2. Referral to more appropriate agency
3. Assurance Review

Assurance Review

An Assurance Review determines if there has been a misuse of a parliamentary business resource.

IPEA assesses the use of the parliamentary business resource against the legislative framework to determine:

- Was there misuse?

If the answer is YES, IPEA considers if an Audit, referral or administrative action is appropriate.

An Audit is considered when:

- There is evidence for, or allegations of, systemic or substantial misuse
- IPEA's statutory information-gathering powers may be required to obtain all the required information
- There may be an educative benefit in publishing IPEA's findings.

Referral to the AFP is considered when there is evidence of serious fraud or other criminal conduct.

Potential pathways:

1. No further action
2. Administrative remedial action, including penalty
3. An IPEA initiated Ruling or Audit
4. Referral to the AFP

Audit

An Audit may commence for two main reasons:

1. As the outcome of an Assurance Review
2. As a systematic and comprehensive examination of the use of a specific category of a parliamentary business resource against the legislative framework, potentially by all parliamentarians and/or MOP(S) Act employees.

Where an Audit results from an Assurance Review, the Macquarie Dictionary definitions of these terms are considered:

- Substantial: "of ample or considerable amount, quantity, size etc."
- Systemic: "affecting an organisation, network ... etc as a whole"

Where an educational purpose or benefit is identified, part or all of the Audit may be published. The decision to publish is made on a case-by-case basis.

Potential pathways:

1. No further action
2. Administrative remedial action, including penalty
3. An IPEA initiated Ruling or Audit
4. Referral to the AFP

Post-Payment Checks

Post-Payment Checks are ongoing systematic testing of expense use through regular sampling of transactions. This covers a range of expenses such as:

- business class travel
- short term self-drive hire cars
- accommodation receipts
- desirable destinations
- accompanying family
- travel adjacent to public/school holidays.

Referring to the Australian Federal Police

IPEA may refer a matter to the AFP at any point during the Assessment, Review or Audit process, where compelling prima facie evidence of fraud or other criminal conduct is identified.

Making a Ruling

Rulings are made and finalised by the Members, including where they are, requested by a parliamentarian, recommended by an Assurance Review or Audit.

Website: ipea.gov.au

Phone: (02) 6215 3000

Email: enquiries@ipea.gov.au



Subject: FW: Response

From: Laming, Andrew (MP) s22(1)
Sent: Wednesday, 16 March 2022 1:05 PM
To: Pearson, Nicole s22(1)
Cc: (A. Laming, MP) @aph.gov.au>
Subject: Response

Dear IPEA,

The assurance process confirmed my Parliamentary activity in both Hobart and Melbourne legs. The Audit of three hotel check-in times disputes no part of my account.

On that basis I continue to publicly justify this entire 2019 journey as benefiting my constituents; namely regional and eye health, boardwalk construction and a food hub on Commonwealth land in Birkdale.

The loss of the 2019 EO-share folder deprived my office of written documentation from this period. This loss pre-dates this process and was beyond our control.

HOBART

All parts of the Tasmania leg involved a form of parliamentary business with the address to RANZCO dominant.

Conference
Convenor statements are misrepresented. Evidence of conference speaker registration, Saturday dinner registration, accommodation bookings and flights confirm pre-planning as early as June 12.

As a result of family member illness, multiple commercial accommodation bookings were made in Hobart. My office submitted the initial 3-day booking for simplicity and this accommodation was used. These last minute changes came at no cost to the Commonwealth.

MELBOURNE

The overnight Melbourne journey for the Hort Connections dinner can have no alternative purpose. We reject any assertion that the latter half of a gala dinner is not 'sufficiently parliamentary.' Parliamentarians regularly work such hours, particularly when meeting stakeholders and conducting parliamentary business. The Growcom CEO was statement not 'purported.'

I remain open to a sensible resolution of two taxi fares as agreed last year.

Kind regards,

Andrew Laming

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Pearson, Nicole

From: Laming, Andrew (MP) s22(1)
Sent: Wednesday, 23 March 2022 8:01 PM
To: Pearson, Nicole
Subject: IPEA final

Dear IPEA

Further to the March 16 Hobart/Melbourne audit response, can I confirm;

1. removal the misrepresentation of ^{Conference Convenor} testimony,
2. incorporation of the four pieces of objective evidence of Hobart travel pre-planning dating from June 12, 2019.

Should this occur, the dominant purpose of Hobart remains the RANZCO address, with two additional incidental Parliamentary purposes supporting this travel.

The last-minute accommodation changes due to family illness in Tasmania clearly have no impact on cost to the Commonwealth.

Can I also confirm

3. correction that testimony from then GrowCom CEO [REDACTED] is not 'purported.' Audit had ample opportunity to resolve any doubt, of which there is none.
4. that Outlook data loss will be reflected in the document where it was described as having an impact, rather than a passing reference to it on one occasion.

Were this to occur, the latter part of the Hort Connections Conference dinner is the only possible dominant purpose of the leg, as I have consistently maintained. Again two other incidental Parliamentary grounds for the journey were provided for earlier that same evening.

Further, provision of more information when asked additional questions does not represent 'chai consistency' where no contradictions between versions exist.

Constructing subjective conclusions nearly three years after travel, based on ignoring or discounting legitimate Parliamentary purposes and/or discrediting third-party corroboration raises significant concerns. I also question how Parliamentary travel becomes non-dominant years later, with no alternative dominant purpose being identified, and in the case of Melbourne, an alternative dominant purpose being impossible.

In this case, a four-month Audit has failed to verify anything apart from three check-in times that corroborate my version of events. Given grounds for travel have already been publicly justified back in 2020 and both Assurance and Audit have failed to dispute my version, the only reasonable option is to take no further action.

I expect that correction of these errors will be reflected in the final report. I also hope that future assurance processes do not deteriorate into personally derisive descriptors and subjective findings based only on lack of supporting evidence, for which clear grounds exist beyond my control.

My initial Parliamentary purposes for these two legs have now been independently corroborated and remain untrammelled by Assurance and Audit. For that reason, I will be standing by this travel as Parliamentary.

Regards,

Andrew Laming

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Pearson, Nicole

From: Laming, Andrew (MP) s22(1)
Sent: Wednesday, 23 March 2022 8:06 PM
To: Pearson, Nicole;
Subject: Fwd: IPEA final

Resent without the auto-correct

From: Laming, Andrew (MP) s22(1)
Sent: Wednesday, March 23, 2022 7:00 pm
To: Pearson, Nicole s22(1)
Subject: IPEA final

Dear IPEA

Further to the March 16 Hobart/Melbourne audit response, can I confirm;

1. removal the misrepresentation of ^{Conference Convenor} testimony,
2. incorporation of the four pieces of objective evidence of Hobart travel pre-planning dating from June 12, 2019.

Should this occur, the dominant purpose of Hobart remains the RANZCO address, with two additional incidental Parliamentary purposes supporting this travel.

The last-minute accommodation changes due to family illness in Tasmania clearly have no impact on cost to the Commonwealth.

Can I also confirm

3. correction that testimony from then GrowCom CEO is not 'purported.' Audit had ample opportunity to resolve any doubt, of which there is none.
4. that Outlook data loss will be reflected in the document where it was described as having an impact, rather than a passing reference to it on one occasion.

Were this to occur, the latter part of the Hort Connections Conference dinner is the only possible dominant purpose of the leg, as I have consistently maintained. Again two other incidental Parliamentary grounds for the journey were provided for earlier that same evening.

Further, provision of more information when asked additional questions does not represent 'inconsistency' where no contradictions between versions exist.

Constructing subjective conclusions nearly three years after travel, based on ignoring or discounting legitimate Parliamentary purposes and/or discrediting third-party corroboration raises significant concerns. I also question how Parliamentary travel becomes non-dominant years later, with no alternative dominant purpose being identified, and in the case of Melbourne, an alternative dominant purpose being impossible.

In this case, a four-month Audit has failed to verify anything apart from three check-in times that corroborate my version of events. Given grounds for travel have already been publicly justified back in

2020 and both Assurance and Audit have failed to dispute my version, the only reasonable option is to take no further action.

I expect that correction of these errors will be reflected in the final report. I also hope that future assurance processes do not deteriorate into personally derisive descriptors and subjective findings based only on lack of supporting evidence, for which clear grounds exist beyond my control.

My initial Parliamentary purposes for these two legs have now been independently corroborated and remain untrammelled by Assurance and Audit. For that reason, I will be standing by this travel as Parliamentary.

Regards,

Andrew Laming

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

INDEPENDENT PARLIAMENTARY EXPENSES AUTHORITY

TRAVEL EXPENSES AND ALLOWANCES OF MR ANDREW LAMING MP - 21 JUNE TO 27 JUNE 2019

Chronology of Engagement

Date	Engagement
1 April 2021	IPEA to Mr Laming advising of Assurance Review, with a response due by COB 7 May 2021.
6 May 2021	Mr Laming to IPEA seeking extension to the response date.
18 May 2021	Mr Laming to IPEA responding to request of 1 April 2021.
8 June 2021	IPEA to Mr Laming requesting meeting on 22 June 2021.
10 June 2021	IPEA to Mr Laming outlining matters to be discussed at the meeting.
11 June 2021	Mr Laming to IPEA responding to request of 10 June 2021.
16 June 2021	IPEA to Mr Laming confirming meeting time and location.
22 June 2021	IPEA met with Mr Laming.
29 June 2021	IPEA to Mr Laming to confirm the matters discussed in the meeting and outline the additional information Mr Laming indicated he would provide.
30 June 2021	Mr Laming to IPEA responding to request of 29 June 2021.
3 August 2021	IPEA to Mr Laming requesting additional information, with a response due by 13 August 2021.
3 August 2021	Mr Laming to IPEA responding to request of 3 August 2021 (three separate responses).
16 August 2021	Mr Laming to IPEA responding to request of 3 August 2021 (fourth response).
31 August 2021	IPEA to Mr Laming requesting additional information, with a response due by 13 September 2021. It was subsequently found that as a result of technical issues Mr Laming did not receive this correspondence.
14 September 2021	Mr Laming to IPEA advising correspondence not received.
16 September 2021	IPEA to Mr Laming sending a hard copy of request of 31 August. Contents of 31 August letter also emailed to Mr Laming.
17 September 2021	Mr Laming to IPEA requesting copies of information previously provided to IPEA and advising that a response would be ready the following week.
21 September 2021	Mr Laming to IPEA confirming receipt of request of 31 August 2021. Issues with email correspondence rectified.
27 September 2021	Mr Laming to IPEA requesting extension to the response date.
6 October 2021	Mr Laming to IPEA requesting further extension to the response date.
6 October 2021	IPEA to Mr Laming agreeing to a response date of 8 October 2021.
7 October 2021	Mr Laming to IPEA advising that he would provide a response by COB 11 October 2021.
8 October 2021	Mr Laming to IPEA responding to request of 31 August 2021.
13 October 2021	Mr Laming to IPEA providing further information.
5 November 2021	IPEA to Mr Laming informing him of commencement of audit.
8 November 2021	IPEA to Mr Laming with questions in relation to the audit, with a response due by 22 November 2021.
9 November 2021	IPEA to Mr Laming confirming receipt of the email.
25 November 2021	IPEA to Mr Laming seeking information under section 53 of the IPEA Act.
25 November 2021	Mr Laming to IPEA acknowledging the reminder.
25 November 2021	IPEA to Mr Laming to advise that the section 53 notice supersedes the previous request.
2 December 2021	Mr Laming to IPEA responding to request of 25 November 2021.

6 December 2021	IPEA to Mr Laming noting that he had not properly responded to the request of 25 November 2021 and requesting he provide this by 9 December 2021.
6 December 2021	Mr Laming to IPEA confirming information previously provided.
8 December 2021	IPEA to Mr Laming seeking confirmation that the responses of 2 December and 6 December 2021 were his personal responses.
13 December 2021	Mr Laming to IPEA confirming that all correspondence had been authorised by him.
3 March 2022	IPEA to Mr Laming enclosing draft audit report and inviting comments.
16 March 2022	Mr Laming to IPEA responding to request of 3 March 2022.
16 March 2022	IPEA to Mr Laming confirming receipt of the email.
23 March 2022	Mr Laming to IPEA responding further to request of 3 March 2022.
23 March 2022	Mr Laming to IPEA responding further to request of 3 March 2022.
23 March 2022	IPEA to Mr Laming confirming receipt of the emails.



Australian Government
Independent Parliamentary
Expenses Authority

Protocol—Dealing with Allegations of Misuse of Parliamentary Work Expenses

The Independent Parliamentary Expenses Authority (IPEA) was established to provide greater accountability and transparency of the Parliamentary Work Expenses Framework (the Framework). IPEA provides assurance that parliamentarians' work resources and *Members of Parliament (Staff) Act 1984* (MOP(S) Act) employees' travel resources are spent in compliance with the Framework.

IPEA deals with possible misuse of work or travel resources at arm's length from Government. The *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act) provides legislative powers for the auditing and reporting of parliamentarians' work and travel resources and MOP(S) Act travel resources.

When IPEA becomes aware of information that indicates possible non-compliance with the Framework, IPEA may conduct a preliminary assessment. The assessment scrutinises the use of the work or travel resource and determines if a parliamentary business resource has been used.

Possible misuse

In the event of possible misuse, IPEA decides whether to undertake an assurance review or audit of the matter. IPEA does not undertake assurance reviews or audits at the request of parliamentarians or MOP(S) Act employees.

- Under the IPEA Act, IPEA may audit any parliamentarian's work or travel resource or MOP(S) Act travel resource as it considers appropriate.
- IPEA may conduct an assurance review where a preliminary assessment indicates that a Commonwealth resource was used for a parliamentarian's work expense or MOP(S) Act employee's travel expense.
- IPEA may conduct an audit where there are allegations of systemic or substantial misuse of work expenses or where there is an educative benefit.
- An audit may also be a systematic and comprehensive examination of the use by all parliamentarians and/or MOP(S) Act employees of a specific category of work expense.
- The Members of the Authority or the Chief Executive Officer may issue a notice requiring a person to provide information that is relevant to an audit by IPEA, as provided for under Part 5 of the IPEA Act. Criminal penalties apply for failure to comply with a notice, or for providing false or misleading information.
- In the event of an audit, the parliamentarian or MOP(S) Act employee is accorded procedural fairness to provide comment on any findings.

Members of the Authority decide whether a matter is referred to the Australian Federal Police (AFP)

- The Minister responsible for the AFP and the Minister responsible for the Framework are notified of a referral to the AFP.

Publication of audits

- Members of the Authority decide whether, or not, to publish their decision(s).

As approved by the Members of the Authority: October 2020



FACT SHEET - RULINGS

December 2020

What is a ruling?

A ruling by the Independent Parliamentary Expenses Authority (IPEA) is a written determination establishing whether a parliamentarian has acted in accordance with sections 26 (Dominant purpose test), 27 (Obligation to ensure value for money), or 28 (Obligation not to make claims or incur expenses in breach of conditions) of the *Parliamentary Business Resources Act 2017* (PBR Act). A ruling can only relate to travel expenses and travel allowances.

A ruling may be given where IPEA has received a request to do so from a parliamentarian regarding a claim relating to them, or may be initiated by IPEA. All rulings are in writing and are provided along with a statement of reasons, following completion of the travel in question. The relevant provisions for the purposes of IPEA rulings are contained in Division 2 of Part 4 of the PBR Act.

When may IPEA give a ruling?

IPEA can initiate a ruling on its own motion or may give a ruling following an application from a parliamentarian where:

- the application indicates that the PBR Act may have been contravened, or that there is doubt as to compliance with the PBR Act
- the application indicates that IPEA may have given incorrect advice to the parliamentarian or
- it is in the public interest to give a ruling.

The above list is not exhaustive.

Applying for a ruling

A parliamentarian may request a ruling by completing the application [form](#), scanning and emailing it to forms@ipea.gov.au.

Effect of rulings

A ruling given by IPEA determines whether a parliamentarian is liable to pay a debt to the Commonwealth. A debt is payable if the ruling determines that the parliamentarian contravened the PBR Act, unless:

- The parliamentarian has voluntarily repaid the claim within 28 days of making the claim or
- The parliamentarian relied on incorrect personal advice given by IPEA in relation to that claim.



Where a ruling determines the parliamentarian has contravened the PBR Act and has not repaid their claim within 28 days of making the claim, an additional 25 per cent penalty applies in relation to the debt. Alternatively, the effect of a ruling may be that it is determined that a parliamentarian did not contravene the PBR Act in relation to a claim. Where such a determination has been made, the parliamentarian does not have to repay the claim, and if the Commonwealth imposed a debt in relation to the claim, the debt is waived and is not payable.

Review of a Ruling

A parliamentarian is able to apply for a second ruling if they disagree with a ruling made by IPEA.

If a parliamentarian believes that a ruling relating to them is not correct, the parliamentarian may provide new evidence in their application for the ruling to be varied. IPEA then considers the application and may give a second ruling on the matter; in which case, the first ruling ceases to have effect. IPEA may also give a second ruling on its own initiative.

Publication of rulings

Rulings given by IPEA may be published on the IPEA website in some circumstances. IPEA decides whether to publish a ruling case-by-case based on the following:

- a) applicable legal considerations
- b) the public interest served by publishing the ruling
- c) the extent to which the performance of IPEA's functions is assisted by publication
- d) consultation with the parliamentarian concerned.

Rulings may also be released and published on the IPEA website pursuant to a decision to release documents under the *Freedom of Information Act 1982*.

Further information on Rulings is available at www.ipea.gov.au.





Australian Government
Independent Parliamentary
Expenses Authority

Protocol—Dealing with Allegations of Misuse of Parliamentary Work Expenses

The Independent Parliamentary Expenses Authority (IPEA) was established to provide greater accountability and transparency of the Parliamentary Work Expenses Framework (the Framework). IPEA provides assurance that parliamentarians' work resources and *Members of Parliament (Staff) Act 1984* (MOP(S) Act) employees' travel resources are spent in compliance with the Framework.

IPEA deals with possible misuse of work or travel resources at arm's length from Government. The *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act) provides legislative powers for the auditing and reporting of parliamentarians' work and travel resources and MOP(S) Act travel resources.

When IPEA becomes aware of information that indicates possible non-compliance with the Framework, IPEA may conduct a preliminary assessment. The assessment scrutinises the use of the work or travel resource and determines if a parliamentary business resource has been used.

Possible misuse

In the event of possible misuse, IPEA decides whether to undertake an assurance review or audit of the matter. IPEA does not undertake assurance reviews or audits at the request of parliamentarians or MOP(S) Act employees.

- Under the IPEA Act, IPEA may audit any parliamentarian's work or travel resource or MOP(S) Act travel resource as it considers appropriate.
- IPEA may conduct an assurance review where a preliminary assessment indicates that a Commonwealth resource was used for a parliamentarian's work expense or MOP(S) Act employee's travel expense.
- IPEA may conduct an audit where there are allegations of systemic or substantial misuse of work expenses or where there is an educative benefit.
- An audit may also be a systematic and comprehensive examination of the use by all parliamentarians and/or MOP(S) Act employees of a specific category of work expense.
- The Members of the Authority or the Chief Executive Officer may issue a notice requiring a person to provide information that is relevant to an audit by IPEA, as provided for under Part 5 of the IPEA Act. Criminal penalties apply for failure to comply with a notice, or for providing false or misleading information.
- In the event of an audit, the parliamentarian or MOP(S) Act employee is accorded procedural fairness to provide comment on any findings.

Members of the Authority decide whether a matter is referred to the Australian Federal Police (AFP)

- The Minister responsible for the AFP and the Minister responsible for the Framework are notified of a referral to the AFP.

Publication of audits

- Members of the Authority decide whether, or not, to publish their decision(s).

As approved by the Members of the Authority: October 2020



Australian Government
Independent Parliamentary
Expenses Authority

3 March 2022

Mr Andrew Laming MP
Member for Bowman, Queensland
s22(1)

E: s22(1)

Dear Mr Laming

Audit of Travel Expenses and Allowances

On Friday 5 November 2021, the Chief Executive Officer, Independent Parliamentary Expenses Authority (IPEA), Ms Annwyn Godwin wrote to inform you that IPEA had commenced an audit of your use of travel expenses and allowances.

Please find attached IPEA's Draft Audit Report of your travel expenses and allowances. This copy is provided to you in confidence to assist the process. Drafts are not to be disclosed.

We invite you to:

- correct any factual errors in the Draft Audit Report; and
- provide any further relevant evidence for consideration in regards to the findings of the Draft Audit Report.

We look forward to receiving your response as soon as is practicable, or no later than 5:00pm 17 March 2022.

If you have queries, please contact Ms Nicole Pearson via email s22(1) or by phone on s22(1)

Yours sincerely
s22(1)

Christina Grant
A/g Chief Executive Officer
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603



Australian Government

Independent Parliamentary
Expenses Authority

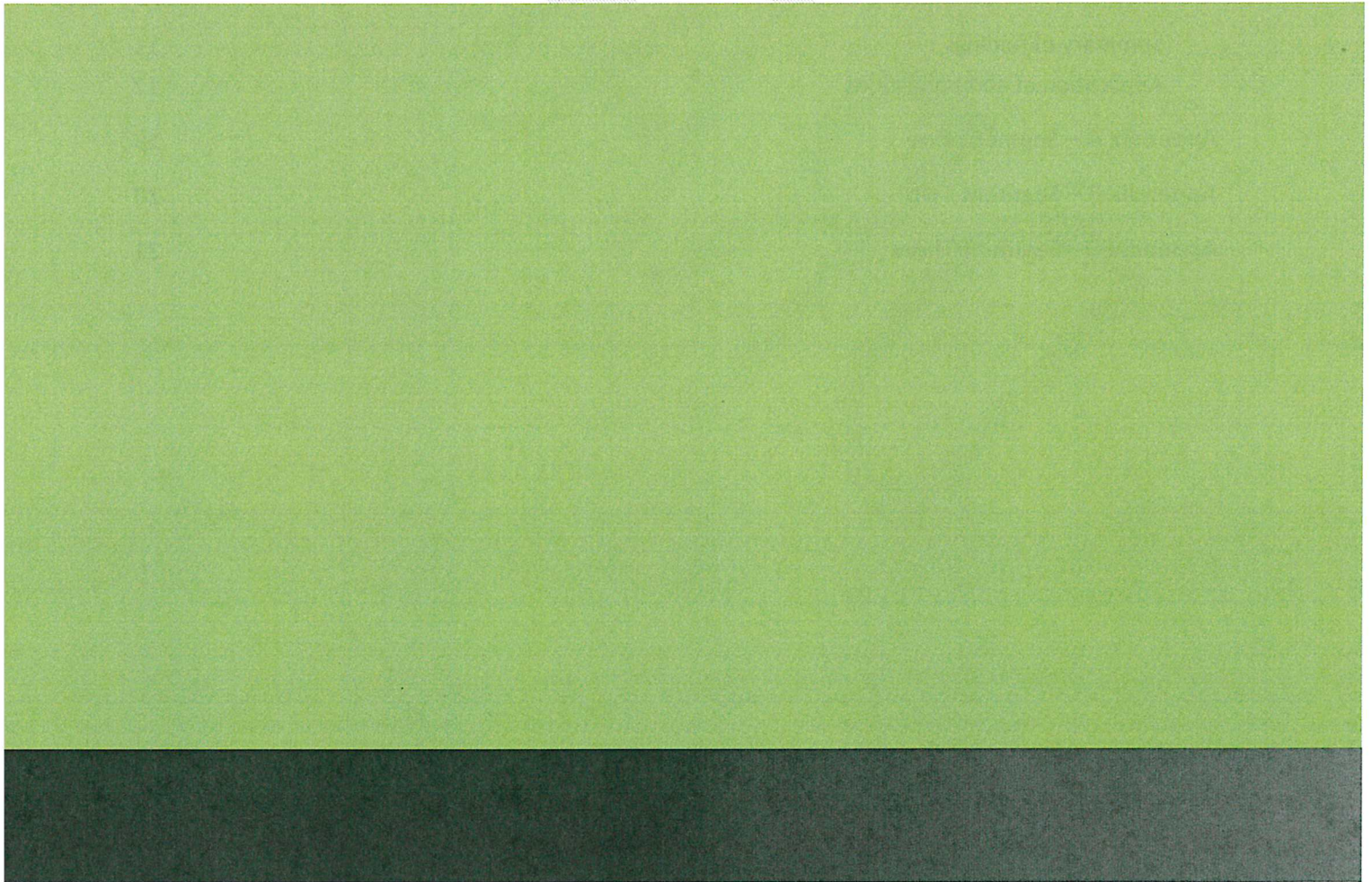
Audit Report

Mr Andrew Laming MP

Member for Bowman

Travel Expenses and Allowances for the period

21 June to 27 June 2019



Contents

Executive summary	3
Audit Findings	3
Audit function	6
IPEA's statutory audit function	6
Responsibilities of members of parliament	6
Legislative framework	7
Audit methodology	8
Background	8
Audit criteria	9
Method	10
Assessment of work expenses	11
Summary of findings	11
Application of audit questions	12
Appendix A – Segment One	19
Appendix B – Segment Two	20
Appendix C – Segment Three	21

Executive summary

1. The Independent Parliamentary Expenses Authority (IPEA) conducted an audit of Commonwealth-funded travel and travel related expenses for Mr Andrew Laming MP.

Scope and Purpose

2. The audit examines expenses incurred by Mr Laming, his spouse and two children, during the period from 21 June 2019 to 27 June 2019. Thirty expense items, totalling \$10,991.43 including GST and associated fees were examined. Details of all thirty expense items are at Appendix A, Appendix B and Appendix C.
3. The purpose of the audit is to determine whether the travel and travel-related expenses incurred by Mr Laming and his family during the relevant period are consistent with the relevant legislative provisions. In particular, the audit seeks to establish:
 - whether Mr Laming's travel was for the dominant purpose of parliamentary business; and
 - whether travel by Mr Laming's family was consistent with the meaning of **family reunion purposes** as defined in section 6 of the *Parliamentary Business Resources Regulations 2017* (the Regulations).

Engagement with Mr Laming

4. In October 2020 IPEA commenced an Assurance Review into these matters, in accordance with its Statutory Audit Function Factsheet (Attachment A). During the period from 1 April 2021 to 13 October 2021, IPEA engaged with Mr Laming on a number of occasions, seeking information to verify the dominant purpose of the relevant travel. Responses provided by Mr Laming generally lacked the requested detail, were unsupported by evidence and were, at times, inconsistent.
5. As a result, Mr Laming was advised on 5 November 2021 that an audit had commenced. On 8 November and 25 November 2021, IPEA wrote to Mr Laming asking that he provide specific information in relation to the audit. IPEA's request of 25 November 2021 was issued pursuant to its information-gathering powers in subsection 53(2) of the *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act). Mr Laming's two responses, dated 2 December and 6 December 2021, did not provide the information sought. Subsection 53(4) of the IPEA Act sets out the penalty that may be applied where a person is found to have contravened a notice made pursuant to subsection 53(2) of the IPEA Act.
6. This audit therefore makes findings based upon verifiable information available to IPEA, including information obtained from three organisations and one individual using its powers under subsection 53(2) of the IPEA Act.

Audit Findings

7. For the purpose of this audit, Mr Laming's expenses are divided into three segments:
 - Segment one includes expenses incurred for travel between Brisbane and Hobart and within Tasmania between 21 June 2019 and 24 June 2019.
 - Segment two includes expenses incurred for travel between Hobart, Canberra and Brisbane between 24 June 2019 and 25 June 2019.
 - Segment three includes expenses incurred for travel between Brisbane, Melbourne, and return, and within Melbourne between 26 June 2019 and 27 June 2019.

Segment One

8. The audit finds that the dominant purpose of Mr Laming's travel from Brisbane to Hobart on 21 June 2019 was not parliamentary business. The basis of this finding is that the principal reason given by Mr Laming for his travel to Tasmania, to attend and address a conference of medical professionals, was not at the conference organisers' invitation. Organisers were unaware of his intention to attend until shortly before the conference commenced. Further, his documented participation was restricted to the last morning of the conference which had commenced two days earlier and his address to participants took place during the morning tea break. While this activity may satisfy the definition of parliamentary business, it fails the dominant purpose test when examined within the context of Mr Laming's activities, and use of business resources, over a three day period.
9. As a consequence, the audit finds that all associated expenses, including fares for the travel of Mr Laming and his family, hire car and taxi expenses and travel allowance incurred within Tasmania over the period 21 June to 24 June 2019 were not incurred in accordance with the PBR Act. In relation to segment one, recoverable expenses total \$2,542.67 including GST and associated fees.

Segment Two

10. The audit finds that expenses incurred by Mr Laming's dependent children in travelling from Hobart to Brisbane on 24 June 2019 were not incurred in accordance with the *Parliamentary Business Resources Act 2016* (PBR Act). As the dominant purpose of Mr Laming's travel from Brisbane to Hobart was found not to be parliamentary business, the travel of his dependent children did not comply with the meaning of *family reunion purposes* as defined in section 6 of the Regulations.
11. In relation to segment two, recoverable expenses total \$1,324.64 including GST and associated fees.
12. The audit finds that expenses incurred by Mr Laming on 24 and 25 June 2019 in relation to travel from Hobart to Canberra and Canberra to Brisbane were for the dominant purpose of parliamentary business.

Segment Three

13. The audit finds that the dominant purpose of Mr Laming's travel from Brisbane to Melbourne on 26 June 2019 was not parliamentary business. The basis of this finding is that Mr Laming has not provided sufficient evidence to establish that he undertook parliamentary business in connection with the horticultural conference he nominated as the principal purpose of his travel from Brisbane to Melbourne and return. Further, to the extent that there is evidence of his attendance at that conference, it was restricted to the concluding hour of the post-conference dinner, the conference having commenced two days earlier.
14. As a consequence, all associated expenses including Mr Laming's return travel, taxi expenses and travel allowance were not incurred in accordance with the PBR Act, with the one exception being a taxi expense for travel between Melbourne airport and Parkville on 26 June 2019.
15. The expense incurred by Mr Laming's spouse in travel from Melbourne to Brisbane on 27 June 2019 was found not to have been incurred in accordance with the PBR Act as the travel did not comply with the meaning of *family reunion purposes* as defined by the PBR Regulations.

16. In relation to segment three, recoverable expenses total \$4,420.73 including GST and associated fees.

Recovery of Expenses

17. The total value of expense that have been found to be inconsistent with the relevant legislative provisions, inclusive of GST and service fees, is \$8,288.04. A 25 per cent loading is payable in relation to those recoverable expenses. This amounts to \$2,072.01. The total amount recoverable in relation to the three segments is \$10,360.05 including GST and associated fees.
18. These findings represent IPEA's assessment of the dominant purpose of Mr Laming's use of business resources within the scope of the audit. IPEA notes that Mr Laming has consistently asserted that the dominant purpose of his travel to Hobart and to Melbourne was parliamentary business, notwithstanding that his account of his activities has varied throughout the conduct of the Assurance Review and the Audit. If Mr Laming maintains this position at the conclusion of the audit, recovery of expenses may require that a written ruling be given under the provisions of section 37 of the PBR Act.

Audit function

IPEA's statutory audit function

19. Subsection 12(1)(i) of the *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act) empowers IPEA to audit parliamentarians' work and travel resources.
20. The authority to undertake an audit has been delegated to the Chief Executive Officer of IPEA. This audit report was prepared under that delegation and in accordance with the IPEA Act.

Responsibilities of members of parliament

21. Certification is an accountability mechanism requiring parliamentarians to certify that their use of parliamentary work expenses, including travel expenses, is consistent with the legislative framework in force at the time. Mr Laming has certified the majority of his Expenditure Reports relating to his parliamentary work expenses since the 2018/2019 financial year including the audit period.

Reporting Period	Certified	Date Certified
1 July to 30 September 2018	No	
1 October to 31 December	No	
1 January to 31 March 2019	No	
1 April to 30 June 2019	Yes	15/08/2019
1 July to 30 September 2019	Yes	28/11/2019
1 October to 31 December	Yes	24/02/2020
1 January to 31 March 2020	Yes	17/06/2020
1 April to 30 June 2020	Yes	19/08/2020
1 July to 30 September 2020	No	
1 October to 31 December	Yes	26/03/2021
1 January to 31 March 2021	Yes	18/05/2021
1 April to 30 June 2021	Yes	24/08/2021
1 July to 30 September 2021	Yes	10/11/2021

22. Parliamentarians have a responsibility to understand the legal framework in which they are operating. Parliamentarians and staff can seek IPEA advice and attend or request information sessions to assist them in this understanding.

Legislative framework

23. IPEA applied the *Parliamentary Business Resources Act 2017* (the PBR Act) and its associated instruments as the relevant legislation for the audit period. The PBR Act is a principles-based framework that requires parliamentarians to ensure expenditure is incurred for the ‘dominant purpose’ of conducting parliamentary business and in a manner that represents ‘value for money’. The legislation provides a definition of parliamentary business that includes ‘parliamentary duties, electorate duties, party political duties and official duties’.
24. The key instruments relevant to the audit are:
- *Independent Parliamentary Expenses Authority Act 2017*;
 - *Parliamentary Business Resources Act 2017*;
 - *Parliamentary Business Resources Regulations 2017*;
 - *Parliamentary Business Resources (Parliamentary Business) Determination 2017*;
 - *Remuneration Tribunal (Members of Parliament) Determination 2018*.
25. Parliamentarians are not able to claim public resources, including the work expenses prescribed in the PBR Regulations, unless their travel:
- is for the dominant purpose of conducting their parliamentary business;
 - represents value for money; and
 - meets the relevant conditions connected to the travel claim or expense.
26. The legislative framework is based upon the recommendations of the 2016 review: *An Independent Parliamentary Entitlement System*. This Review set out principles that should guide parliamentarians’ decision making on work expenses. In particular, the Review noted:
- Good faith**
- Parliamentarians are to act in good faith in making decisions about whether expenditure is incurred for the dominant purpose of conducting parliamentary business, and represents value for money. In particular, parliamentarians must not seek to disguise as ‘parliamentary business’ an activity whose dominant purpose is personal or commercial*
27. Australia-wide family reunion travel, as provided under section 17 of the PBR Regulations, is a focus of this audit. Section 6 of the PBR Regulations prescribes the meaning of *family reunion purposes* as:
- A family member of a member travels for **family reunion purposes** if:*
- (a) the member is travelling for the dominant purpose of conducting the member’s parliamentary business; and*
 - (b) the family member travels to accompany or join the member; and*
 - (c) the travel by the family member is for the dominant purpose of facilitating the family life of the member’s family.*

Audit methodology

Background

28. Mr Laming was first elected to Parliament as the Member for Bowman on 9 October 2004. He has been re-elected at each subsequent election and remains the Member for Bowman.
29. Since his election, Mr Laming has held the following roles and positions:
- Member of the Australian National Commission for UNESCO from 2005.
 - Member, Joint Statutory Committee:
 - Public Accounts and Audit
 - Human Rights
 - Australian Commission for Law Enforcement Integrity
 - Member, Joint Standing Committee:
 - Treaties
 - Foreign Affairs, Defence and trade
 - Member, Joint Select Committee:
 - Australia Fund Establishment (Chair from 14.11.2014 to 25.6.2015)
 - Member, House of Representatives Standing Committee:
 - Communications, Information Technology and the Arts
 - Aboriginal and Torres Strait Islanders Affairs
 - Employment and Workplace Relations
 - Health
 - Indigenous Affairs
 - Health, Aged Care and Sport
 - Economics
 - Social Policy and Legal Affairs
 - Education and Employment (Chair from 13.10.2015 to 9.5.2016)
 - Employment, Education and Training (Chair from 19.10.2016).
30. Mr Laming's electorate office and home base is in Cleveland, Queensland.
31. On 9 June 2020, in accordance with IPEA's Statutory Audit Function Factsheet, IPEA commenced a Preliminary Assessment in relation to travel and travel-related expenses incurred by Mr Laming and his family during the period 21 June 2019 to 29 June 2019, the period surrounding the Hort Connections Conference held at the Melbourne Convention Centre.
32. The Preliminary Assessment found that parliamentary business resources were used by Mr Laming, and his family, during June 2019 in Tasmania, Canberra, Brisbane and Melbourne.
33. On 13 October 2020, the matter progressed to an Assurance Review. For resource management purposes the Assurance Review was scheduled for commencement in March 2021. On 1 April 2021, IPEA first wrote to Mr Laming advising of the Assurance Review and seeking his response to a number of questions about his use of business resources during the relevant period. In the period to 5 November 2021, IPEA exchanged correspondence with Mr Laming on many occasions. IPEA officials also met with Mr Laming in his Parliament House office on 22 June 2021. On two occasions Mr Laming sought, and was granted, extensions to deadlines to respond to IPEA's questions. One of the reasons given by Mr Laming for seeking extensions was

the loss of his email records for a significant part of 2019. A summary of IPEA's interactions with Mr Laming is at Attachment B.

34. During the course of the Assurance Review, Mr Laming provided IPEA with a number of responses to its requests for information, the last of these on 13 October 2021. Mr Laming's responses were generally of limited assistance to IPEA in its attempts to verify the dominant purpose of his use of business resources during the relevant period. His responses lacked the requested detail and were often unsupported by evidence. On some occasions, Mr Laming failed to address specific requests and on others he provided information that was inconsistent with his earlier position on a matter. As a result, it was considered necessary to proceed to an audit, in accordance with IPEA's protocol 'Dealing with Misuse of Parliamentary Work Expenses' (Attachment C). The Members of the Authority agreed that the matter should progress to an audit.
35. On 5 November 2021, IPEA commenced an audit of work expenses and allowances, and the use of family transport costs of Mr Laming for the period 21 June 2019 to 27 June 2019.

Audit criteria

36. The scope of the audit involved examining Mr Laming's use of work expenses and allowances, and the use of family transport costs for the period 21 June to 27 June 2019 to determine consistency with relevant legislative provisions.
37. For the purpose of this audit, 'Travel resources' includes scheduled flights, self-drive hire cars, Cabcharge, other car-with-driver services (i.e. COMCAR) and travel allowance. The travel of Mr Laming and his family over the audit period was sorted into three segments for analysis.
38. IPEA considered the relevant legislative framework and applied the following questions to the travel of Mr Laming and his family:
 - what was Mr Laming's dominant purpose in accessing each expenses?
 - what was the nature of any parliamentary business?
 - has Mr Laming met the relevant conditions attached to the expense?
 - was family travel for *family reunion purposes* within the meaning prescribed?

Method

39. IPEA conducted the audit by examining and assessing:

- direct communication with, and information provided by, Mr Laming;
- publicly available material;
- internal records held by IPEA;
- records and information held by third parties;
- travel bookings records maintained by IPEA's external service provider; and
- information received in response to section 53 notices.

40. IPEA gathered data from its internal and external sources for all of Mr Laming's travel during the audit period. IPEA identified three travel segments that were within scope and required further examination to determine whether they were consistent with the relevant legislative framework. IPEA made further enquiries and sought additional information from Mr Laming in relation to this travel.

41. On 5 November 2021, IPEA wrote to Mr Laming to inform him that an audit of his use of work expenses and allowances had commenced.

42. On 8 November 2021, IPEA wrote to Mr Laming with six questions for his response, due on 22 November 2021.

43. On 9 November 2021, IPEA contacted Mr Laming's office to confirm the email had been received. Mr Laming's staff confirmed that the email had been received and was with Mr Laming.

Section 53 Notice

44. Section 53 of the IPEA Act applies to a person if the Authority has reason to believe that the person has information or a document that is relevant to the performance of a function conferred on the Authority by any of paragraphs 12(1)(e) to (i) of the Act.

45. Section 53(2) of the IPEA Act provides that the Authority may, by written notice given to the person, require the person:

- (a) to give to the Authority, within the period and in the manner and form specified in the notice, any such information; or
- (b) to produce to the Authority, within the period and in the manner specified in the notice, any such documents; or
- (c) to make copies of any such documents and to produce to the Authority, within the period and in the manner specified in the notice, those copies.

46. On 25 November 2021, having received no response to the letter of 8 November 2021, IPEA provided Mr Laming with a notice pursuant to section 53(2). Neither Mr Laming's response of 2 December 2021, nor his subsequent advices of 6 and 13 December 2021, provided the information sought. Of the six questions put to Mr Laming, only two were addressed.

47. Section 53 notice were also provided to the following individuals and accommodation providers:

- s22(1)
- Amberley House

- Hotel Grand Chancellor, Hobart
- Ibis Budget Melbourne CBD

48. All provided responses to the section 53(2) notice.

Assessment of work expenses

Summary of findings

Segment One

49. Expenses incurred in travel between Brisbane and Hobart and within Tasmania between 21 June 2019 and 24 June 2019.
50. IPEA examined eight expense items accessed by Mr Laming and his family in this segment. Each of the eight expense items was found to be inconsistent with relevant legislative provisions.

Segment Two

51. Expenses incurred in travel between Hobart, Canberra and Brisbane between 24 June 2019 and 25 June 2019.
52. IPEA examined 13 expense items accessed by Mr Laming and his family in this segment. Five of these expense items were found to be inconsistent with relevant legislative provisions.

Segment Three

53. Expenses incurred in travel between Brisbane and Melbourne, and return, and within Melbourne, between 26 June 2019 and 27 June 2019.
54. IPEA examined nine expense items accessed by Mr Laming and his family in this segment. Eight of these expense items were found to be inconsistent with relevant legislative provisions.

Application of audit questions

Segment One

55. The threshold consideration in relation to segment one is whether the dominant purpose of Mr Laming's travel from Brisbane to Hobart on 21 June 2019 was parliamentary business. Another important consideration, because it assists in determining the answer to the first, is whether the dominant purpose of Mr Laming's use of a hire car over the period 21 June to 24 June 2019 was parliamentary business.

Attendance at Conference

56. Mr Laming, his spouse and two dependent children flew from Brisbane to Hobart using business resources on Friday 21 June 2019, arriving at Hobart airport at 12:50 pm. They were accompanied by an adult female.
57. Mr Laming advised that the dominant purpose of his travel was to attend the combined meeting of the Royal Australian and New Zealand College of Ophthalmologists (RANZCO) and the Australia and New Zealand Society of Ophthalmic Plastic Surgeons (ANZSOPS). The combined conferences ran from 8:30am on Friday 21 June to 1:30pm on Sunday 23 June 2019. The extent of Mr Laming's attendance and participation in the conferences has been unclear. His responses throughout the Assurance Review and Audit have varied. He has said *"the key elements of the conference were Saturday, a ticketed Saturday evening reception and Sunday"* inferring that he attended during those times. When asked about his use of a hire car (see below), he responded *"Saturday – Conference/evening event for electorate and parliamentary purpose"*. In his most recent response, on 6 December 2021, he stated *"the RANZCO & ANZSOPS Conference invitation was to address delegates.....not to attend sessions"*, suggesting that his attendance was limited to a portion of the final morning.
58. There is evidence from the conference convenor, s22(1) that Mr Laming spoke to the RANZCO meeting around the morning tea break on Sunday 23 June 2019. s22(1) advises that there was no record of any formal invitation for Mr Laming to attend the conference. He said *"We got to know of Mr Laming's plans to attend at the last minute"* and *"We came to know about Mr Laming's plan to attend the conference quite close to the actual meeting and we made a slot for him to speak on Sunday the 23rd of June"*.
59. There is no evidence that Mr Laming attended the conference at any time other than the Sunday morning "slot". In fact, there is evidence to suggest that he was not in Hobart city until late in the second day of the two and a half day conference (see Hire Car and Travel Allowance below). Further, while the conference dinner was underway, commencing at 6:30pm on the evening of Saturday 22 June 2019, Mr Laming used business resources to travel by taxi from Sandy Bay to Glebe, arriving at 8:00pm. Mr Laming advises he can not recall the purpose of this taxi journey, though it is noted that the suburb of Glebe borders on the city and is within a kilometre of the conference venue.

Hire car

60. Mr Laming used business resources to hire a vehicle upon his arrival at Hobart airport early on the afternoon of Friday 21 June 2019. When it was returned on Monday afternoon, the vehicle had travelled 951 kilometres. When asked about his use of the vehicle, Mr Laming initially advised *"we used it for getting around the State"* and *"we did the loop"*. After Mr Laming was advised that if the dominant purpose of the car hire was *"travelling around with the family"* it

could not be parliamentary business, he reflected and advised that *“the dominant purpose of the Tasmanian hire car from Saturday afternoon, through the Sunday address and to the Monday morning Hobart meet was Parliamentary. The first day of the three-day hire was not predominantly Parliamentary and should be reimbursed.”*

61. Mr Laming was advised that it was not possible to apportion costs between personal and parliamentary use. He subsequently repeated his offer to repay part of the cost saying *“I have also agreed the dominant purpose of the first 24 hours was not Parliamentary...”*
62. In a further advice from Mr Laming dated 8 October, he introduced new information. He advised that use of the car was:

“Saturday; Conference/evening event for electorate and Parliamentary purpose. Central plateau national parks. 600km route (Highland lakes Rd) for electorate purpose

Sunday: Conference for electorate and Parliamentary purpose

Sorell/ Port Arthur return. 200km (Arthur Highway) for electorate purpose.”

63. Mr Laming advised that the electorate purpose related to inspections of the use of composite fibre technology boardwalk materials in particular Tasmanian locations. This purpose had not been mentioned in any of the previous exchanges with Mr Laming and he has not repeated or supported the contention when invited to do so in the context of this audit. IPEA therefore gives no weight to this version of events. Mr Laming’s advice about the destinations visited does, however, raise other questions. It is implausible that Mr Laming departed Hobart on the morning of Saturday 22 June 2019, drove at least 600km through the highlands of Tasmania and returned to Hobart on that day in time to participate in any part of the conference, including the dinner which commenced at 6:30pm.
64. There is reason to believe that Mr Laming’s travel on Saturday 22 June 2019 did not commence from Hobart. There is also evidence to suggest that he did not arrive in Hobart city until approximately 7:20pm on that evening (see Travel Allowance below).

Travel Allowance

65. Mr Laming claimed, and was paid, three nights Travel Allowance at the commercial rate for overnight stays in Hobart on 21, 22 and 23 June 2019. The claim was supported by a Wotif booking confirmation. IPEA held doubts about Mr Laming’s actual accommodation arrangements because of the understanding that it would not be possible for the family of five to have stayed in a double room at Amberley House, the booked hotel. Mr Laming’s responses to questioning on the matter have been vague and evasive. When initially asked to confirm his arrangements he replied *“yes we stayed at Amberley House in Hobart”*. When asked again to confirm his accommodation arrangements on each of the three nights, on the basis that the Wotif booking confirmation was for a double room only, he responded *“the two night [sic] claim for the Hobart hotel stay is appropriate. On the first night we purchased a second room closer to the conference because one adult was ill and needed to isolate. On the second night we booked an additional night in the same hotel.”*
66. On 8 October 2021, after once again being asked to describe accommodation arrangements for 21, 22 and 23 June 2019, Mr Laming wrote *“Accommodation was at Amberley House in Sandy Bay, paid online June 12, 2019. Due to a family member falling ill, a hotel room at the conference venue was secured to make caring for children easier. This room was not submitted*

for reimbursement. The Tasmania leg was three days, and the three-day claim submitted concurs.”

67. Evidence has been obtained from Amberley House and from the Hotel Grand Chancellor (the conference venue). The Amberley House information indicates that the Laming family did not check in until around 7:20pm on Saturday 22 June 2019, the second night of their stay in Tasmania. Records show that after unsuccessfully enquiring about the availability of an additional room at Amberley House on that night, Mr Laming booked a room at the Hotel Grand Chancellor. Hotel Grand Chancellor records show this booking as being made at 7:33pm on Saturday 22 June 2019. He subsequently booked a second room at Amberley House for the night of Sunday 23 June 2019.
68. It appears likely that Mr Laming has incorrectly claimed Travel Allowance at the commercial rate for an overnight stay in Hobart on Friday 21 June 2019, when he did not stay in that location on that night. Evidence clearly suggests that his travel in the hire car through country Tasmania commenced upon his arrival on Friday 21 June 2019 and that he did not arrive in Hobart city until the evening of Saturday 22 June 2019. There has been a degree of opacity in Mr Laming's responses to queries about his accommodation arrangements generally and he has not responded to very specific questions about the location of his overnight stays on each of the three nights he was in Tasmania.

Conclusion

69. IPEA has concluded that the dominant purpose of Mr Laming's travel to Hobart on Friday 21 June 2019, and his use of other business resources and allowances in Tasmania over the period from Friday 21 to Monday 24 June 2019, was not parliamentary business.
70. In reaching this conclusion, IPEA has noted:
- Mr Laming's attendance at the RANZCO and ANZSOPS Conference was not known to the organisers until *"the last minute"*;
 - Organisers *"found a slot"* for Mr Laming to address the meeting around the morning tea break on Sunday 23 June 2019, the last morning of the conference which had commenced two days earlier on Friday 21 June – Mr Laming did not attend the conference until that final morning;
 - The other documented parliamentary business undertaken by Mr Laming, the meeting with Independent Schools Tasmania, was arranged after all other plans were decided, took place for approximately one hour on Monday 24 June 2019, his final morning in Tasmania, and was not, according to Mr Laming, the dominant purpose of his travel;
 - Mr Laming's use of a hire car was predominantly personal, having travelled in the order of 800 kilometres for reasons not related to the Conference or other parliamentary business; and
 - Mr Laming did not stay overnight on Friday 21 June 2019 at Amberley House, as certified on his Travel Allowance claim – the circumstances of his use of the hire car strongly suggest that he stayed at a location other than Hobart and did not arrive in Hobart before approximately 7:00pm on Saturday 22 June 2019.
71. As Mr Laming did not travel for the dominant purpose of parliamentary business, the travel of his spouse and two dependent children from Brisbane to Hobart on Friday 21 June 2019 was not consistent with the meaning of *family reunion purposes*, and was therefore inconsistent with the relevant legislative provisions.

72. In relation to segment one, recoverable expenses total \$2,542.67 including GST and associated fees.

Segment Two

73. This segment covers the return to Brisbane of Mr Laming's two dependent children and Mr Laming's use of work expenses while traveling from Hobart to Canberra and Brisbane.

Family reunion travel

74. Mr Laming's dependent children travelled from Hobart to Brisbane, through Melbourne, on Monday 24 June 2019. Mr Laming has advised that they were accompanied by the other adult who had been with the family in Tasmania.
75. In considering whether the travel by Mr Laming's dependent children was consistent with the relative legislative provisions, it is noted that this travel represents the return leg of a Brisbane – Hobart – Brisbane trip. The forward leg of their travel, from Brisbane to Hobart, has been assessed as inconsistent with the meaning of *family reunion purposes* as defined by section 6 of the PBR Regulations because Mr Laming's travel to Hobart was not for the dominant purpose of parliamentary business.

Mr Laming's travel from Hobart to Canberra and Brisbane

76. Mr Laming used business resources to travel from Hobart to Canberra, through Melbourne, on Monday 24 June 2019. He claimed Travel Allowance in Canberra on that night. Mr Laming has provided evidence of his participation in the ANU Crawford Leadership Forum, on the evening of 24 June 2019. He used business resources to travel from Canberra to Brisbane on Tuesday 25 June 2019, arriving home at 9:41am.
77. Mr Laming advises that the purpose of his return to the electorate was a "*mandatory event that was unable to be postponed or rescheduled*". He has been unable to provide further information or evidence of the nature of his business in the electorate, citing the loss of diary records for a significant part of 2019 as the reason for lack of detail. Mr Laming says he had a "*confidential medical meeting in Redland City with medical practitioners relating to the MBS review task force*". He also advises that he may have met with "*a senior indigenous representative*" though does not nominate that person.
78. Notwithstanding Mr Laming's inability to provide documentary confirmation of the nature of the parliamentary business he undertook on Tuesday 25 June 2019, IPEA accepts that his return from Canberra to his electorate was for that purpose.

Conclusion

79. IPEA has concluded that the dominant purpose of Mr Laming's travel from Hobart to Canberra and Brisbane on Monday 24 and Tuesday 25 June 2019 was parliamentary business and that his use of business resources was consistent with relative legislative provisions.
80. IPEA has concluded that the travel of Mr Laming's dependent children from Hobart to Brisbane on Monday 24 June 2019 was not for *family reunion purposes* as prescribed because it was the return leg of travel that had been similarly assessed on the basis that the dominant purpose of Mr Laming's travel to Hobart was not parliamentary business.
81. In relation to segment two, recoverable expenses total \$1,324.64 including GST and associated fees.

Segment Three

82. This segment covers Mr Laming's travel from Brisbane to Melbourne and return on Wednesday 26 and Thursday 27 June and the travel of Mr Laming's spouse from Melbourne to Brisbane on 27 June 2019. The two matters to be determined are:
- what was the dominant purpose of Mr Laming's travel; and
 - was the travel of Mr Laming's spouse consistent with the meaning of *family reunion travel* as defined by legislation.
83. Mr Laming used business resources to travel from Brisbane to Melbourne on Wednesday 26 June 2019, arriving at 6:35pm. He then took two taxi trips using Cabcharge – the first from the airport to Parkville, where he arrived at 7:47pm, and the second from Parkville to Southbank where he arrived at 9:49pm. Southbank is the location of both the Melbourne Convention Centre, where the Hort Connections conference was held, and the Crown Palladium, which hosted the conference pre-dinner drinks and Gala Dinner. IPEA does not have access to data showing the drop-off address at Southbank but assumes it to be the Crown Palladium, as the Hort Connections program had moved to this venue at 7:00pm.
84. In relation to his travel to Melbourne, Mr Laming has advised *"The purpose of the travel was parliamentary business....attending a Horticulture congress relevant to my parliamentary business. Specifically, I was developing a Birkdale food hub proposal in my electorate" and "I was invited by a sponsor to attend the Congress to advance the food hub project"*.
85. During the course of the Assurance Review and the Audit, Mr Laming's account of his participation in the Hort Connections conference has changed in response to IPEA's questioning.
86. After being informed that IPEA was aware he had not arrived at the conference until 9:49pm on Wednesday 26 June 2019, Mr Laming advised:
"The parliamentary grounds for travel to Melbourne was to attend the conclusion of the Gala dinner where all relevant stakeholders would be assembled. This was by arrangement with a Queensland sponsor at a time when formal award presentations had concluded that evening".
87. During the 22 June 2021 meeting with IPEA officials, Mr Laming undertook to provide evidence of the Queensland sponsor and the invitation to present at the Gala dinner. He subsequently advised, on 30 June 2021, *"the Queensland sponsor of the Hort Connections event is no longer employed with the organisation nor able to correspond on that matter"*.
88. Mr Laming was further pressed on this matter and, on 8 October 2021, advised: *"A Queensland AusVeg representative provided informal information on when, where and who to meet. This was not a formal invitation from that organisation, because I was attending at their suggestion, rather than on their behalf"*. In the same correspondence, Mr Laming advised: *"The sponsor alluded to previously was a Queensland table sponsor at Hort Connections and AusVeg member who had invested significant time in understanding our proposal and its limitations, examining opportunities across the three days of Hort Connect and identifying relevant entities. Importantly they played no formal role in my attendance nor had any authority to. They played no material role in introductions or negotiations because that was not required. I performed the electorate-related meetings without their assistance, apart from being notified when in the evening meetings could commence. No third party played any role in the authorisation, planning or purpose of this journey, nor managed or arranged the activities at Hort Connections 2019."*

89. Mr Laming's response of 2 December 2021 to IPEA's section 53(2) notice includes a transcript of an email purporting to be from a s22(1) a former s22(1) CEO and part-time Laming employee, who advises that it was he who suggested Mr Laming's attendance at the Conference. The email notes: *"Mr Laming was not a delegate to the conference but took the opportunity to attend as a visitor. I introduced him to a couple of my table guests at the dinner and he then independently worked the room."*
90. Mr Laming has not responded to IPEA's request to provide the names of persons who could confirm that he engaged with them on the evening of 26 June 2019 to advance the electorate food hub project.
91. In assessing whether the dominant purpose of Mr Laming's Brisbane – Melbourne return travel and associated costs was parliamentary business, IPEA notes that the apparent haphazard nature of his attendance arrangements are inconsistent with the importance he says attached to the event.
92. IPEA considers that if Mr Laming understood his attendance at the event to be crucial, he would have made arrangements that were both more certain and more timely. The function at the Crown Palladium was programmed to run from 7:00pm to 11:00pm. To arrive around 10:00pm, with no guarantee that potential stakeholders would still be in attendance or be disposed to engage with him, does not suggest the event held sufficient significance to be categorised as the dominant purpose of the travel.
93. IPEA notes Mr Laming's advice that he attended two meetings in Melbourne upon arrival – the first at the Melbourne University Graduate School of Education (which is located in Parkville) and the second at Arthur Roe and Associates, located nearby. In Mr Laming's words *"These meetings were not the grounds for the journey, but were included once the itinerary was settled to maximise value-for-money"*. IPEA has not been provided with evidence supporting the conduct of these meetings.
94. In relation to Mr Laming's assertion that his spouse attended the Hort Connections conference only because he was at the same conference in his capacity as a parliamentarian, IPEA notes that Mrs Laming was apparently in attendance for the full course of the conference from the evening of Monday 24 June 2019, while Mr Laming was, according to his own advice, intending to attend for no more than the final hour of the Congress concluding dinner. This suggests that, even had the dominant purpose of Mr Laming's travel been parliamentary business, the travel of his spouse from Melbourne to Brisbane did not meet the definition of *family reunion purposes*. It does not appear to have been *for the dominant purpose of facilitating the family life of the member's family* but, rather, for the purpose of returning home from an extended event attended in her own right and throughout which she was, in the main, unaccompanied by the member.

Conclusion

95. IPEA has concluded that the dominant purpose of Mr Laming's travel from Brisbane to Melbourne and return on Wednesday 26 and Thursday 27 June 2019 was not parliamentary business.
96. As Mr Laming did not travel for the dominant purpose of parliamentary business, the travel of his spouse from Melbourne to Hobart on Thursday 27 June 2019 was not consistent with the meaning of *family reunion purposes*, and was therefore inconsistent with the relevant legislative provisions.

97. In relation to segment three, recoverable expenses total \$4,420.73 including GST and associated fees.

DRAFT

Appendix A – Segment One

Work Expense	Departure Location	Departure Date	Departure Time	Arrival Location	Arrival Date	Arrival Time	Amount (GST excl.)	GST	Cabcharge Service Fee	Amount (GST incl. + Cabcharge Service)
Cabcharge	Ormiston	21/06/2019		Brisbane Airport	21/06/2019	9:16 AM	\$85.95	\$8.60	\$4.73	\$99.28
Travel Provider - Andrew Laming	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider - Spouse	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider – Dependent child	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider – Dependent child	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider Avis Rent a Car	Hobart	21/06/2019	12:50 PM	Hobart	24/06/2019	2:05PM	\$362.79	\$36.28		\$399.07
Parliamentarians Travel Allowance – Parliamentary Duties Three nights – Commercial Rate				Hobart	21/06/2019		\$1,071.00			\$1,071.00
Cabcharge	Sandy Bay	22/06/2019		Glebe	22/06/2019	8:00PM	\$9.09	\$0.91	\$1.00	\$11.00

Appendix B – Segment Two

Work Expense	Departure Location	Departure Date	Departure Time	Arrival Location	Arrival Date	Arrival Time	Amount (GST excl.)	GST	Cabcharge Service Fee	Amount (GST incl. + Cabcharge Service)
Travel Provider – Andrew Laming	Hobart	24/06/2019	2:05PM	Melbourne	24/06/2019	3:20PM	\$1,277.27	\$127.73		\$1,405.00
Travel Provider – Andrew Laming	Melbourne	24/06/2019	4:20PM	Canberra	24/06/2019	5:25PM	-	-		-
Parliamentarians Travel Allowance – Parliamentary Duties One night – Canberra Rate				Canberra	24/06/2019		\$288.00			\$288.00
COMCAR	Pialligo	24/06/2019	5:44PM	Acton	24/06/2019	6:32PM	\$110.04			\$110.04
COMCAR	Canberra	24/06/2019	10:55PM	Capital Hill	24/06/2019	11:02PM	\$58.80			\$58.80
Travel Provider – Dependent child	Hobart	24/06/2019	2:05PM	Melbourne	24/06/2019	3:20PM	\$440.52	\$44.05		\$484.57
Travel Provider – Dependent child	Melbourne	24/06/2019	4:10PM	Brisbane	24/06/2019	6:20PM	-	-	-	-
Travel Provider – Dependent child	Hobart	24/06/2019	2:05PM	Melbourne	24/06/2019	3:20PM	\$680.42	\$68.04		\$748.46
Travel Provider – Dependent child	Melbourne	24/06/2019	4:10PM	Brisbane	24/06/2019	6:20PM	-	-	-	-
Cabcharge	Brisbane Airport	24/06/2019		Ormiston	24/06/2019	7:26PM	\$79.32	\$7.93	\$4.36	\$91.61
COMCAR	Capital Hill	25/06/2019	6:15AM	Pialligo	25/06/2019	6:24AM	\$58.80			\$58.80
Travel Provider – Andrew Laming	Canberra	25/06/2019	7:20AM	Brisbane	25/06/2019	9:00AM	\$582.59	\$58.26		\$640.85
COMCAR	Brisbane Airport	25/06/2019	8:51AM	Ormiston	25/06/2019	9:41AM	\$58.80			\$58.80

Appendix C – Segment Three

Work Expense	Departure Location	Departure Date	Departure Time	Arrival Location	Arrival Date	Arrival Time	Amount (GST excl.)	GST	Cabcharge Service Fee	Amount (GST incl. + Cabcharge Service)
Cabcharge	Ascot	26/06/2019		Brisbane Airport	26/06/2019	3:40PM	\$26.82	\$2.68	\$1.48	\$30.98
Travel Provider – Andrew Laming	Brisbane	26/06/2019	4:10PM	Melbourne	26/06/2019	6:35PM	\$1,178.91	\$117.89		\$1,296.80
Cabcharge	Melbourne Airport	26/06/2019		Parkville	26/06/2019	7:27PM	\$71.95	\$7.20	\$3.95	\$83.10
Cabcharge	Parkville	26/06/2019		Southbank	26/06/2019	9:49PM	\$16.27	\$1.63	\$0.89	\$18.79
Parliamentarians Travel Allowance – Parliamentary Duties One night – Commercial Rate				Melbourne	26/06/2019		\$389.00			\$389.00
Cabcharge	City	27/06/2019		Bentleigh	27/06/2019	12:10AM	\$51.45	\$5.15		\$59.43
Travel Provider – Andrew Laming	Melbourne	27/06/2019	10:10AM	Brisbane	27/06/2019	12:20PM	\$1,178.91	\$117.89		\$1,296.80
Travel Provider – Spouse	Melbourne	27/06/2019	10:10AM	Brisbane	27/06/2019	12:20PM	\$1,178.91	\$117.89		\$1,296.80
Cabcharge	Brisbane Airport	27/06/2019		Ascot	27/06/2019	1:03PM	\$27.82	\$2.78		\$32.13
Cabcharge	Alexandra Hills	27/06/2019		Ormiston	27/06/2019	2:11PM	\$20.45	\$2.05	\$1.13	\$23.63
Cabcharge Repayment*							-\$20.45	-\$2.05	-\$1.13	-\$23.63

*IPEA notes that Mr Laming requested to repay the above cabcharge as a result of an IPEA post payment check.

FACT SHEET – STATUTORY AUDIT FUNCTION

October 2020

IPEA audits parliamentarians' work expenses and the travel expenses of their staff under section 12 of the [Independent Parliamentary Expenses Authority Act 2017](#) (IPEA Act). IPEA may make a ruling in relation to travel expenses and allowances under section 37 of the [Parliamentary Business Resources Act 2017](#) (PBR Act).

Preliminary Assessment

A Preliminary Assessment is generally confidential and establishes if further review is necessary.

A Preliminary Assessment is conducted where use of work expense(s) (for example, identified through direct contact, third party reporting or media) indicates a matter requires review.

Preliminary Assessments review information held or accessible by IPEA to determine the threshold question of:

- Has a parliamentary business resource been used?

If the answer is YES, an Assurance Review follows.

Potential pathways:

1. No further action
2. Referral to more appropriate agency
3. Assurance Review

Assurance Review

An Assurance Review determines if there has been a misuse of a parliamentary business resource.

IPEA assesses the use of the parliamentary business resource against the legislative framework to determine:

- Was there misuse?

If the answer is YES, IPEA considers if an Audit, referral or administrative action is appropriate.

An Audit is considered when:

- There is evidence for, or allegations of, systemic or substantial misuse
- IPEA's statutory information-gathering powers may be required to obtain all the required information
- There may be an educative benefit in publishing IPEA's findings.

Referral to the AFP is considered when there is evidence of serious fraud or other criminal conduct.

Potential pathways:

1. No further action
2. Administrative remedial action, including penalty
3. An IPEA initiated Ruling or Audit
4. Referral to the AFP

Audit

An Audit may commence for two main reasons:

1. As the outcome of an Assurance Review
2. As a systematic and comprehensive examination of the use of a specific category of a parliamentary business resource against the legislative framework, potentially by all parliamentarians and/or MOP(S) Act employees.

Where an Audit results from an Assurance Review, the Macquarie Dictionary definitions of these terms are considered:

- Substantial: "of ample or considerable amount, quantity, size etc."
- Systemic: "affecting an organisation, network ... etc as a whole"

Where an educational purpose or benefit is identified, part or all of the Audit may be published. The decision to publish is made on a case-by-case basis.

Potential pathways:

1. No further action
2. Administrative remedial action, including penalty
3. An IPEA initiated Ruling or Audit
4. Referral to the AFP

Post-Payment Checks

Post-Payment Checks are ongoing systematic testing of expense use through regular sampling of transactions. This covers a range of expenses such as:

- business class travel
- short term self-drive hire cars
- accommodation receipts
- desirable destinations
- accompanying family
- travel adjacent to public/school holidays.

Referring to the Australian Federal Police

IPEA may refer a matter to the AFP at any point during the Assessment, Review or Audit process, where compelling prima facie evidence of fraud or other criminal conduct is identified.

Making a Ruling

Rulings are made and finalised by the Members, including where they are, requested by a parliamentarian, recommended by an Assurance Review or Audit.

Website: ipea.gov.au

Phone: (02) 6215 3000

Email: enquiries@ipea.gov.au



INDEPENDENT PARLIAMENTARY EXPENSES AUTHORITY
TRAVEL EXPENSES AND ALLOWANCES OF MR ANDREW LAMING MP – 21 JUNE TO 27 JUNE 2019

Chronology of Engagement

Date	Engagement
1 April 2021	IPEA to Mr Laming advising of Assurance Review, with a response due by COB 7 May 2021.
6 May 2021	Mr Laming to IPEA seeking extension to the response date.
18 May 2021	Mr Laming to IPEA responding to request of 1 April 2021.
8 June 2021	IPEA to Mr Laming requesting meeting on 22 June 2021.
10 June 2021	IPEA to Mr Laming outlining matters to be discussed at the meeting.
11 June 2021	Mr Laming to IPEA responding to request of 10 June 2021.
16 June 2021	IPEA to Mr Laming confirming meeting time and location.
22 June 2021	IPEA met with Mr Laming.
29 June 2021	IPEA to Mr Laming to confirm the matters discussed in the meeting and outline the additional information Mr Laming indicated he would provide.
30 June 2021	Mr Laming to IPEA responding to request of 29 June 2021.
3 August 2021	IPEA to Mr Laming requesting additional information, with a response due by 13 August 2021.
3 August 2021	Mr Laming to IPEA responding to request of 3 August 2021 (three separate responses).
16 August 2021	Mr Laming to IPEA responding to request of 3 August 2021 (fourth response).
31 August 2021	IPEA to Mr Laming requesting additional information, with a response due by 13 September 2021. It was subsequently found that as a result of technical issues Mr Laming did not receive this correspondence.
14 September 2021	Mr Laming to IPEA advising correspondence not received.
16 September 2021	IPEA to Mr Laming sending a hard copy of request of 31 August. Contents of 31 August letter also emailed to Mr Laming.
17 September 2021	Mr Laming to IPEA requesting copies of information previously provided to IPEA and advising that a response would be ready the following week.
21 September 2021	Mr Laming to IPEA confirming receipt of request of 31 August 2021. Issues with email correspondence rectified.
27 September 2021	Mr Laming to IPEA requesting extension to the response date.
6 October 2021	Mr Laming to IPEA requesting further extension to the response date.
6 October 2021	IPEA to Mr Laming agreeing to a response date of 8 October 2021.
7 October 2021	Mr Laming to IPEA advising that he would provide a response by COB 11 October 2021.
8 October 2021	Mr Laming to IPEA responding to request of 31 August 2021.
13 October 2021	Mr Laming to IPEA providing further information.
5 November 2021	IPEA to Mr Laming informing him of commencement of audit.
8 November 2021	IPEA to Mr Laming with questions in relation to the audit, with a response due by 22 November 2021.
9 November 2021	IPEA to Mr Laming confirming receipt of the email.
25 November 2021	IPEA to Mr Laming seeking information under section 53 of the IPEA Act.
25 November 2021	Mr Laming to IPEA acknowledging the reminder.
25 November 2021	IPEA to Mr Laming to advise that the section 53 notice supersedes the previous request.
2 December 2021	Mr Laming to IPEA responding to request of 25 November 2021.

INDEPENDENT PARLIAMENTARY EXPENSES AUTHORITY
TRAVEL EXPENSES AND ALLOWANCES OF MR ANDREW LAMING MP – 21 JUNE TO 27 JUNE 2019

6 December 2021	IPEA to Mr Laming noting that he had not properly responded to the request of 25 November 2021 and requesting he provide this by 9 December 2021.
6 December 2021	Mr Laming to IPEA confirming information previously provided.
8 December 2021	IPEA to Mr Laming seeking confirmation that the responses of 2 December and 6 December 2021 were his personal responses.
13 December 2021	Mr Laming to IPEA confirming that all correspondence had been authorised by him



Australian Government
Independent Parliamentary
Expenses Authority

Protocol—Dealing with Allegations of Misuse of Parliamentary Work Expenses

The Independent Parliamentary Expenses Authority (IPEA) was established to provide greater accountability and transparency of the Parliamentary Work Expenses Framework (the Framework). IPEA provides assurance that parliamentarians' work resources and *Members of Parliament (Staff) Act 1984* (MOP(S) Act) employees' travel resources are spent in compliance with the Framework.

IPEA deals with possible misuse of work or travel resources at arm's length from Government. The *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act) provides legislative powers for the auditing and reporting of parliamentarians' work and travel resources and MOP(S) Act travel resources.

When IPEA becomes aware of information that indicates possible non-compliance with the Framework, IPEA may conduct a preliminary assessment. The assessment scrutinises the use of the work or travel resource and determines if a parliamentary business resource has been used.

Possible misuse

In the event of possible misuse, IPEA decides whether to undertake an assurance review or audit of the matter. IPEA does not undertake assurance reviews or audits at the request of parliamentarians or MOP(S) Act employees.

- Under the IPEA Act, IPEA may audit any parliamentarian's work or travel resource or MOP(S) Act travel resource as it considers appropriate.
- IPEA may conduct an assurance review where a preliminary assessment indicates that a Commonwealth resource was used for a parliamentarian's work expense or MOP(S) Act employee's travel expense.
- IPEA may conduct an audit where there are allegations of systemic or substantial misuse of work expenses or where there is an educative benefit.
- An audit may also be a systematic and comprehensive examination of the use by all parliamentarians and/or MOP(S) Act employees of a specific category of work expense.
- The Members of the Authority or the Chief Executive Officer may issue a notice requiring a person to provide information that is relevant to an audit by IPEA, as provided for under Part 5 of the IPEA Act. Criminal penalties apply for failure to comply with a notice, or for providing false or misleading information.
- In the event of an audit, the parliamentarian or MOP(S) Act employee is accorded procedural fairness to provide comment on any findings.

Members of the Authority decide whether a matter is referred to the Australian Federal Police (AFP)

- The Minister responsible for the AFP and the Minister responsible for the Framework are notified of a referral to the AFP.

Publication of audits

- Members of the Authority decide whether, or not, to publish their decision(s).

As approved by the Members of the Authority: October 2020

s22(1)

From: Pearson, Nicole
Sent: Tuesday, 15 March 2022 1:06 PM
To: Laming, Andrew (MP)
Cc: Assurance
Subject: DRAFT Audit Report - Mr Andrew Laming MP [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Mr Laming

IPEA's acting Chief Executive Officer, Ms Christina Grant, wrote to you on 3 March 2022 enclosing a copy of the Draft Audit Report of your travel expenses and allowances.

You were invited to provide a response to the Draft Report and, in particular, to:

- correct any factual errors in the Draft Report; and
- provide any further relevant evidence for consideration in regards to the findings of the Draft Report.

I am writing to you now as a courtesy to remind you that any response you wish to make must be received by 5:00pm on Thursday 17 March 2022. Following that date, and subject to consideration of any input from you, IPEA will proceed with action consistent with the findings set out in the Draft Report.

Kind regards

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

W: www.ipea.gov.au & www.ipea.gov.au/ed

SEC=OFFICIAL

From: Pearson, Nicole
Sent: Thursday, 3 March 2022 2:03 PM
To: Laming, Andrew (MP)
Subject: DRAFT Audit Report - Mr Andrew Laming MP [SEC=OFFICIAL]

SEC=OFFICIAL

Good afternoon Mr Laming

Please see attached correspondence from the Acting IPEA CEO, Ms Christina Grant.

Kind regards

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

s22(1)

W: www.ipea.gov.au & www.ipea.gov.au/ed

SEC=OFFICIAL

From Pearson, Nicole

Date 16/03/2022, 1:23:39 pm

s22(1)

Cc

Subject FW: Response [SEC=OFFICIAL]

 [image001.gif](#) (477 B [HTML](#))

SEC=OFFICIAL

Kind regards

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal

Independent Parliamentary Expenses Authority

One Canberra Avenue, FORREST ACT 2603

s22(1)

W: www.ipea.gov.au & www.ipea.gov.au/ed

SEC=OFFICIAL

From: Laming, Andrew (MP) s22(1)

Sent: Wednesday, 16 March 2022 1:05 PM

To: Pearson, Nicole s22(1)

Cc: s22(1)

Subject: Response

Dear IPEA,

The assurance process confirmed my Parliamentary activity in both Hobart and Melbourne legs. The Audit of three hotel check-in times disputes no part of my account.

On that basis I continue to publicly justify this entire 2019 journey as benefiting my constituents; namely regional and eye health, boardwalk construction and a food hub on Commonwealth land in Birkdale.

The loss of the 2019 EO-share folder deprived my office of written documentation from this period. This loss pre-dates this process and was beyond our control.

HOBART

All parts of the Tasmania leg involved a form of parliamentary business with the address to RANZCO dominant.

s22(1) s statements are misrepresented. Evidence of conference speaker registration, Saturday dinner registration, accommodation bookings and flights confirm pre-planning as early as June 12. As a result of family member illness, multiple commercial accommodation bookings were made in Hobart. My office submitted the initial 3-day booking for simplicity and this accommodation was used. These last minute changes came at no cost to the Commonwealth.

MELBOURNE

The overnight Melbourne journey for the Hort Connections dinner can have no alternative purpose. We reject any assertion that the latter half of a gala dinner is not 'sufficiently parliamentary.' Parliamentarians regularly work such hours, particularly when meeting stakeholders and conducting parliamentary business. The Growcom CEO was statement not 'purported.'

From Pearson, Nicole
To Laming, Andrew (MP); s22(1)
Cc Assurance
Subject RE: IPEA final [SEC=OFFICIAL]

Date 24/03/2022, 9:38:44 am

I

 [image001.gif](#) (477 B [HTML](#))

SEC=OFFICIAL

Dear Mr Laming

I confirm receipt of both of your emails of 23 March 2022.

Kind regards

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

W: www.ipea.gov.au & www.ipea.gov.au/ed

SEC=OFFICIAL

From: Laming, Andrew (MP) s22(1)
Sent: Wednesday, 23 March 2022 8:06 PM
To: Pearson, Nicole s22(1)
Subject: Fwd: IPEA final

Resent without the auto-correct

From: Laming, Andrew (MP) s22(1)
Sent: Wednesday, March 23, 2022 7:00 pm
To: Pearson, Nicole s22(1)
Subject: IPEA final

Dear IPEA

Further to the March 16 Hobart/Melbourne audit response, can I confirm;

1. removal the misrepresentation of s22(1)'s testimony,
2. incorporation of the four pieces of objective evidence of Hobart travel pre-planning dating from June 12, 2019.

Should this occur, the dominant purpose of Hobart remains the RANZCO address, with two additional incidental Parliamentary purposes supporting this travel.

The last-minute accommodation changes due to family illness in Tasmania clearly have no impact on cost to the Commonwealth.

Can I also confirm

3. correction that testimony from then s22(1) is not 'purported.' Audit had ample opportunity to resolve any doubt, of which there is none.



Australian Government
Independent Parliamentary
Expenses Authority

24 March 2022

Mr Andrew Laming MP

s22(1)

Email: s22(1)

Dear Mr Laming

Audit of Travel Expenses and Allowances

On 3 March 2022 the acting Chief Executive Officer of the Independent Parliamentary Expenses (IPEA), Ms Christina Grant, provided you with a copy of the draft audit report of your travel expenses and allowances. I note that IPEA has received your responses by email of 16 March 2022 and both subsequent emails of 23 March 2022.

I have enclosed the final version of the audit report (**Attachment A**) and the ruling of the Members of IPEA (**Attachment B**). I have also enclosed three invoices for \$389.00, \$1071.00 and \$8,900.05 (**Attachments C, D and E**). The invoices total \$10,360.05. As outlined in the audit report this includes \$8,288.04 as the total value of expenses and \$2,072.01 as the 25% penalty loading.

Payment of the invoices is due by close of business this **Monday 28 March 2022**.

Please note IPEA intends to publish the report and the ruling on Tuesday 29 March 2022 on the IPEA website www.ipea.gov.au. If payment of the invoices is received by COB Monday 28 March 2022 this will be reflected in the published report.

In order for IPEA to be able to reflect payment in the published report, you may wish to pay the invoices by direct debit or by credit card. You may also wish to email IPEA to confirm when you have paid the invoices.

To pay by direct deposit, the payment can be deposited directly into the account below:

Account Name: IPEA Admin Receipts Account.

s22(1)

Reference: (1444383; 9619513; 9619519)

To pay by Visa or MasterCard, contact the IPEA Advice Line on (02) 6215 3000.

If you have queries please contact Nicole Pearson via email s22(1) or by phone on s22(1)

Yours sincerely
s22(1)

Annwyn Godwin
Chief Executive Officer
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603



Australian Government
**Independent Parliamentary
Expenses Authority**

Audit Report

Mr Andrew Laming MP

Member for Bowman

Travel Expenses and Allowances for the period

21 June to 27 June 2019

Contents

Executive summary	3
Audit Findings	3
Audit function	8
IPEA's statutory audit function	8
Responsibilities of members of parliament	8
Legislative framework	9
Audit methodology	10
Background	10
Audit criteria	11
Method	12
Assessment of work expenses	13
Summary of findings	13
Application of audit questions	14
Appendix A – Segment One	21
Appendix B – Segment Two	22
Appendix C – Segment Three	23

Executive summary

1. The Independent Parliamentary Expenses Authority (IPEA) conducted an audit of Commonwealth-funded travel and travel related expenses for Mr Andrew Laming MP.

Scope and Purpose

2. The audit examined expenses incurred by Mr Laming, his spouse and two children, during the period from 21 June 2019 to 27 June 2019. Thirty expense items, totalling \$10,991.43 including GST and associated fees were examined. Details of all thirty expense items are at Appendix A, Appendix B and Appendix C.
3. The purpose of the audit was to determine whether the travel and travel-related expenses incurred by Mr Laming and his family during the relevant period were consistent with the relevant legislative provisions. In particular, the audit sought to establish:
 - whether Mr Laming's travel was for the dominant purpose of parliamentary business; and
 - whether travel by Mr Laming's family was consistent with the meaning of **family reunion purposes** as defined in section 6 of the *Parliamentary Business Resources Regulations 2017* (the Regulations).

Engagement with Mr Laming

4. In October 2020 IPEA commenced an Assurance Review into these matters, in accordance with its Statutory Audit Function Factsheet (**Attachment A**). During the period from 1 April 2021 to 13 October 2021, IPEA engaged with Mr Laming on a number of occasions, seeking information to verify the dominant purpose of the relevant travel. Responses provided by Mr Laming generally lacked the requested detail, were unsupported by evidence and were, at times, inconsistent.
5. As a result, Mr Laming was advised on 5 November 2021 that an audit had commenced. On 8 November and 25 November 2021, IPEA wrote to Mr Laming asking that he provide specific information in relation to the audit. IPEA's request of 25 November 2021 was issued pursuant to its information-gathering powers in subsection 53(2) of the *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act). Mr Laming's two responses, dated 2 December and 6 December 2021, did not provide the information sought. Subsection 53(4) of the IPEA Act sets out the penalty that may be applied where a person is found to have contravened a notice made pursuant to subsection 53(2) of the IPEA Act.
6. On 3 March 2022, Mr Laming was provided with a draft copy of this Audit Report. Mr Laming was invited to:
 - correct any factual errors in the Draft Audit Report; and
 - provide any further relevant evidence for consideration in regards to the findings of the Draft Audit Report.
7. Mr Laming's responses to the draft audit report, an email dated 16 March 2022 and two emails of 23 March 2022 (**Attachments B1-B3**), contained vague references and no further specific and material evidence. IPEA's extensive engagement with Mr Laming over the course of this matter (refer to **Attachment C**) has afforded him numerous opportunities to provide definitive information in relation to his travel and his parliamentary business over the relevant period. In general, and specifically in relation to the audit report, Mr Laming's responses have been deficient in content and detail. Further, in a number of instances where IPEA posed specific

questions to Mr Laming he obfuscated, provided inconsistent answers or ignored the question altogether.

8. In these circumstances, IPEA has made findings based upon verifiable information, including information obtained from three organisations and one individual using its powers under subsection 53(2) of the IPEA Act.

Audit Findings

9. For the purpose of this audit, Mr Laming's expenses are divided into three segments:
 - Segment one includes expenses incurred for travel between Brisbane and Hobart and within Tasmania between 21 June 2019 and 24 June 2019.
 - Segment two includes expenses incurred for travel between Hobart, Canberra and Brisbane between 24 June 2019 and 25 June 2019.
 - Segment three includes expenses incurred for travel between Brisbane, Melbourne, and return, and within Melbourne between 26 June 2019 and 27 June 2019.

Segment One - Finding

10. The audit finds that the dominant purpose of Mr Laming's travel from Brisbane to Hobart on 21 June 2019 was not parliamentary business. As a consequence, the audit finds that all associated expenses, including fares for the travel of Mr Laming and his family, hire car and taxi expenses and travel allowance incurred within Tasmania over the period 21 June to 24 June 2019 were not incurred in accordance with the *Parliamentary Business Resources Act 2017* (PBR Act).
11. The basis of this finding is that the principal reason given by Mr Laming for his travel to Tasmania, to attend and address a conference of medical professionals, was not at the conference organisers' invitation. Organisers were unaware of his intention to attend until shortly before the conference commenced. Further, his documented participation was restricted to the last morning of the conference which had commenced two days earlier and his address to participants took place during the morning tea break. While this activity may satisfy the definition of parliamentary business, it fails the dominant purpose test when examined within the context of Mr Laming's activities, and use of business resources, over a three day period.
12. IPEA notes a parliamentarian's obligation to act in good faith (section 25 of the PBR Act). Paragraph 38 of this report sets out the key recommendation of the 2016 Review, *An Independent Parliamentary Entitlements System* upon which this obligation is based. The recommendation notes that "... parliamentarians must not seek to disguise as 'parliamentary business' an activity whose dominant purpose is personal or commercial." IPEA is of the view that Mr Laming's extensive use of a hire car for personal reasons over the days prior to his limited participation at the conference indicates that the dominant purpose of his travel was personal.
13. In relation to segment one, recoverable expenses total \$2,542.67 including GST and associated fees.

Segment Two - Finding

14. The audit finds that expenses incurred by Mr Laming's dependent children in travelling from Hobart to Brisbane on 24 June 2019 were not incurred in accordance with the PBR Act. As the dominant purpose of Mr Laming's travel from Brisbane to Hobart was found to be not

parliamentary business, the travel of his dependent children did not comply with the meaning of *family reunion purposes* as defined in section 6 of the Regulations.

15. The audit finds that expenses incurred by Mr Laming on 24 and 25 June 2019 in relation to travel from Hobart to Canberra and Canberra to Brisbane were for the dominant purpose of parliamentary business.
16. In relation to segment two, recoverable expenses total \$1,324.64 including GST and associated fees.

Segment Three - Finding

17. The audit finds that the dominant purpose of Mr Laming's travel from Brisbane to Melbourne on 26 June 2019 was not parliamentary business. It follows that the expense incurred by Mr Laming's spouse in travel from Melbourne to Brisbane on 27 June 2019 was not incurred in accordance with the PBR Act as the travel did not comply with the meaning of *family reunion purposes* as defined by the PBR Regulations.
18. All associated expenses including Mr Laming's return travel, taxi expenses and travel allowance were not incurred in accordance with the PBR Act, with the one exception being a taxi expense for travel between Melbourne airport and Parkville on 26 June 2019 (see paragraph 107).
19. The basis of this finding is that Mr Laming has not provided sufficient evidence to establish that he undertook parliamentary business in connection with the horticultural conference he nominated as the dominant purpose of his travel from Brisbane to Melbourne and return. Further, to the extent that there is evidence of his attendance at that conference, it was restricted to the concluding hour of the post-conference dinner, the conference having commenced two days earlier.
20. Mr Laming asserted that his spouse attended the Hort Connections conference only because he was at the same conference in his capacity as a parliamentarian. This assertion is not supported by verifiable evidence. IPEA understands his spouse attended in her own right and for the entirety of the Hort Connections conference. By his own evidence, Mr Laming was only in attendance for the final hour of the dinner that concluded the conference.
21. The intent of travel for *family reunion purposes* (refer to paragraph 39) is that the family of a parliamentarian is able to travel to accompany the parliamentarian when the parliamentarian is travelling for parliamentary business. In the circumstances outlined above, the travel of Mr Laming's spouse was to return home from a conference. IPEA is of the view that it was more probable Mr Laming's travel was to facilitate his spouse's return from the conference at Commonwealth expense and his claiming of expenses was not consistent with his obligation to act in good faith.
22. IPEA notes that even if the dominant purpose of Mr Laming's travel to Melbourne was parliamentary business, the travel of his spouse from Melbourne to Brisbane did not meet the definition of *family reunion purposes*. From verifiable evidence outlined above, their separate attendance patterns at the conference indicate that the travel of Mr Laming's spouse was not, on the whole, *for the dominant purpose of facilitating the family life of the member's family*.
23. In relation to segment three, recoverable expenses total \$4,420.73 including GST and associated fees.

Recovery of Expenses

24. The total value of expense that have been found to be inconsistent with the relevant legislative provisions, inclusive of GST and service fees, is \$8,288.04. A 25 per cent loading is payable in relation to those recoverable expenses. This amounts to \$2,072.01. The total amount recoverable in relation to the three segments is \$10,360.05 including GST and associated fees.

Mr Laming's Response to Draft Audit Report

25. On 3 March 2022, Mr Laming was provided with a draft copy of this Audit Report. Mr Laming was invited to:
- correct any factual errors in the Draft Audit Report; and
 - provide any further relevant evidence for consideration in regards to the findings of the Draft Audit Report.
26. Mr Laming provided a response on Wednesday 16 March 2022 (**Attachment B1**). He did not provide further evidence for consideration but noted that a loss of data from his electorate office share folder deprived his office of written documentation for the period. Based on the information provided, IPEA understands that the data loss related to email records during the period from March to December 2019.
27. In relation to his attendance at, and participation in, the combined meeting of the Royal Australian and New Zealand College of Ophthalmologists and Australia and New Zealand Society of Ophthalmic Plastic Surgeons in Hobart, Mr Laming's response contends that IPEA has misrepresented the statements made to IPEA by the conference convenor. He also asserts that he has previously provided IPEA with evidence of his registration as a speaker at the conference. The latter assertion is incorrect, the evidence provided by Mr Laming on 18 May 2021 being a copy of his registration to attend the conference, rather than to speak. The evidence of the conference convenor, as directly quoted in this report, is that he became aware of Mr Laming's plan to attend "*at the last minute*".
28. In relation to his only verified attendance at the Hort Connections conference in Melbourne late on the evening of 26 June 2019, Mr Laming notes that "*Parliamentarians regularly work such hours, particularly when meeting stakeholders and conducting parliamentary business*". He says that his journey to Melbourne "*for the Hort Connections dinner can have no alternative purpose*".
29. Having carefully considered Mr Laming's responses of 16 March 2022 and 23 March 2022, IPEA concludes that he has not provided information that would alter the findings set out in the Draft Audit Report. In particular, the dominant purpose of Mr Laming's travel from Brisbane to Hobart on 21 June 2019 and from Brisbane to Melbourne and return on 26 June and 27 June 2019 was not parliamentary business.

Ruling

30. These findings represent IPEA's assessment of the dominant purpose of Mr Laming's use of business resources within the scope of the audit. IPEA notes that Mr Laming has asserted constantly that the dominant purpose of his travel to Hobart and to Melbourne was parliamentary business, notwithstanding that his account of his activities has varied throughout the conduct of the Assurance Review and the Audit. As Mr Laming has continued to maintain this position, the recovery of expenses in these circumstances requires a written ruling be made under the provisions of section 37 of the *Parliamentary Business Resources Act 2017*.

Audit function

IPEA's statutory audit function

31. Subsection 12(1)(i) of the *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act) empowers IPEA to audit parliamentarians' work and travel resources.
32. The authority to undertake an audit has been delegated to the Chief Executive Officer of IPEA. This audit report was prepared under that delegation and in accordance with the IPEA Act.

Responsibilities of members of parliament

33. Certification is an accountability mechanism requiring parliamentarians to certify that their use of parliamentary work expenses, including travel expenses, is consistent with the legislative framework in force at the time. Mr Laming has certified the majority of his Expenditure Reports relating to his parliamentary work expenses since the 2018/2019 financial year including the audit period.

Reporting Period	Certified	Date Certified
1 July to 30 September 2018	No	
1 October to 31 December	No	
1 January to 31 March 2019	No	
1 April to 30 June 2019	Yes	15/08/2019
1 July to 30 September 2019	Yes	28/11/2019
1 October to 31 December	Yes	24/02/2020
1 January to 31 March 2020	Yes	17/06/2020
1 April to 30 June 2020	Yes	19/08/2020
1 July to 30 September 2020	No	
1 October to 31 December	Yes	26/03/2021
1 January to 31 March 2021	Yes	18/05/2021
1 April to 30 June 2021	Yes	24/08/2021
1 July to 30 September 2021	Yes	10/11/2021

34. Parliamentarians have a responsibility to understand the legal framework in which they are operating. Parliamentarians and staff can seek IPEA advice and attend or request information sessions to assist them in this understanding.

Legislative framework

35. IPEA applied the *Parliamentary Business Resources Act 2017* (the PBR Act) and its associated instruments as the relevant legislation for the audit period. The PBR Act is a principles-based framework that requires parliamentarians to ensure expenditure is incurred for the ‘*dominant purpose*’ of conducting parliamentary business and in a manner that represents ‘*value for money*’. The legislation provides a definition of parliamentary business that includes ‘parliamentary duties, electorate duties, party political duties and official duties’.

36. The key instruments relevant to the audit are:

- *Independent Parliamentary Expenses Authority Act 2017*;
- *Parliamentary Business Resources Act 2017*;
- *Parliamentary Business Resources Regulations 2017*;
- *Parliamentary Business Resources (Parliamentary Business) Determination 2017*;
- *Remuneration Tribunal (Members of Parliament) Determination 2018*.

37. Parliamentarians are not able to claim public resources, including the work expenses prescribed in the PBR Regulations, unless their travel:

- is for the dominant purpose of conducting their parliamentary business;
- represents value for money; and
- meets the relevant conditions connected to the travel claim or expense.

38. The legislative framework is based upon the recommendations of the 2016 review:

An Independent Parliamentary Entitlement System. This Review set out principles that should guide parliamentarians’ decision making on work expenses. In particular, the Review noted:

Good faith

Parliamentarians are to act in good faith in making decisions about whether expenditure is incurred for the dominant purpose of conducting parliamentary business, and represents value for money. In particular, parliamentarians must not seek to disguise as ‘parliamentary business’ an activity whose dominant purpose is personal or commercial.

39. Australia-wide family reunion travel, as provided under section 17 of the PBR Regulations, is a focus of this audit. Section 6 of the PBR Regulations prescribes the meaning of *family reunion purposes* as:

*A family member of a member travels for **family reunion purposes** if:*

- (a) the member is travelling for the dominant purpose of conducting the member’s parliamentary business; and*
- (b) the family member travels to accompany or join the member; and*
- (c) the travel by the family member is for the dominant purpose of facilitating the family life of the member’s family.*

Audit methodology

Background

40. Mr Laming was first elected to Parliament as the Member for Bowman on 9 October 2004. He has been re-elected at each subsequent election and remains the Member for Bowman.
41. Since his election, Mr Laming has held the following roles and positions:
- Member of the Australian National Commission for UNESCO from 2005.
 - Member, Joint Statutory Committee:
 - Public Accounts and Audit
 - Human Rights
 - Australian Commission for Law Enforcement Integrity
 - Member, Joint Standing Committee:
 - Treaties
 - Foreign Affairs, Defence and trade
 - Member, Joint Select Committee:
 - Australia Fund Establishment (Chair from 14.11.2014 to 25.6.2015)
 - Member, House of Representatives Standing Committee:
 - Communications, Information Technology and the Arts
 - Aboriginal and Torres Strait Islanders Affairs
 - Employment and Workplace Relations
 - Health
 - Indigenous Affairs
 - Health, Aged Care and Sport
 - Economics
 - Social Policy and Legal Affairs
 - Education and Employment (Chair from 13.10.2015 to 9.5.2016)
 - Employment, Education and Training (Chair from 19.10.2016).
42. Mr Laming's electorate office and home base is in Cleveland, Queensland.
43. On 9 June 2020, in accordance with IPEA's Statutory Audit Function Factsheet, IPEA commenced a Preliminary Assessment in relation to travel and travel-related expenses incurred by Mr Laming and his family during the period 21 June 2019 to 29 June 2019, the period surrounding the Hort Connections Conference held at the Melbourne Convention Centre.
44. The Preliminary Assessment found that parliamentary business resources were used by Mr Laming, and his family, during June 2019 in Tasmania, Canberra, Brisbane and Melbourne.
45. On 13 October 2020, the matter progressed to an Assurance Review. For resource management purposes the Assurance Review was scheduled for commencement in March 2021. On 1 April 2021, IPEA first wrote to Mr Laming advising of the Assurance Review and seeking his response to a number of questions about his use of business resources during the relevant period. In the period to 5 November 2021, IPEA exchanged correspondence with Mr Laming on many occasions. IPEA officials also met with Mr Laming in his Parliament House office on 22 June 2021. On two occasions Mr Laming sought, and was granted, extensions to deadlines to respond to IPEA's questions. One of the reasons given by Mr Laming for seeking extensions was

the loss of his email records for a part of 2019 (March to December). A summary of IPEA's interactions with Mr Laming is at **Attachment C**.

46. During the course of the Assurance Review, Mr Laming provided IPEA with a number of responses to its requests for information, the last of these on 13 October 2021. Mr Laming's responses were generally of limited assistance to IPEA in its attempts to verify the dominant purpose of his use of business resources during the relevant period. His responses lacked the requested detail and were often unsupported by evidence. On some occasions, Mr Laming failed to address specific requests and on others he provided information that was inconsistent with his earlier position on a matter. As a result, it was considered necessary to proceed to an audit, in accordance with IPEA's protocol 'Dealing with Misuse of Parliamentary Work Expenses' (**Attachment D**). The Members of the Authority agreed that the matter should progress to an audit.
47. On 5 November 2021, IPEA commenced an audit of work expenses and allowances, and the use of family transport costs of Mr Laming for the period 21 June 2019 to 27 June 2019.

Audit criteria

48. The scope of the audit involved examining Mr Laming's use of work expenses and allowances, and the use of family transport costs for the period 21 June to 27 June 2019 to determine consistency with relevant legislative provisions.
49. For the purpose of this audit, 'Travel resources' includes scheduled flights, self-drive hire cars, Cabcharge, other car-with-driver services (i.e. COMCAR) and travel allowance. The travel of Mr Laming and his family over the audit period was sorted into three segments for analysis.
50. IPEA considered the relevant legislative framework and applied the following questions to the travel of Mr Laming and his family:
- what was Mr Laming's dominant purpose in accessing each expenses?
 - what was the nature of any parliamentary business?
 - has Mr Laming met the relevant conditions attached to the expense?
 - was family travel for *family reunion purposes* within the meaning prescribed?

Method

51. IPEA conducted the audit by examining and assessing:

- direct communication with, and information provided by, Mr Laming;
- publicly available material;
- internal records held by IPEA;
- records and information held by third parties;
- travel bookings records maintained by IPEA's external service provider; and
- information received in response to section 53 notices.

52. IPEA gathered data from its internal and external sources for all of Mr Laming's travel during the audit period. IPEA identified three travel segments that were within scope and required further examination to determine whether they were consistent with the relevant legislative framework. IPEA made further enquiries and sought additional information from Mr Laming in relation to this travel.

53. On 5 November 2021, IPEA wrote to Mr Laming to inform him that an audit of his use of work expenses and allowances had commenced.

54. On 8 November 2021, IPEA wrote to Mr Laming with six questions for his response, due on 22 November 2021.

55. On 9 November 2021, IPEA contacted Mr Laming's office to confirm the email had been received. Mr Laming's staff confirmed that the email had been received and was with Mr Laming.

Section 53 Notice

56. Section 53 of the IPEA Act applies to a person if the Authority has reason to believe that the person has information or a document that is relevant to the performance of a function conferred on the Authority by any of paragraphs 12(1)(e) to (i) of the Act.

57. Section 53(2) of the IPEA Act provides that the Authority may, by written notice given to the person, require the person:

(a) to give to the Authority, within the period and in the manner and form specified in the notice, any such information; or

(b) to produce to the Authority, within the period and in the manner specified in the notice, any such documents; or

(c) to make copies of any such documents and to produce to the Authority, within the period and in the manner specified in the notice, those copies.

58. On 25 November 2021, having received no response to the letter of 8 November 2021, IPEA provided Mr Laming with a notice pursuant to section 53(2). Neither Mr Laming's response of 2 December 2021, nor his subsequent advices of 6 and 13 December 2021, provided the information sought. Of the six questions put to Mr Laming, only two were addressed.

59. Section 53 notice were also provided to the following individuals and accommodation providers:

- Conference Convenor, Royal Australian and New Zealand College of Ophthalmologists (RANZCO) and the Australia and New Zealand Society of Ophthalmic Plastic Surgeons (ANZSOPS).

- Amberley House, Sandy Bay
- Hotel Grand Chancellor, Hobart
- Ibis Budget Melbourne CBD

60. All provided responses to the section 53(2) notice.

Assessment of work expenses

Summary of findings

Segment One

61. Expenses incurred in travel between Brisbane and Hobart and within Tasmania between 21 June 2019 and 24 June 2019.
62. IPEA examined eight expense items accessed by Mr Laming and his family in this segment. Each of the eight expense items was found to be inconsistent with relevant legislative provisions.

Segment Two

63. Expenses incurred in travel between Hobart, Canberra and Brisbane between 24 June 2019 and 25 June 2019.
64. IPEA examined 13 expense items accessed by Mr Laming and his family in this segment. Five of these expense items were found to be inconsistent with relevant legislative provisions.

Segment Three

65. Expenses incurred in travel between Brisbane and Melbourne, and return, and within Melbourne, between 26 June 2019 and 27 June 2019.
66. IPEA examined nine expense items accessed by Mr Laming and his family in this segment. Eight of these expense items were found to be inconsistent with relevant legislative provisions.

Application of audit questions

Segment One

67. The threshold consideration in relation to segment one is whether the dominant purpose of Mr Laming's travel from Brisbane to Hobart on 21 June 2019 was parliamentary business. Another important consideration, because it assists in determining the answer to the first, is whether the dominant purpose of Mr Laming's use of a hire car over the period 21 June to 24 June 2019 was parliamentary business.

Attendance at Conference

68. Mr Laming, his spouse and two dependent children flew from Brisbane to Hobart using business resources on Friday 21 June 2019, arriving at Hobart airport at 12:50 pm. They were accompanied by an adult female.
69. Mr Laming advised that the dominant purpose of his travel was to attend the combined meeting of the Royal Australian and New Zealand College of Ophthalmologists (RANZCO) and the Australia and New Zealand Society of Ophthalmic Plastic Surgeons (ANZSOPS). The combined conferences ran from 8:30am on Friday 21 June to 1:30pm on Sunday 23 June 2019. The extent of Mr Laming's attendance and participation in the conferences has been unclear. His responses throughout the Assurance Review and Audit have varied. He has said *"the key elements of the conference were Saturday, a ticketed Saturday evening reception and Sunday"* inferring that he attended during those times. When asked about his use of a hire car (see below), he responded *"Saturday – Conference/evening event for electorate and parliamentary purpose"*. In his most recent response, on 6 December 2021, he stated *"the RANZCO & ANZSOPS Conference invitation was to address delegates.....not to attend sessions"*, suggesting that his attendance was limited to a portion of the final morning.
70. There is evidence from the Conference Convenor that Mr Laming spoke to the RANZCO meeting around the morning tea break on Sunday 23 June 2019. The Conference Convenor advised that there was no record of any formal invitation for Mr Laming to attend the conference. He said *"We got to know of Mr Laming's plans to attend at the last minute"* and *"We came to know about Mr Laming's plan to attend the conference quite close to the actual meeting and we made a slot for him to speak on Sunday the 23rd of June"*.
71. There is no evidence that Mr Laming attended the conference at any time other than the Sunday morning "slot". In fact, there is evidence to suggest that he was not in Hobart city until late in the second day of the two and a half day conference (see Hire Car and Travel Allowance below). Further, while the conference dinner was underway, commencing at 6:30pm on the evening of Saturday 22 June 2019, Mr Laming used business resources to travel by taxi from Sandy Bay to Glebe, arriving at 8:00pm. Mr Laming advises he can not recall the purpose of this taxi journey, though it is noted that the suburb of Glebe borders on the city and is within one kilometre of the conference venue.

Hire car

72. Mr Laming used business resources to hire a vehicle upon his arrival at Hobart airport early on the afternoon of Friday 21 June 2019. When it was returned on Monday afternoon, the vehicle had travelled 951 kilometres. When asked about his use of the vehicle, Mr Laming initially advised *"we used it for getting around the State"* and *"we did the loop"*. After Mr Laming was advised that if the dominant purpose of the car hire was "travelling around with the family" it

could not be parliamentary business, he reflected and advised that *“the dominant purpose of the Tasmanian hire car from Saturday afternoon, through the Sunday address and to the Monday morning Hobart meet was Parliamentary. The first day of the three-day hire was not predominantly Parliamentary and should be reimbursed.”*

73. Mr Laming was advised that it was not possible to apportion costs between personal and parliamentary use. He subsequently repeated his offer to repay part of the cost saying *“I have also agreed the dominant purpose of the first 24 hours was not Parliamentary...”*
74. In a further advice from Mr Laming dated 8 October, he introduced new information. He advised that use of the car was:
- “Saturday; Conference/evening event for electorate and Parliamentary purpose. Central plateau national parks. 600km route (Highland lakes Rd) for electorate purpose*
- Sunday: Conference for electorate and Parliamentary purpose*
- Sorell/ Port Arthur return. 200km (Arthur Highway) for electorate purpose.”*
75. Mr Laming advised that the electorate purpose related to inspections of the use of composite fibre technology boardwalk materials in particular Tasmanian locations. This purpose had not been mentioned in any of the previous exchanges with Mr Laming and he has not repeated or supported the contention when invited to do so in the context of this audit. IPEA therefore gives no weight to this version of events. Mr Laming’s advice about the destinations visited does, however, raise other questions. It is implausible that Mr Laming departed Hobart on the morning of Saturday 22 June 2019, drove at least 800km through the highlands of Tasmania and returned to Hobart on that day in time to participate in any part of the conference, including the dinner which commenced at 6:30pm.
76. There is reason to believe that Mr Laming’s travel on Saturday 22 June 2019 did not commence from Hobart. There is also evidence to suggest that he did not arrive in Hobart city until approximately 7:20pm on that evening (see Travel Allowance below).

Travel Allowance

77. Mr Laming claimed, and was paid, three nights Travel Allowance at the commercial rate for overnight stays in Hobart on 21, 22 and 23 June 2019. The claim was supported by a Wotif booking confirmation. IPEA held doubts about Mr Laming’s actual accommodation arrangements because of the understanding that it would not be possible for the family of five to have stayed in a double room at Amberley House, the booked hotel. Mr Laming’s responses to questioning on the matter have been vague and evasive. When initially asked to confirm his arrangements he replied *“yes we stayed at Amberley House in Hobart”*. When asked again to confirm his accommodation arrangements on each of the three nights, on the basis that the Wotif booking confirmation was for a double room only, he responded *“the two night [sic] claim for the Hobart hotel stay is appropriate. On the first night we purchased a second room closer to the conference because one adult was ill and needed to isolate. On the second night we booked an additional night in the same hotel.”*
78. On 8 October 2021, after once again being asked to describe accommodation arrangements for 21, 22 and 23 June 2019, Mr Laming wrote *“Accommodation was at Amberley House in Sandy Bay, paid online June 12, 2019. Due to a family member falling ill, a hotel room at the conference venue was secured to make caring for children easier. This room was not submitted for reimbursement. The Tasmania leg was three days, and the three-day claim submitted concurs.”*

79. Evidence has been obtained from Amberley House and from the Hotel Grand Chancellor (the conference venue). The Amberley House information has the Laming family checking in around 7:20pm on Saturday 22 June 2019, the second night of their stay in Tasmania. Records show that after unsuccessfully enquiring about the availability of an additional room at Amberley House on that night, Mr Laming booked a room at the Hotel Grand Chancellor. Hotel Grand Chancellor records show this booking as being made at 7:33pm on Saturday 22 June 2019. He subsequently booked a second room at Amberley House for the night of Sunday 23 June 2019.
80. There has been a degree of opacity in Mr Laming's responses to questions about his accommodation arrangements. He has not responded to specific questions about the location of his overnight stays on each of the three nights he was in Tasmania. In particular, at no stage has Mr Laming definitively answered the specific question of where he and his family stayed on the night of Friday 21 June 2019. IPEA notes that the extent of Mr Laming's travel in the hire car (at least 800km) through country Tasmania following his arrival would, in all likelihood, preclude his being in Hobart on the night of Friday 21 June 2019. On the information available to IPEA, Mr Laming checked into Hobart accommodation on the evening of Saturday 22 June 2019.
81. On 3 March 2022, Mr Laming was provided with an opportunity to correct any factual errors and to provide further evidence with regard to a preliminary draft assessment of his travel. In the absence of any further information from Mr Laming, IPEA is of the view that, on the balance of probability, Mr Laming has incorrectly claimed Travel Allowance at the commercial rate for an overnight stay in Hobart on Friday 21 June 2019, when he did not stay in that location on that night.

Conclusion

82. On the basis of verifiable evidence and probability, IPEA has concluded that the dominant purpose of Mr Laming's travel to Hobart on Friday 21 June 2019, and his use of other business resources and allowances in Tasmania over the period from Friday 21 to Monday 24 June 2019, was not parliamentary business.
83. The principles require parliamentarians to act in good faith when making decisions about whether expenditure – in this case accommodation arrangements and hire car usage – is incurred for the dominant purpose of conducting parliamentary business and whether it represents value for money. In particular, parliamentarians must not seek to disguise as 'parliamentary business' any activity whose dominant purpose is personal or commercial.
84. IPEA has formed the view that the manner in which Mr Laming answered or did not answer questions in relation to his accommodation arrangements and his use of the hire car raises concerns about whether Mr Laming was acting in good faith (section 25 of the PBR Act).
85. IPEA has also formed its view about the dominant purpose of Mr Laming's use of work expenses in segment one, based on the following verifiable evidence:
- Mr Laming did not stay overnight on Friday 21 June 2019 at Amberley House, as the documentation he provided in support of his Travel Allowance claim indicates – the circumstances of his use of the hire car strongly suggest that he stayed at a location other than Hobart and did not arrive in Hobart before approximately 7:00pm on Saturday 22 June 2019.
 - Mr Laming's use of a hire car was predominantly personal, having travelled in the order of 800 kilometres for reasons not related to either the Conference or other parliamentary business;

- Mr Laming's attendance at the RANZCO and ANZSOPS Conference was not known to the organisers until "*the last minute*";
- Organisers "*found a slot*" for Mr Laming to address the meeting around the morning tea break on Sunday 23 June 2019, the last morning of the conference which had commenced two days earlier on Friday 21 June – Mr Laming did not attend the conference until that final morning; and
- The other documented parliamentary business undertaken by Mr Laming, the meeting with Independent Schools Tasmania, was arranged after all other plans were decided, took place for approximately one hour on Monday 24 June 2019, his final morning in Tasmania, and was not, according to Mr Laming, the dominant purpose of his travel.

86. As Mr Laming did not travel for the dominant purpose of parliamentary business, the travel of his spouse and two dependent children from Brisbane to Hobart on Friday 21 June 2019 was not consistent with the meaning of *family reunion purposes*, and was therefore inconsistent with the relevant legislative provisions.

87. In relation to segment one, recoverable expenses total \$2,542.67 including GST and associated fees.

Segment Two

88. This segment covers the return to Brisbane of Mr Laming's two dependent children and Mr Laming's use of work expenses while traveling from Hobart to Canberra and Brisbane.

Family reunion travel

89. Mr Laming's dependent children travelled from Hobart to Brisbane, through Melbourne, on Monday 24 June 2019. Mr Laming has advised that they were accompanied by the other adult who had been with the family in Tasmania.

90. In considering whether the travel by Mr Laming's dependent children was consistent with the relevant legislative provisions, it is noted that this travel represents the return leg of a Brisbane – Hobart – Brisbane trip. The forward leg of their travel, from Brisbane to Hobart, has been assessed as inconsistent with the meaning of *family reunion purposes* as defined by section 6 of the PBR Regulations because Mr Laming's travel to Hobart was not for the dominant purpose of parliamentary business.

Mr Laming's travel from Hobart to Canberra and Brisbane

91. Mr Laming used business resources to travel from Hobart to Canberra, through Melbourne, on Monday 24 June 2019. He claimed Travel Allowance in Canberra on that night. Mr Laming has provided evidence of his participation in the ANU Crawford Leadership Forum, on the evening of 24 June 2019. He used business resources to travel from Canberra to Brisbane on Tuesday 25 June 2019, arriving home at 9:41am.

92. Mr Laming advises that the purpose of his return to the electorate was a "*mandatory event that was unable to be postponed or rescheduled*". He has been unable to provide further information or evidence of the nature of his business in the electorate, citing the loss of email records for a part of 2019 (March to December) as the reason for lack of detail. Mr Laming says he had a "*confidential medical meeting in Redland City with medical practitioners relating to the MBS review task force*". He also advises that he may have met with "*a senior indigenous representative*" though does not nominate that person.

93. IPEA accepts that Mr Laming's return to his electorate should, in a general sense, be regarded as parliamentary business (electorate duties), noting that this trip was returning him from the conduct of parliamentary business in Canberra.

Conclusion

94. IPEA has concluded that the dominant purpose of Mr Laming's travel from Hobart to Canberra and Brisbane on Monday 24 and Tuesday 25 June 2019 was parliamentary business and that his use of business resources was consistent with relevant legislative provisions.
95. IPEA has concluded that the travel of Mr Laming's dependent children from Hobart to Brisbane on Monday 24 June 2019 was not for *family reunion purposes* as prescribed because it was the return leg of travel that had been similarly assessed on the basis that the dominant purpose of Mr Laming's travel to Hobart was not parliamentary business.
96. In relation to segment two, recoverable expenses total \$1,324.64 including GST and associated fees.

Segment Three

97. This segment covers Mr Laming's travel from Brisbane to Melbourne and return on Wednesday 26 and Thursday 27 June and the travel of Mr Laming's spouse from Melbourne to Brisbane on 27 June 2019. The two matters to be determined are:
- what was the dominant purpose of Mr Laming's travel; and
 - was the travel of Mr Laming's spouse consistent with the meaning of *family reunion travel* as defined by legislation.
98. Mr Laming used business resources to travel from Brisbane to Melbourne on Wednesday 26 June 2019, arriving at 6:35pm. He then took two taxi trips using Cabcharge – the first from the airport to Parkville, where he arrived at 7:47pm, and the second from Parkville to Southbank where he arrived at 9:49pm. Southbank is the location of both the Melbourne Convention Centre, where the Hort Connections conference was held, and the Crown Palladium, which hosted the conference pre-dinner drinks and Gala Dinner. IPEA does not have access to data showing the drop-off address at Southbank but assumes it to be the Crown Palladium, as the Hort Connections program had moved to this venue at 7:00pm.
99. In relation to his travel to Melbourne, Mr Laming has advised *"The purpose of the travel was parliamentary business....attending a Horticulture congress relevant to my parliamentary business. Specifically, I was developing a Birkdale food hub proposal in my electorate"* and *"I was invited by a sponsor to attend the Congress to advance the food hub project"*.
100. During the course of the Assurance Review and the Audit, Mr Laming's account of his participation in the Hort Connections conference has changed in response to IPEA's questioning.
101. After being informed that IPEA was aware he had not arrived at the conference until 9:49pm on Wednesday 26 June 2019, Mr Laming advised:
"The parliamentary grounds for travel to Melbourne was to attend the conclusion of the Gala dinner where all relevant stakeholders would be assembled. This was by arrangement with a Queensland sponsor at a time when formal award presentations had concluded that evening".
102. During the 22 June 2021 meeting with IPEA officials, Mr Laming undertook to provide evidence of the Queensland sponsor and the invitation to present at the Gala dinner. He subsequently

advised, on 30 June 2021, *“the Queensland sponsor of the Hort Connections event is no longer employed with the organisation nor able to correspond on that matter”*.

103. Mr Laming was further pressed on this matter and, on 8 October 2021, advised: *“A Queensland AusVeg representative provided informal information on when, where and who to meet. This was not a formal invitation from that organisation, because I was attending at their suggestion, rather than on their behalf”*. In the same correspondence, Mr Laming advised: *“The sponsor alluded to previously was a Queensland table sponsor at Hort Connections and AusVeg member who had invested significant time in understanding our proposal and its limitations, examining opportunities across the three days of Hort Connect and identifying relevant entities. Importantly they played no formal role in my attendance nor had any authority to. They played no material role in introductions or negotiations because that was not required. I performed the electorate-related meetings without their assistance, apart from being notified when in the evening meetings could commence. No third party played any role in the authorisation, planning or purpose of this journey, nor managed or arranged the activities at Hort Connections 2019.”*
104. Mr Laming’s response of 2 December 2021 to IPEA’s section 53(2) notice includes a transcript of an email purporting to be from a former Growcom CEO and part-time employee of Mr Laming, who advises that it was he who suggested Mr Laming’s attendance at the Conference. The email notes: *“Mr Laming was not a delegate to the conference but took the opportunity to attend as a visitor. I introduced him to a couple of my table guests at the dinner and he then independently worked the room.”*
105. Mr Laming has not responded to IPEA’s request to provide the names of persons who could confirm that he engaged with them on the evening of 26 June 2019 to advance the electorate food hub project.
106. In assessing whether the dominant purpose of Mr Laming’s Brisbane – Melbourne return travel and associated costs was parliamentary business, IPEA notes that the apparent haphazard nature of his attendance arrangements and status as a visitor are inconsistent with the importance he says attached to the event.
107. IPEA considers that if Mr Laming understood his attendance at the event to be crucial, he would have made arrangements that were both more certain and more timely. The function at the Crown Palladium was programmed to run from 7:00pm to 11:00pm. To arrive around 10:00pm, with no guarantee that potential stakeholders would still be in attendance or be disposed to engage with him, does not suggest the event held sufficient significance to be categorised as the dominant purpose of the travel.
108. IPEA notes Mr Laming’s advice that he attended two meetings in Melbourne upon arrival – the first at the Melbourne University Graduate School of Education (which is located in Parkville) and the second at Arthur Roe and Associates, located nearby. In Mr Laming’s words *“These meetings were not the grounds for the journey, but were included once the itinerary was settled to maximise value-for-money”*. IPEA has not been provided with evidence supporting the conduct of these meetings. However, in the absence of any information to the contrary, IPEA accepts Mr Laming’s advice that this taxi trip was for parliamentary business. IPEA notes this single trip was not material to the assessment of the dominant purpose of Mr Laming’s travel to Melbourne overall.

Conclusion

109. IPEA has concluded that the dominant purpose of Mr Laming's travel from Brisbane to Melbourne and return on Wednesday 26 and Thursday 27 June 2019 was not parliamentary business.
110. As Mr Laming did not travel for the dominant purpose of parliamentary business, the travel of his spouse from Melbourne to Hobart on Thursday 27 June 2019 was not consistent with the meaning of *family reunion purposes*, and was therefore inconsistent with the relevant legislative provisions.
111. Mr Laming asserted that his spouse attended the Hort Connections conference only because he was at the same conference in his capacity as a parliamentarian. This assertion is not supported by verifiable evidence. IPEA understands his spouse attended in her own right and for the entirety of the Hort Connections conference. By his own evidence, Mr Laming was only in attendance for the final hour of the dinner that concluded the conference.
112. The intent of travel for *family reunion purposes* (refer to paragraph 39) is that the family of a parliamentarian is able to travel to accompany the parliamentarian when the parliamentarian is travelling for parliamentary business. In the circumstances outlined above, the travel of Mr Laming's spouse was to return home from a conference. IPEA is of the view that it was more probable Mr Laming's travel was to facilitate his spouse's return from the conference at Commonwealth expense and his claiming of expenses was not consistent with his obligation to act in good faith.
113. IPEA notes that even if the dominant purpose of Mr Laming's travel to Melbourne was parliamentary business, the travel of his spouse from Melbourne to Brisbane did not meet the definition of *family reunion purposes*. From verifiable evidence outlined above, their separate attendance patterns at the conference indicate that the travel of Mr Laming's spouse was not, on the whole, *for the dominant purpose of facilitating the family life of the member's family*.
114. In relation to segment three, recoverable expenses total \$4,420.73 including GST and associated fees.

Appendix A – Segment One

Work Expense	Departure Location	Departure Date	Departure Time	Arrival Location	Arrival Date	Arrival Time	Amount (GST excl.)	GST	Cabcharge Service Fee	Amount (GST incl. + Cabcharge Service)
Cabcharge	Ormiston	21/06/2019		Brisbane Airport	21/06/2019	9:16 AM	\$85.95	\$8.60	\$4.73	\$99.28
Travel Provider - Andrew Laming	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider - Mrs Laming	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider – Dependent child	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider – Dependent child	Brisbane	21/06/2019	10:00AM	Hobart	21/06/2019	12:50PM	\$218.71	\$21.87		\$240.58
Travel Provider Avis Rent a Car	Hobart	21/06/2019	12:50 PM	Hobart	24/06/2019	2:05PM	\$362.79	\$36.28		\$399.07
Parliamentarians Travel Allowance – Parliamentary Duties Three nights – Commercial Rate				Hobart	21/06/2019		\$1,071.00			\$1,071.00
Cabcharge	Sandy Bay	22/06/2019		Glebe	22/06/2019	8:00PM	\$9.09	\$0.91	\$1.00	\$11.00

Appendix B – Segment Two

Work Expense	Departure Location	Departure Date	Departure Time	Arrival Location	Arrival Date	Arrival Time	Amount (GST excl.)	GST	Cabcharge Service Fee	Amount (GST incl. + Cabcharge Service)
Travel Provider – Andrew Laming	Hobart	24/06/2019	2:05PM	Melbourne	24/06/2019	3:20PM	\$1,277.27	\$127.73		\$1,405.00
Travel Provider – Andrew Laming	Melbourne	24/06/2019	4:20PM	Canberra	24/06/2019	5:25PM	-	-		-
Parliamentarians Travel Allowance – Parliamentary Duties One night – Canberra Rate				Canberra	24/06/2019		\$288.00			\$288.00
COMCAR	Pialligo	24/06/2019	5:44PM	Acton	24/06/2019	6:32PM	\$110.04			\$110.04
COMCAR	Canberra	24/06/2019	10:55PM	Capital Hill	24/06/2019	11:02PM	\$58.80			\$58.80
Travel Provider – Dependent child	Hobart	24/06/2019	2:05PM	Melbourne	24/06/2019	3:20PM	\$440.52	\$44.05		\$484.57
Travel Provider – Dependent child	Melbourne	24/06/2019	4:10PM	Brisbane	24/06/2019	6:20PM	-	-	-	-
Travel Provider – Dependent child	Hobart	24/06/2019	2:05PM	Melbourne	24/06/2019	3:20PM	\$680.42	\$68.04		\$748.46
Travel Provider – Dependent child	Melbourne	24/06/2019	4:10PM	Brisbane	24/06/2019	6:20PM	-	-	-	-
Cabcharge	Brisbane Airport	24/06/2019		Ormiston	24/06/2019	7:26PM	\$79.32	\$7.93	\$4.36	\$91.61
COMCAR	Capital Hill	25/06/2019	6:15AM	Pialligo	25/06/2019	6:24AM	\$58.80			\$58.80
Travel Provider – Andrew Laming	Canberra	25/06/2019	7:20AM	Brisbane	25/06/2019	9:00AM	\$582.59	\$58.26		\$640.85
COMCAR	Brisbane Airport	25/06/2019	8:51AM	Ormiston	25/06/2019	9:41AM	\$58.80			\$58.80

Appendix C – Segment Three

Work Expense	Departure Location	Departure Date	Departure Time	Arrival Location	Arrival Date	Arrival Time	Amount (GST excl.)	GST	Cabcharge Service Fee	Amount (GST incl. + Cabcharge Service)
Cabcharge	Ascot	26/06/2019		Brisbane Airport	26/06/2019	3:40PM	\$26.82	\$2.68	\$1.48	\$30.98
Travel Provider – Andrew Laming	Brisbane	26/06/2019	4:10PM	Melbourne	26/06/2019	6:35PM	\$1,178.91	\$117.89		\$1,296.80
Cabcharge	Melbourne Airport	26/06/2019		Parkville	26/06/2019	7:27PM	\$71.95	\$7.20	\$3.95	\$83.10
Cabcharge	Parkville	26/06/2019		Southbank	26/06/2019	9:49PM	\$16.27	\$1.63	\$0.89	\$18.79
Parliamentarians Travel Allowance – Parliamentary Duties One night – Commercial Rate				Melbourne	26/06/2019		\$389.00			\$389.00
Cabcharge	City	27/06/2019		Bentleigh	27/06/2019	12:10AM	\$51.45	\$5.15		\$59.43
Travel Provider – Andrew Laming	Melbourne	27/06/2019	10:10AM	Brisbane	27/06/2019	12:20PM	\$1,178.91	\$117.89		\$1,296.80
Travel Provider – Mrs Laming	Melbourne	27/06/2019	10:10AM	Brisbane	27/06/2019	12:20PM	\$1,178.91	\$117.89		\$1,296.80
Cabcharge	Brisbane Airport	27/06/2019		Ascot	27/06/2019	1:03PM	\$27.82	\$2.78		\$32.13
Cabcharge	Alexandra Hills	27/06/2019		Ormiston	27/06/2019	2:11PM	\$20.45	\$2.05	\$1.13	\$23.63
Cabcharge Repayment*							-\$20.45	-\$2.05	-\$1.13	-\$23.63

*IPEA notes that Mr Laming requested to repay the above cabcharge as a result of an IPEA post payment check.

FACT SHEET – STATUTORY AUDIT FUNCTION

October 2020

IPEA audits parliamentarians' work expenses and the travel expenses of their staff under section 12 of the [Independent Parliamentary Expenses Authority Act 2017](#) (IPEA Act). IPEA may make a ruling in relation to travel expenses and allowances under section 37 of the [Parliamentary Business Resources Act 2017](#) (PBR Act).

Preliminary Assessment

A Preliminary Assessment is generally confidential and establishes if further review is necessary.

A Preliminary Assessment is conducted where use of work expense(s) (for example, identified through direct contact, third party reporting or media) indicates a matter requires review.

Preliminary Assessments review information held or accessible by IPEA to determine the threshold question of:

- Has a parliamentary business resource been used?

If the answer is YES, an Assurance Review follows.

Potential pathways:

1. No further action
2. Referral to more appropriate agency
3. Assurance Review

Assurance Review

An Assurance Review determines if there has been a misuse of a parliamentary business resource.

IPEA assesses the use of the parliamentary business resource against the legislative framework to determine:

- Was there misuse?

If the answer is YES, IPEA considers if an Audit, referral or administrative action is appropriate.

An Audit is considered when:

- There is evidence for, or allegations of, systemic or substantial misuse
- IPEA's statutory information-gathering powers may be required to obtain all the required information
- There may be an educative benefit in publishing IPEA's findings.

Referral to the AFP is considered when there is evidence of serious fraud or other criminal conduct.

Potential pathways:

1. No further action
2. Administrative remedial action, including penalty
3. An IPEA initiated Ruling or Audit
4. Referral to the AFP

Audit

An Audit may commence for two main reasons:

1. As the outcome of an Assurance Review
2. As a systematic and comprehensive examination of the use of a specific category of a parliamentary business resource against the legislative framework, potentially by all parliamentarians and/or MOP(S) Act employees.

Where an Audit results from an Assurance Review, the Macquarie Dictionary definitions of these terms are considered:

- Substantial: "of ample or considerable amount, quantity, size etc."
- Systemic: "affecting an organisation, network ... etc as a whole"

Where an educational purpose or benefit is identified, part or all of the Audit may be published. The decision to publish is made on a case-by-case basis.

Potential pathways:

1. No further action
2. Administrative remedial action, including penalty
3. An IPEA initiated Ruling or Audit
4. Referral to the AFP

Post-Payment Checks

Post-Payment Checks are ongoing systematic testing of expense use through regular sampling of transactions. This covers a range of expenses such as:

- business class travel
- short term self-drive hire cars
- accommodation receipts
- desirable destinations
- accompanying family
- travel adjacent to public/school holidays.

Referring to the Australian Federal Police

IPEA may refer a matter to the AFP at any point during the Assessment, Review or Audit process, where compelling prima facie evidence of fraud or other criminal conduct is identified.

Making a Ruling

Rulings are made and finalised by the Members, including where they are, requested by a parliamentarian, recommended by an Assurance Review or Audit.

Website: ipea.gov.au

Phone: (02) 6215 3000

Email: enquiries@ipea.gov.au



Subject: FW: Response

From: Laming, Andrew (MP) §22(1)
Sent: Wednesday, 16 March 2022 1:05 PM
To: Pearson, Nicole §22(1)
Cc: §22(1) (A. Laming, MP) §22(1) <§22(1)@aph.gov.au>
Subject: Response

Dear IPEA,

The assurance process confirmed my Parliamentary activity in both Hobart and Melbourne legs. The Audit of three hotel check-in times disputes no part of my account.

On that basis I continue to publicly justify this entire 2019 journey as benefiting my constituents; namely regional and eye health, boardwalk construction and a food hub on Commonwealth land in Birkdale.

The loss of the 2019 EO-share folder deprived my office of written documentation from this period. This loss pre-dates this process and was beyond our control.

HOBART

All parts of the Tasmania leg involved a form of parliamentary business with the address to RANZCO dominant.

Conference
Convenor §22(1) statements are misrepresented. Evidence of conference speaker registration, Saturday dinner registration, accommodation bookings and flights confirm pre-planning as early as June 12.

As a result of family member illness, multiple commercial accommodation bookings were made in Hobart. My office submitted the initial 3-day booking for simplicity and this accommodation was used. These last minute changes came at no cost to the Commonwealth.

MELBOURNE

The overnight Melbourne journey for the Hort Connections dinner can have no alternative purpose. We reject any assertion that the latter half of a gala dinner is not 'sufficiently parliamentary.' Parliamentarians regularly work such hours, particularly when meeting stakeholders and conducting parliamentary business. The Growcom CEO was statement not 'purported.'

I remain open to a sensible resolution of two taxi fares as agreed last year.

Kind regards,

Andrew Laming

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Pearson, Nicole

From: Laming, Andrew (MP) s22(1)
Sent: Wednesday, 23 March 2022 8:01 PM
To: Pearson, Nicole
Subject: IPEA final

Dear IPEA

Further to the March 16 Hobart/Melbourne audit response, can I confirm;

1. removal the misrepresentation of s22(1)'s testimony,
2. incorporation of the four pieces of objective evidence of Hobart travel pre-planning dating from June 12, 2019.

Should this occur, the dominant purpose of Hobart remains the RANZCO address, with two additional incidental Parliamentary purposes supporting this travel.

The last-minute accommodation changes due to family illness in Tasmania clearly have no impact on cost to the Commonwealth.

Can I also confirm

3. correction that testimony from then GrowCom CEO [REDACTED] is not 'purported.' Audit had ample opportunity to resolve any doubt, of which there is none.
4. that Outlook data loss will be reflected in the document where it was described as having an impact, rather than a passing reference to it on one occasion.

Were this to occur, the latter part of the Hort Connections Conference dinner is the only possible dominant purpose of the leg, as I have consistently maintained. Again two other incidental Parliamentary grounds for the journey were provided for earlier that same evening.

Further, provision of more information when asked additional questions does not represent 'chai consistency' where no contradictions between versions exist.

Constructing subjective conclusions nearly three years after travel, based on ignoring or discounting legitimate Parliamentary purposes and/or discrediting third-party corroboration raises significant concerns. I also question how Parliamentary travel becomes non-dominant years later, with no alternative dominant purpose being identified, and in the case of Melbourne, an alternative dominant purpose being impossible.

In this case, a four-month Audit has failed to verify anything apart from three check-in times that corroborate my version of events. Given grounds for travel have already been publicly justified back in 2020 and both Assurance and Audit have failed to dispute my version, the only reasonable option is to take no further action.

I expect that correction of these errors will be reflected in the final report. I also hope that future assurance processes do not deteriorate into personally derisive descriptors and subjective findings based only on lack of supporting evidence, for which clear grounds exist beyond my control.

My initial Parliamentary purposes for these two legs have now been independently corroborated and remain untrammelled by Assurance and Audit. For that reason, I will be standing by this travel as Parliamentary.

Regards,

Andrew Laming

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Pearson, Nicole

From: Laming, Andrew (MP) s22(1)
Sent: Wednesday, 23 March 2022 8:06 PM
To: Pearson, Nicole; [REDACTED]
Subject: Fwd: IPEA final

Resent without the auto-correct

From: Laming, Andrew (MP) s22(1)
Sent: Wednesday, March 23, 2022 7:00 pm
To: Pearson, Nicole s22(1)
Subject: IPEA final

Dear IPEA

Further to the March 16 Hobart/Melbourne audit response, can I confirm;

1. removal the misrepresentation of [REDACTED] testimony,
2. incorporation of the four pieces of objective evidence of Hobart travel pre-planning dating from June 12, 2019.

Should this occur, the dominant purpose of Hobart remains the RANZCO address, with two additional incidental Parliamentary purposes supporting this travel.

The last-minute accommodation changes due to family illness in Tasmania clearly have no impact on cost to the Commonwealth.

Can I also confirm

3. correction that testimony from then GrowCom CEO [REDACTED] is not 'purported.' Audit had ample opportunity to resolve any doubt, of which there is none.
4. that Outlook data loss will be reflected in the document where it was described as having an impact, rather than a passing reference to it on one occasion.

Were this to occur, the latter part of the Hort Connections Conference dinner is the only possible dominant purpose of the leg, as I have consistently maintained. Again two other incidental Parliamentary grounds for the journey were provided for earlier that same evening.

Further, provision of more information when asked additional questions does not represent 'inconsistency' where no contradictions between versions exist.

Constructing subjective conclusions nearly three years after travel, based on ignoring or discounting legitimate Parliamentary purposes and/or discrediting third-party corroboration raises significant concerns. I also question how Parliamentary travel becomes non-dominant years later, with no alternative dominant purpose being identified, and in the case of Melbourne, an alternative dominant purpose being impossible.

In this case, a four-month Audit has failed to verify anything apart from three check-in times that corroborate my version of events. Given grounds for travel have already been publicly justified back in

2020 and both Assurance and Audit have failed to dispute my version, the only reasonable option is to take no further action.

I expect that correction of these errors will be reflected in the final report. I also hope that future assurance processes do not deteriorate into personally derisive descriptors and subjective findings based only on lack of supporting evidence, for which clear grounds exist beyond my control.

My initial Parliamentary purposes for these two legs have now been independently corroborated and remain untrammelled by Assurance and Audit. For that reason, I will be standing by this travel as Parliamentary.

Regards,

Andrew Laming

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

INDEPENDENT PARLIAMENTARY EXPENSES AUTHORITY*TRAVEL EXPENSES AND ALLOWANCES OF MR ANDREW LAMING MP - 21 JUNE TO 27 JUNE 2019***Chronology of Engagement**

Date	Engagement
1 April 2021	IPEA to Mr Laming advising of Assurance Review, with a response due by COB 7 May 2021.
6 May 2021	Mr Laming to IPEA seeking extension to the response date.
18 May 2021	Mr Laming to IPEA responding to request of 1 April 2021.
8 June 2021	IPEA to Mr Laming requesting meeting on 22 June 2021.
10 June 2021	IPEA to Mr Laming outlining matters to be discussed at the meeting.
11 June 2021	Mr Laming to IPEA responding to request of 10 June 2021.
16 June 2021	IPEA to Mr Laming confirming meeting time and location.
22 June 2021	IPEA met with Mr Laming.
29 June 2021	IPEA to Mr Laming to confirm the matters discussed in the meeting and outline the additional information Mr Laming indicated he would provide.
30 June 2021	Mr Laming to IPEA responding to request of 29 June 2021.
3 August 2021	IPEA to Mr Laming requesting additional information, with a response due by 13 August 2021.
3 August 2021	Mr Laming to IPEA responding to request of 3 August 2021 (three separate responses).
16 August 2021	Mr Laming to IPEA responding to request of 3 August 2021 (fourth response).
31 August 2021	IPEA to Mr Laming requesting additional information, with a response due by 13 September 2021. It was subsequently found that as a result of technical issues Mr Laming did not receive this correspondence.
14 September 2021	Mr Laming to IPEA advising correspondence not received.
16 September 2021	IPEA to Mr Laming sending a hard copy of request of 31 August. Contents of 31 August letter also emailed to Mr Laming.
17 September 2021	Mr Laming to IPEA requesting copies of information previously provided to IPEA and advising that a response would be ready the following week.
21 September 2021	Mr Laming to IPEA confirming receipt of request of 31 August 2021. Issues with email correspondence rectified.
27 September 2021	Mr Laming to IPEA requesting extension to the response date.
6 October 2021	Mr Laming to IPEA requesting further extension to the response date.
6 October 2021	IPEA to Mr Laming agreeing to a response date of 8 October 2021.
7 October 2021	Mr Laming to IPEA advising that he would provide a response by COB 11 October 2021.
8 October 2021	Mr Laming to IPEA responding to request of 31 August 2021.
13 October 2021	Mr Laming to IPEA providing further information.
5 November 2021	IPEA to Mr Laming informing him of commencement of audit.
8 November 2021	IPEA to Mr Laming with questions in relation to the audit, with a response due by 22 November 2021.
9 November 2021	IPEA to Mr Laming confirming receipt of the email.
25 November 2021	IPEA to Mr Laming seeking information under section 53 of the IPEA Act.
25 November 2021	Mr Laming to IPEA acknowledging the reminder.
25 November 2021	IPEA to Mr Laming to advise that the section 53 notice supersedes the previous request.
2 December 2021	Mr Laming to IPEA responding to request of 25 November 2021.

6 December 2021	IPEA to Mr Laming noting that he had not properly responded to the request of 25 November 2021 and requesting he provide this by 9 December 2021.
6 December 2021	Mr Laming to IPEA confirming information previously provided.
8 December 2021	IPEA to Mr Laming seeking confirmation that the responses of 2 December and 6 December 2021 were his personal responses.
13 December 2021	Mr Laming to IPEA confirming that all correspondence had been authorised by him.
3 March 2022	IPEA to Mr Laming enclosing draft audit report and inviting comments.
16 March 2022	Mr Laming to IPEA responding to request of 3 March 2022.
16 March 2022	IPEA to Mr Laming confirming receipt of the email.
23 March 2022	Mr Laming to IPEA responding further to request of 3 March 2022.
23 March 2022	Mr Laming to IPEA responding further to request of 3 March 2022.
23 March 2022	IPEA to Mr Laming confirming receipt of the emails.



Australian Government
Independent Parliamentary
Expenses Authority

Protocol—Dealing with Allegations of Misuse of Parliamentary Work Expenses

The Independent Parliamentary Expenses Authority (IPEA) was established to provide greater accountability and transparency of the Parliamentary Work Expenses Framework (the Framework). IPEA provides assurance that parliamentarians' work resources and *Members of Parliament (Staff) Act 1984* (MOP(S) Act) employees' travel resources are spent in compliance with the Framework.

IPEA deals with possible misuse of work or travel resources at arm's length from Government. The *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act) provides legislative powers for the auditing and reporting of parliamentarians' work and travel resources and MOP(S) Act travel resources.

When IPEA becomes aware of information that indicates possible non-compliance with the Framework, IPEA may conduct a preliminary assessment. The assessment scrutinises the use of the work or travel resource and determines if a parliamentary business resource has been used.

Possible misuse

In the event of possible misuse, IPEA decides whether to undertake an assurance review or audit of the matter. IPEA does not undertake assurance reviews or audits at the request of parliamentarians or MOP(S) Act employees.

- Under the IPEA Act, IPEA may audit any parliamentarian's work or travel resource or MOP(S) Act travel resource as it considers appropriate.
- IPEA may conduct an assurance review where a preliminary assessment indicates that a Commonwealth resource was used for a parliamentarian's work expense or MOP(S) Act employee's travel expense.
- IPEA may conduct an audit where there are allegations of systemic or substantial misuse of work expenses or where there is an educative benefit.
- An audit may also be a systematic and comprehensive examination of the use by all parliamentarians and/or MOP(S) Act employees of a specific category of work expense.
- The Members of the Authority or the Chief Executive Officer may issue a notice requiring a person to provide information that is relevant to an audit by IPEA, as provided for under Part 5 of the IPEA Act. Criminal penalties apply for failure to comply with a notice, or for providing false or misleading information.
- In the event of an audit, the parliamentarian or MOP(S) Act employee is accorded procedural fairness to provide comment on any findings.

Members of the Authority decide whether a matter is referred to the Australian Federal Police (AFP)

- The Minister responsible for the AFP and the Minister responsible for the Framework are notified of a referral to the AFP.

Publication of audits

- Members of the Authority decide whether, or not, to publish their decision(s).

As approved by the Members of the Authority: October 2020



Ruling 01/2022 - Section 37 of the *Parliamentary Business Resources Act 2017*

Ruling

The Independent Parliamentary Expenses Authority (IPEA) determines that the travel expenses incurred by Mr Andrew Laming MP:

- for travel between Brisbane and Hobart and within Tasmania between 21 June 2019 and 24 June 2019; and
- for travel between Brisbane and Melbourne and return on 26 June 2019 and 27 June 2019

were not incurred for the dominant purpose of conducting his parliamentary business and that his use of public resources contravened section 26 of the *Parliamentary Business Resources Act 2017* (PBR Act).

Background

On 5 November 2021, IPEA commenced an audit of work expenses and allowances, and the use of family travel costs of Mr Laming for the period 21 June 2019 to 27 June 2019 (Audit report of 24 March 2022). For the purpose of the audit, Mr Laming's expenses over this period were divided into three segments:

- expenses incurred for travel between Brisbane and Hobart and within Tasmania between 21 June 2019 and 24 June 2019.
- expenses incurred for travel between Hobart, Canberra and Brisbane between 24 June 2019 and 25 June 2019.
- expenses incurred for travel between Brisbane, Melbourne, and return, and within Melbourne between 26 June 2019 and 27 June 2019.

The threshold consideration in relation to each segment was whether the dominant purpose of Mr Laming's travel was parliamentary business. This is a key determinant in assessing whether associated family travel is consistent with the provisions of the legislative framework.

Assessment

An assessment of all work expenses within scope of the audit is set out in the attached audit report. This assessment was based on:

- direct communication with, and information provided by Mr Laming;
- publicly available material;
- internal records held by IPEA;
- records and information held by third parties;
- travel bookings records maintained by IPEA's external service provider; and
- information received in response to notices under section 53 of the *Independent Parliamentary Authority Act 2017*.

For the reasons set out in the attached audit report, IPEA found:

- the dominant purpose of Mr Laming's travel from Brisbane to Hobart on 21 June 2019 was not parliamentary business.
- expenses incurred by Mr Laming on 24 and 25 June 2019 in relation to travel from Hobart to Canberra and Canberra to Brisbane were for the dominant purpose of parliamentary business.
- the dominant purpose of Mr Laming's travel from Brisbane to Melbourne and return on 26 and 27 June 2019 was not parliamentary business.

Notwithstanding the findings of the audit, Mr Laming has maintained his position that the dominant purpose of all his travel within scope was parliamentary business.

Subsection 37(1) of the PBR Act provides that IPEA may make a ruling that:

... conduct engaged in by a particular member or any other person in relation to travel expenses of, or travel allowances for, the member, was not in accordance with this Act and as a result of the conduct, the member contravenes section 26, 27 or 28.

Loading penalty

The total value of expenses that were found to be inconsistent with the relevant legislative provisions, inclusive of GST and service fees, is \$8,288.04.

Subsection 38(4) of the PBR Act provides that if the Commonwealth provides public resources to a member and the member contravenes section 26, 27 or 28 in relation to the resources, then:

The member is liable to pay the Commonwealth, by way of penalty for the contravention of section 26, 27 or 28, an amount equal to 25% of the amount to which this section applies.

IPEA has no discretion whether to apply this loading as it arises automatically as a result of the operation of section 38. Mr Laming is therefore liable to pay the Commonwealth 25% of the expenses that have been found to be inconsistent with the relevant legislative provisions, that is 25% of \$8,288.04 or \$2,072.01.

Amount due to the Commonwealth

The total amount that Mr Laming needs to repay to the Commonwealth is the amount of \$8,288.04 and the loading penalty of \$2,072.01 i.e a total of \$10,360.05.

I 
Independent Parliamentary Expenses Authority

March 2022



Tax Invoice

ABN: 264 247 815 30

To: Andrew Laming MP**

s22(
1)

Invoice Reference: 1444383

Invoice Date: 24 Mar 2022

From: Independent Parliamentary Expenses Authority
One Canberra Avenue
FORREST ACT 2603

Contact Officer: Travel Advice and Support
Contact Phone: (02) 6215 3000

Recovery of Travel Expenses between 21 & 27 Jun 19

Description	Qty	Net Amount	GST Amount	Gross Amount
Recovery of Cabcharge 21 Jun 19	1	\$85.95	\$8.60	\$94.55
Recovery of Cabcharge (service fee) 21 Jun 19	1	\$4.73	\$0.00	\$4.73
Recovery of Cabcharge 22 Jun 19	1	\$9.09	\$0.91	\$10.00
Recovery of Cabcharge (service fee) 22 Jun 19	1	\$1.00	\$0.00	\$1.00
Recovery of Cabcharge 24 Jun 19	1	\$79.32	\$7.93	\$87.25
Recovery of Cabcharge (service fee) 24 Jun 19	1	\$4.36	\$0.00	\$4.36
Recovery of Cabcharge 26 Jun 19	1	\$26.82	\$2.68	\$29.50
Recovery of Cabcharge (service fee) 26 Jun 19	1	\$1.48	\$0.00	\$1.48
Recovery of Cabcharge 27 Jun 19	1	\$27.82	\$2.78	\$30.60
Recovery of Cabcharge (service fee) 27 Jun 19	1	\$1.53	\$0.00	\$1.53
Recovery of Airfare 21 Jun 19	1	\$218.71	\$21.87	\$240.58
Recovery of Airfare 26 Jun 19	1	\$1,178.91	\$117.89	\$1,296.80
Recovery of Airfare 27 Jun 19	1	\$1,178.91	\$117.89	\$1,296.80
Recovery of Hire car between 21 Jun and 24 Jun 19	1	\$362.79	\$36.28	\$399.07
Recovery of Airfare 21 Jun 19	1	\$218.71	\$21.87	\$240.58

Continues on next page

Page 1 of 2

Recovery of Airfare 27 Jun 19	1	\$1,178.91	\$117.89	\$1,296.80
Recovery of Airfare 21 Jun 19	1	\$218.71	\$21.87	\$240.58
Recovery of Airfare 24 Jun 19	1	\$440.52	\$44.05	\$484.57
Recovery of Airfare 21 Jun 19	1	\$218.71	\$21.87	\$240.58
Recovery of Airfare 24 Jun 19	1	\$680.42	\$68.04	\$748.46
Recovery of Cabcharge 26 Jun 19	1	\$16.27	\$1.63	\$17.90
Recovery of Cabcharge (service fee) 26 Jun 19	1	\$0.89	\$0.00	\$0.89
Recovery of Cabcharge 27 Jun 19	1	\$51.45	\$5.15	\$56.60
Recovery of Cabcharge (service fee) 27 Jun 19	1	\$2.83	\$0.00	\$2.83
25 per cent penalty loading between 21 Jun and 27 Jun 19	1	\$2,072.01	\$0.00	\$2,072.01
			GST Total	\$619.20
			Gross Total	\$8,900.05

Payment due by close of business Monday 28 March 2022



1. Payment by Credit Card

Complete the following and return by mail or phone Travel Advice and Support with your credit card details.

- ☐ Visa
- ☐ MasterCard

Card No

Expiry Date

 /

 CVV

Cardholder

Amount \$

Signature

2. Payment by Direct Debit

IPEA Admin Receipts Account.

s22(1)

Reference:
 Invoice Ref: OF1444383

3. Mailing your payment

All cheques and money orders made payable to Independent Parliamentary Expenses Authority.

Mail payment together with this stub to:

Independent Parliamentary Expenses Authority
 One Canberra Avenue
 FORREST ACT 2603

Invoice Date: 24 Mar 2022
 Tax Invoice No: OF1444383
 SAP Supplier ID: 0077252484



Tax Invoice

ABN: 264 247 815 30

To: Mr Andrew LAMING MP
[Redacted]
[Redacted] ce of Mr Andrew Laming MP

Invoice Reference: 9619513
Invoice Date: 24 Mar 2022

From: Independent Parliamentary Expenses Authority
One Canberra Avenue
FORREST ACT 2603

Contact Officer: Travel Advice and Support
Contact Phone: (02) 6215 3000

#215386 Travel - TA - Parliamentary Duties (ATTA12)

Description	Qty	Net Amount	GST Amount	Gross Amount
Recovery of Travel - TA - Parliamentary Duties (ATTA12)	3	\$1,071.00	\$0.00	\$1,071.00
			GST Total	\$0.00
			Gross Total	\$1,071.00

Payment due by close of business Monday 28 March 2022



1. Payment by Credit Card

Complete the following and return by mail or phone Travel Advice and Support with your credit card details.

- ☐ Visa
☐ MasterCard

Card No	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Expiry Date	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	CVV	<input type="text"/>	<input type="text"/>	<input type="text"/>										
Cardholder	<input type="text"/>																		
Amount \$	<input type="text"/>																		
Signature	<input type="text"/>																		

2. Payment by Direct Debit

IPEA Admin Receipts Account.

\$22(1)
[Redacted]

Reference:
Invoice Ref: TA215386(2)

3. Mailing your payment

All cheques and money orders made payable to Independent Parliamentary Expenses Authority.

Mail payment together with this stub to:

Independent Parliamentary Expenses Authority
One Canberra Avenue
FORREST ACT 2603

Invoice Date: 24 Mar 2022
Tax Invoice No: TA215386(2)
SAP Supplier ID: 0077252484



Tax Invoice

ABN: 264 247 815 30

To: Mr Andrew LAMING MP
Office of Mr Andrew Laming MP

Invoice Reference: 9619519
Invoice Date: 24 Mar 2022

From: Independent Parliamentary Expenses Authority
One Canberra Avenue
FORREST ACT 2603

Contact Officer: Travel Advice and Support
Contact Phone: (02) 6215 3000

#215385 Travel - TA - Parliamentary Duties (ATTA12)

Description	Qty	Net Amount	GST Amount	Gross Amount
Recovery of Travel - TA - Parliamentary Duties (ATTA12)	1	\$389.00	\$0.00	\$389.00
			GST Total	\$0.00
			Gross Total	\$389.00

Payment due by close of business Monday 28 March 2022



1. Payment by Credit Card

Complete the following and return by mail or phone Travel Advice and Support with your credit card details.

- ☐ Visa
☐ MasterCard

Card No	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Expiry Date	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	CVV	<input type="text"/>	<input type="text"/>	<input type="text"/>										
Cardholder	<input type="text"/>																		
Amount \$	<input type="text"/>																		
Signature	<input type="text"/>																		

2. Payment by Direct Debit

IPEA Admin Receipts Account.

\$22(1)

Reference:
Invoice Ref: TA215385(2)

3. Mailing your payment

All cheques and money orders made payable to Independent Parliamentary Expenses Authority.

Mail payment together with this stub to:

Independent Parliamentary Expenses Authority
One Canberra Avenue
FORREST ACT 2603

Invoice Date: 24 Mar 2022
Tax Invoice No: TA215385(2)
SAP Supplier ID: 0077252484

s22(1)

From: Godwin, Annwyn
Sent: Tuesday, 29 March 2022 5:50 PM
To: Pearson, Nicole
Subject: FW: Final audit report and ruling - Mr Andrew Laming MP [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Nicole

Advice please. Regards, Annwyn

Annwyn Godwin

Chief Executive Officer
 Independent Parliamentary Expenses Authority
 One Canberra Avenue, Forrest ACT 2603

s22(1)

W: www.ipea.gov.au

SEC=OFFICIAL

From: Laming, Andrew (MP)
Sent: Tuesday, 29 March 2022 5:37 PM
To: Godwin, Annwyn
Cc: s22(1)
Subject: RE: Final audit report and ruling - Mr Andrew Laming MP [SEC=OFFICIAL]

Thank you.

Will the series of questions I put to IPEA in parallel to this document be responded to?

This includes

- Grounds for misrepresenting s22(1) who provided a clarification by email yesterday that the 'last minute' comment refers to a June 11 conversation with all attendance arrangements made the following day. That is utterly reasonable pre-planning for a conference address.
- Omission of four pieces of evidence in IPEA's possession in order to allow the 'last minute' comment to stand, and in so doing cultivate an adverse decision that addressing a conference was insufficiently dominant (whatever that means).
- Why an Audit taking three months fails to clarify that s22(1)'s email is neither purported or unverified? Was this omission intentional or accidental, given I notified IPEA prior to deadline.
- Why after contacting s22(1) back in December, why it required a further 10 weeks to do nothing more than confirm three hotel check-in times which in no way conflicted with my account? I can only confirm additional scrutiny did occur but it corroborated my account and therefore undermined the desired conclusion.

Not an impressive performance to be frank, and I want to politely signal that I will be critical of the document. That should not prevent the following questions being answered.

Andrew

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.



Australian Government
Independent Parliamentary
Expenses Authority

30 March 2022

Mr Andrew Laming MP
Member for Bowman, Queensland
s22(1)

Email: s22(1)

Dear Mr Laming

Audit of Travel Expenses and Allowances

Thank you for your email dated 29 March 2022.

Having noted and considered the comment and information provided in that email, together with your emails of 16 and 23 March 2022, the Audit Report of 24 March stands.

The Ruling by the Members of the Authority of March 2022, which determined that specified expenses incurred by you were not incurred for the dominant purpose of conducting parliamentary business, also stands.

Yours sincerely

s22(1)

Annwyn Godwin
Chief Executive Officer
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

From: Laming, Andrew (MP) s22(1)
Sent: Wednesday, 30 March 2022 2:31 PM
To: Godwin, Annwyn
Cc: Assurance
Subject: Re: Correspondence to Mr Andrew Laming MP from IPEA CEO
[SEC=OFFICIAL:Sensitive]

Thank you,
Unrelated to the Audit which obviously and deliberately omitted these matters in order to cultivate an adverse outcome, are you able to arrange a formal response to these specific and thoroughly reasonable questions, or not?

From: s22(1) on behalf of Godwin, Annwyn
Sent: Wednesday, March 30, 2022 2:25:20 PM
To: Laming, Andrew (MP)
Cc: Assurance
Subject: Correspondence to Mr Andrew Laming MP from IPEA CEO [SEC=OFFICIAL:Sensitive]
SEC=OFFICIAL:Sensitive

Good afternoon Mr Laming
Please see attached correspondence from Ms Annwyn Godwin IPEA CEO.
Your sincerely

s22(1)

Executive Officer to the CEO, Annwyn Godwin
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

W: www.ipea.gov.au & www.ipea.gov.au/ed

SEC=OFFICIAL:Sensitive**Be careful with this message**

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.



Australian Government
Independent Parliamentary
Expenses Authority

6 April 2022

Mr Andrew Laming MP
Member for Bowman, Queensland
s22(1)

Email: s22(1)

Dear Mr Laming

Audit of Travel Expenses and Allowances

I note your email dated 30 March 2022. As advised in my letter of that date, the Audit Report of 24 March 2022 stands.

IPEA now regards this matter as closed. Any further correspondence from you in relation to this Audit will be read and placed on file, however you may not receive a response.

Yours sincerely

s22(1)

Annwyn Godwin
Chief Executive Officer
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

From: Pearson, Nicole
Sent: Thursday, 14 July 2022 1:21 PM
To: s22(1)
Subject: FW: CEO correspondence [SEC=OFFICIAL]

SEC=OFFICIAL

Please discuss

Kind regards

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

W: www.ipea.gov.au & www.ipea.gov.au/ed

SEC=OFFICIAL

From: Godwin, Annwyn s22(1)
Sent: Thursday, 14 July 2022 12:34 PM
To: Pearson, Nicole s22(1)
Cc: Frost, Michael s22(1)
Subject: FW: CEO correspondence [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Nicole

Please confirm that the dot point information forwarded by Mr Laming is included in his previous correspondence for consideration by the independent assessor. If not, please arrange for relevant material to be provided to Mr Frost.

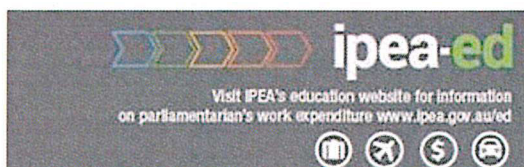
Regards, Annwyn

Annwyn Godwin

Chief Executive Officer
Independent Parliamentary Expenses Authority
One Canberra Avenue, Forrest ACT 2603

s22(1)

W: www.ipea.gov.au



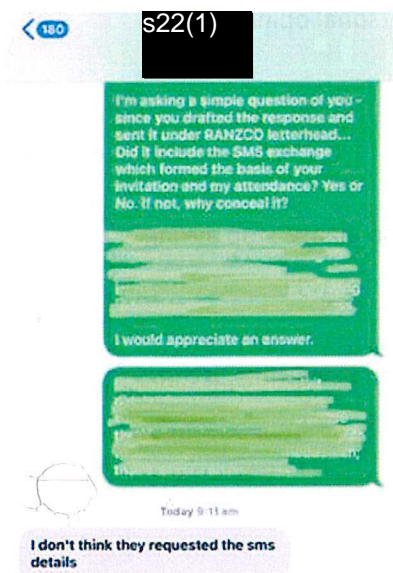
From: Andrew Laming s22(1)
Sent: Friday, 8 July 2022 4:41 AM
To: Godwin, Annwyn s22(1)
Cc: s22(1)
Subject: Audit in tatters

This represents a final opportunity to rectify clear and deliberate Audit omissions that led to the fabrication of an adverse decision in the 2019 Hobart/Melbourne travel matter.

Thanks to IPEA failing to redact s22(1) name from the FOI material, it is evident his conduct included removal of the following relevant factual material from assessment.

- June 12, 2019 non-refundable accommodation bookings indicating satisfactory pre-planning of the Parliamentary address to the Hobart Congress- in IPEA possession, removed from final Audit.
- June 12 flights to attend the conference- - in IPEA possession via FCM, omitted from final Audit.
- ✓ ▪ June 12 registration for the conference- - in IPEA possession, omitted from final Audit.
- June 12 registration for the Saturday evening event- - in IPEA possession, and confirmed with a single phone call to Conference Partners.

Yesterday, s22(1) indicated the SMS communications with me arranging the Parliamentary address which I had no access to, were not obtained under IPEA information gathering powers because s22(1) neglected to 'request the sms details.'



This now leaves the 2021 Audit frolic in tatters. It also explains the rush to a new Assurance process as a smokescreen.

Thankfully s22(1) can provide what IPEA neglected to obtain; SMS messages that my arrangements with him were initiated at the earliest possible opportunity, just 10 days after return of 2019 Election writs and release of the 46th Parliamentary sitting calendar by the Whips.

s22(1) is cherry-picking of subjective phraseology in the RANZCO correspondence will never stand up to any form of independent scrutiny. It is also evident that these two phrases (squeezed in and last minute) formed the basis of overruling the entire journey. The Audit was both sloppy, opportunistic, and limited to as little inquiry as possible in order to fabricate the desired outcome. The three unremarkable hotel check-in times forming the remainder of the Audit were completely consistent with my accounts.

Inventing an opinion about what is Parliamentary is alarming enough. Omitting factual material in order to achieve it is utterly unacceptable. This was pointed out to you at the first available opportunity and my valid concerns were ignored.

Thanks to my FOI, it is now clear that for two full years, the only concern with this travel was a duplicated Tasmania to Melbourne flight bookings. I was only aware of this when s22(1) made the bizarre claim in my Parliamentary office two years later when he claimed I 'wasted taxpayer funds.' The four Jetstar Launceston to Melbourne legs cost just \$96 each. They were either non-refundable or subject to a \$60 cancellation fee. This was a matter for FCM when dealing with my itinerary change, not the Parliamentarian. Value for money was the reason I didn't book four \$896 business class fares for this travel.

So instead of contacting me, FCM or even Jetstar to understand the situation s22(1) opted for an Assurance review on the day baseless media allegations surfaced, all of which are now subject to what will be successful defamation action in the Federal Court.

I could also have explained to s22(1) if he had alerted me to his concern at the appropriate time in 2020 that the Independent Schools Tasmania meeting was switched from Friday 21 June to Monday 24 June; leading to,

- the necessary itinerary change to fly out of Hobart instead of Launceston,
- the field visits to central Tasmania requiring twice as much driving as initially planned in order to 'loop back' to Hobart, and
- the first night of the non-refundable accommodation unsuitable.

This entire variation in the itinerary amounted to zero net cost to the Commonwealth, apart from a possible \$36 net refund loss from Jetstar, assuming FCM had been able to secure it. Throughout the entire 12-month process, there was simply no interest in my version of events, not a syllable of which has ever been found to be inaccurate. This left s22(1) with only one option; assessing my activity as insufficiently Parliamentary from his personal opinion. You will be held responsible for his actions.

Further communication on these matters is now clearly futile, so I make the following points.

- These March 2022 Audit conclusions are now exposed as hopelessly flawed.
 - They will be independently assessed at the time of my choosing, not yours.
- I have no confidence in your actions and decline to sign the related quarterly reports, so please stop asking.
- Any invoices raised are of no concern.

Your refusal to address these factual omissions the appropriate time was either indolent or at worst vindictive. Your sustained and obdurate refusal to do so despite my reasonable requests may amount to contemptible, if not corrupt conduct.

Any privacy or confidentiality provisions with this communication is waived.

From: Assurance <Assurance@ipea.gov.au>

Sent: Thursday, 7 July 2022 3:35 PM

To: s22(1)

Subject: Re: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Mr Laming

Thank you for your response.

Please find **attached** further correspondence from the Independent Parliamentary Expenses Authority in relation to this matter.

It is important that you read the correspondence and respond.

Should you wish to discuss this matter, please do not hesitate to contact me on s22(1) or at assurance@ipea.gov.au.

O

Yours sincerely

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority

s22(1)

SEC=OFFICIAL

From: Andrew Laming s22(1)
Sent: Friday, 1 July 2022 1:28 PM
To: Assurance <Assurance@ipea.gov.au>
Cc: Assurance <Assurance@ipea.gov.au>
Subject: Re: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

The previous Audit was a fabricated conclusion, arrived at by omitting hard copy evidence in IPEA's possession from the final report.

This was pointed out in the draft stage and IPEA bizarrely elected to evade those constructive queries.

The entirety of the Audit turned on the omissions.

It is also clear that the process was activated two years later for political purposes, just 48 hours after adverse media; all of which has been found to be baseless.

I won't be bullied into dropping concerns regarding IPEA conduct by the immediate opening a new process.

The March 2022 Audit is now subject to appeal and I again ask IPEA to account for why the following evidence of Parliamentary travel to the Hobart conference address as early as June 11 2019 was excluded from Audit:

- conference registration, evening event booking, flight bookings, non-refundable accommodation bookings and hard copy invitation to attend, available from the convenor upon request.

Get [Outlook for iOS](#)

From: Assurance <Assurance@ipea.gov.au>
Sent: Friday, July 1, 2022 12:51:36 PM
To: s22(1)
Cc: Assurance <Assurance@ipea.gov.au>
Subject: RE: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Mr Laming

Thank you for your response.

Please find **attached** further correspondence from the Independent Parliamentary Expenses Authority in relation to this matter.

It is important that you read the correspondence and respond.

Should you wish to discuss this matter, please do not hesitate to contact me on s22(1) or at assurance@ipea.gov.au.

Yours sincerely

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
s22(1)

SEC=OFFICIAL

From: Andrew Laming s22(1)
Sent: Friday, 20 May 2022 10:03 AM
To: Assurance <Assurance@ipea.gov.au>
Cc: Assurance <Assurance@ipea.gov.au>
Subject: HPE CM: Re: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

Thank you.
Please accept yesterday's response as my final correspondence regarding this matter.

Get [Outlook for iOS](#)

From: Assurance <Assurance@ipea.gov.au>
Sent: Friday, May 20, 2022 9:54:14 AM
To: Andrew Laming s22(1)
Cc: Assurance <Assurance@ipea.gov.au>
Subject: RE: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Mr Laming
Thank you for your response. Please find **attached** further correspondence from the Independent Parliamentary Expenses Authority in relation to this matter.
Should you wish to discuss this matter, please do not hesitate to contact me on (02) 6215 3000 or at assurance@ipea.gov.au.
Yours sincerely

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
T: 02 6215 3000 | E: s22(1)

SEC=OFFICIAL

From: Andrew Laming s22(1)
Sent: Thursday, 19 May 2022 2:16 PM
To: Assurance <Assurance@ipea.gov.au>
Subject: Re: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

Dear IPEA,

The Sydney leg (5,6/4/2022) comprised meetings in a Parliamentary capacity with the Australian Society of Ophthalmologists. The Melbourne leg encompassed vehicle travel to a two-day event (8,9/4/2022) in regional Victoria in my electorate capacity, given my involvement through Stronger Communities funding in re-establishing post-COVID, a successful model for a similar regional community event in Bowman. The dependents' return travel

was accompaniment/facilitation of family life. Additional incidental meetings were held in both locations and I am prepared to publicly justify the benefits and value for money of the journey.

O

My current priority remains obtaining independent assessment of the 2019 IPEA travel assurance/audit decision.

From: Assurance <Assurance@ipea.gov.au>
Sent: 18 May 2022 10:44
To: s22(1)
Cc: Assurance <Assurance@ipea.gov.au>
Subject: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Mr Laming,

Please find **attached** correspondence from the Independent Parliamentary Expenses Authority in relation to travel you have undertaken.

Should you wish to discuss this matter, please do not hesitate to contact me on (02) 6215 3000 or assurance@ipea.gov.au.

Yours sincerely

Nicole Pearson
Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
T: 02 6215 3000 | E: s22(1)

SEC=OFFICIAL

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Independent Assessment**July 2022**

Independent Parliamentary Expenses Authority (IPEA)

Audit Report and **Ruling 01/2022** - dated 24 March 2022

Mr Andrew Laming (former MP, Member for Bowman)

Travel Expenses and Allowances for the period 21 June to 27 June 2019

Assessor - Michael Frost, Branch Manager (SES Band 1), Corporate, Governance and Strategy.

Decision

I have concluded that the Audit Report and Ruling 01/2022 did not ignore, omit or dismiss information, as indicated by Mr Andrew Laming in his email to IPEA of 8 July 2022. As such, it is my assessment that the information provided by Mr Laming does not change the outcome or findings of the Audit Report or Ruling.

Assessment

On 13 July 2022, the CEO of IPEA requested an Independent Assessment be conducted on the above listed Audit Report and Ruling. This request was made following correspondence to IPEA from Mr Andrew Laming, former Federal Member for Bowman of 8 July 2022.

As part of the Independent Assessment I am required to determine whether Section 37, (5a) of the *Parliamentary Business Resources Act 2017* has been met.

The *Parliamentary Business Resources Act 2017* Section 37 provides;

Effect of ruling

- (4) *A ruling given in relation to a member is, subject to subsection (5), conclusive evidence of the matters stated in the ruling.*
- (5) *A ruling given in relation to conduct engaged in by a member or any other person ceases to be conclusive evidence of the matters stated in the ruling to the extent that:*
 - (a) *the contrary is established by the member*

Background

IPEA was established in April 2017. Under its legislation IPEA administers travel related work expenses and conducts assurance and audit functions related to those expenses. IPEA responds to potential misuse of parliamentary work expenses in accordance with its Statutory Audit Function and Protocol 'Dealing with misuse of parliamentary work expenses'. Both are available at the IPEA website www.ipea.gov.au.

The Audit Report relates to travel related work expenses incurred under the *Parliamentary Business Resources Act 2017* (PBR Act) framework. The PBR Act provides a principles based approach for parliamentarians to incur travel related expenses, for the dominant purpose of parliamentary business.

Summary

In 2020, IPEA undertook routine checking of travel related transactional data for a range of parliamentarians. Following these checks, IPEA conducted a preliminary assessment of travel undertaken by Mr Laming, for the period 21-27 June 2019.

In accordance with IPEA's protocol for dealing with misuse of parliamentary work expenses, an assurance review and audit was conducted for all travel expenses incurred by Mr Laming for this period. The assurance review and audit related to travel undertaken by Mr Laming and his family between Brisbane, Melbourne, and Hobart return.

Further details regarding the Commonwealth funded travel undertaken by Mr Laming and his family during the period 21 June 2019 and 27 June 2019 can be found in the Audit Report. Mr Laming has not disputed the detail of the actual travel undertaken by himself or his family during this period.

As such, in making my assessment, details of the travel are not in dispute.

The review focuses specifically on the claims made in Mr Laming's most recent email correspondence of 8 July 2022 and how those claims relate to the Audit Report and Ruling.

On balance when assessing the travel details and itinerary for Mr Laming and his family during the period 21 and 27 June 2019, it is my view that Mr Laming's account of his invitation to events or attendance at events, and the actual documented activity undertaken by Mr Laming is inconsistent.

IPEA provided extensive correspondence to Mr Laming seeking to obtain clarification of events or additional information in relation to his travel and activities as part of the audit. I am of the opinion that, consistent with the Audit Report and Ruling, Mr Laming has not met his obligations under the *Parliamentary Business Resources Act 2017*.

Recent Correspondence

The email from Mr Laming to IPEA on 8 July 2022 states as a *'this represents a final opportunity to rectify clear and deliberate Audit omissions that led to the fabrication of an adverse decision in the 2019 Hobart/Melbourne travel matter.'*

The email further states that IPEA conduct included the 'removal of the following relevant factual material from assessment':

- June 12, 2019 non-refundable accommodation bookings indicating satisfactory pre-planning of the Parliamentary address to the Hobart Congress- in IPEA removed from final Audit.

- June 12 flights to *attend* the conference- - in IPEA possession via FCM, omitted from final Audit.
- June 12 registration to the conference- - in IPEA possession, omitted from final Audit.
- June 12 registration for the Saturday evening event- - in IPEA possession, and confirmed with a single phone call to Conference Partners.
- Mr Laming also states in his email that s22(1) (an organiser of the conference in Hobart that forms part of the Audit Report) indicated to him that 'SMS communications with him arranging the Parliamentary address were not obtained by IPEA as part of their information gathering powers because IPEA did not ask for SMS details'.

Response

(a) Based on the information at hand, there is no evidence that IPEA deliberately omitted information from the Audit or Ruling as referenced by Mr Laming.

(b) At numerous stages throughout the process, Mr Laming had ample opportunity to provide additional information regarding the full details of the conference attendance and associated travel arrangements.

(c) In regards to 'text or SMS' messages between Mr Laming and s22(1) I am of the view that the request for information by IPEA using their 'information gathering powers' included any and all information available to s22(1) regarding this matter.

(d) The additional information listed by Mr Laming relates to *planning* documentation and information rather than the details of the *actual activity* undertaken. As such, the information provided does not change the outcome of the audit.

Conclusion

It is my view, after analysing all of the available documentation, that the Audit was undertaken consistent with the relevant legislation mandated to IPEA. This includes extensive correspondence and liaison with Mr Laming and stakeholders across the period of the audit.

In his email dated 8 July 2022, Mr Laming contends planning and discussion of 12 June 2019 provides confirmatory evidence to satisfy the definition of '*dominant purpose of parliamentary business*' for the travel undertaken in the period. In considering and weighing up the information before me, the information referenced by Mr Laming has not materially influenced or changed the outcome of the Audit or Ruling.

Further, in my view, IPEA took all available information into account and did not take into account any irrelevant considerations. My final assessment is consistent with the findings of the Audit Report and the Ruling made by the Members of the Authority (Ruling 01/2022) under Section 37 of the PBR Act.

Michael Frost
Branch Manager, Corporate, Governance and Strategy
Independent Parliamentary Expenses Authority

SEC=OFFICIAL

From: Andrew Laming s22(1)
 Sent: Thursday, 14 July 2022 10:53 AM
 To: Godwin, Annwyn s22(1)
 Cc: s22(1)
 Subject: CEO correspondence

This is important correspondence, and I urge you to review your decision to ignore communication regarding this matter.

Third-party s22(1) has now confirmed that the basis of my 2019 Hobart conference address arrangements was inadvertently not provided to IPEA Audit because, 'I don't think they requested the sms details.' These fourteen exchanges comprised the entirety of the hard copy material. They demonstrate that I addressed the Conference 'as his guest,' negotiated timings and discussed content.

ote IPEA also omitted from audit any inconvenient material that might be inconsistent with their adverse finding.

- Conference registration with Conference Partners June 12,
- Dinner event booking and subsequent refund on June 24 because I was attending 'as s22(1) guest.'
- Travel bookings- flights BNE to HOB and LST to MEL, re-routed HOB to MEL due to Parliamentary meeting rescheduled from Friday 21 June to Monday 24 June.
- Accommodation (non-refundable) bookings, with additional bookings required due to illness and size of party which had no net impact on cost to the Commonwealth.

I now draw your attention to the relevant part of the Act.

Effect of ruling

(5) A ruling given in relation to conduct engaged in by a member or any other person ceases to be conclusive evidence of the matters stated in the ruling to the extent that:

- (a) the *contrary is established by the member*; or (see the ignored March 16 and 23 correspondence)
- (b) the Chief Executive Officer of IPEA establishes, on behalf of the Commonwealth, that the ruling was given on the basis of information (from RANZCO) that was *false or misleading* (Verma/RANZCO provided information they neither intended nor knew was misleading).

I reject the findings below, given the information forming the basis of the decision is now conclusively exposed as incomplete.

58. There is evidence from the conference convenor, s22(1) that Mr Laming spoke to the RANZCO meeting around the morning tea break on Sunday 23 June 2019. s22(1) advises that there was no record of any formal invitation for Mr Laming to attend the conference. He said *"We got to know of Mr Laming's plans to attend at the last minute"* and *"We came to know about Mr Laming's plan to attend the conference quite close to the actual meeting and we made a slot for him to speak on Sunday the 23rd of June"*.

s22(1) is copied into this communication, should any element of it be contrary to his recollection.

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

s22(1)

From: Pearson, Nicole
Sent: Thursday, 14 July 2022 1:21 PM
To: s22(1)
Subject: FW: CEO correspondence [SEC=OFFICIAL]

SEC=OFFICIAL

Please discuss

Kind regards

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

W: www.ipea.gov.au & www.ipea.gov.au/ed

SEC=OFFICIAL

From: Godwin, Annwyn s22(1)
Sent: Thursday, 14 July 2022 12:34 PM
To: Pearson, Nicole s22(1)
Cc: Frost, Michael s22(1)
Subject: FW: CEO correspondence [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Nicole

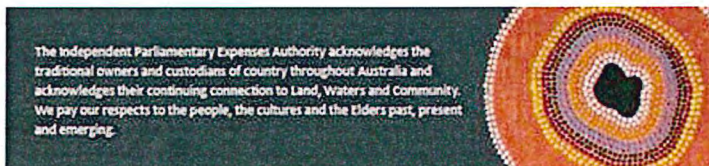
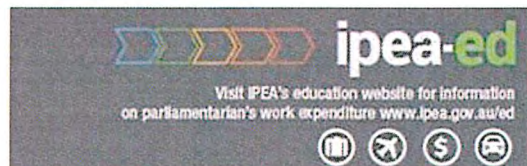
Please confirm that the dot point information forwarded by Mr Laming is included in his previous correspondence for consideration by the independent assessor. If not, please arrange for relevant material to be provided to Mr Frost.

Regards, Annwyn

Annwyn Godwin

Chief Executive Officer
Independent Parliamentary Expenses Authority
One Canberra Avenue, Forrest ACT 2603

s22(1)

W: www.ipea.gov.au

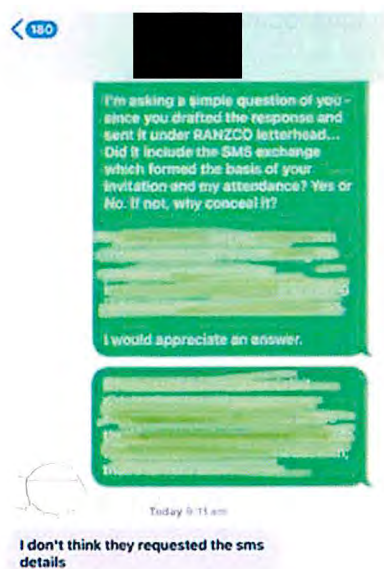
From: Andrew Lamings s22(1)
 Sent: Friday, 8 July 2022 4:41 AM
 To: Godwin, Annwyn s22(1)
 Cc: s22(1)
 Subject: Audit in tatters

This represents a final opportunity to rectify clear and deliberate Audit omissions that led to the fabrication of an adverse decision in the 2019 Hobart/Melbourne travel matter.

Thanks to IPEA failing to redact s22(1) name from the FOI material, it is evident his conduct included removal of the following relevant factual material from assessment.

- June 12, 2019 non-refundable accommodation bookings indicating satisfactory pre-planning of the Parliamentary address to the Hobart Congress- in IPEA possession, removed from final Audit.
- June 12 flights to attend the conference- - in IPEA possession via FCM, omitted from final Audit.
- ✓ ▪ June 12 registration for the conference- - in IPEA possession, omitted from final Audit.
- June 12 registration for the Saturday evening event- - in IPEA possession, and confirmed with a single phone call to Conference Partners.

Yesterday, s22(1) indicated the SMS communications with me arranging the Parliamentary address which I had no access to, were not obtained under IPEA information gathering powers because, s22(1) neglected to 'request the sms details.'



This now leaves the 2021 Audit frolic in tatters. It also explains the rush to a new Assurance process as a smokescreen.

Thankfully s22(1) can provide what IPEA neglected to obtain; SMS messages that my arrangements with him were initiated at the earliest possible opportunity, just 10 days after return of 2019 Election writs and release of the 46th Parliamentary sitting calendar by the Whips.

s22(1) cherry-picking of subjective phraseology in the RANZCO correspondence will never stand up to any form of independent scrutiny. It is also evident that these two phrases (squeezed in and last minute) formed the basis of overruling the entire journey. The Audit was both sloppy, opportunistic, and limited to as little inquiry as possible in order to fabricate the desired outcome. The three unremarkable hotel check-in times forming the remainder of the Audit were completely consistent with my accounts.

Inventing an opinion about what is Parliamentary is alarming enough. Omitting factual material in order to achieve it is utterly unacceptable. This was pointed out to you at the first available opportunity and my valid concerns were ignored.

Thanks to my FOI, it is now clear that for two full years, the only concern with this travel was a duplicated Tasmania to Melbourne flight bookings. I was only aware of this when s22(1) made the bizarre claim in my Parliamentary office two years later when he claimed I 'wasted taxpayer funds.' The four Jetstar Launceston to Melbourne legs cost just \$96 each. They were either non-refundable or subject to a \$60 cancellation fee. This was a matter for FCM when dealing with my itinerary change, not the Parliamentarian. Value for money was the reason I didn't book four \$896 business class fares for this travel.

So instead of contacting me, FCM or even Jetstar to understand the situation, s22(1) opted for an Assurance review on the day baseless media allegations surfaced, all of which are now subject to what will be successful defamation action in the Federal Court.

I could also have explained to s22(1) if he had alerted me to his concern at the appropriate time in 2020 that the Independent Schools Tasmania meeting was switched from Friday 21 June to Monday 24 June; leading to,

- the necessary itinerary change to fly out of Hobart instead of Launceston,
- the field visits to central Tasmania requiring twice as much driving as initially planned in order to 'loop back' to Hobart, and
- the first night of the non-refundable accommodation unsuitable.

This entire variation in the itinerary amounted to zero net cost to the Commonwealth, apart from a possible \$36 net refund loss from Jetstar, assuming FCM had been able to secure it. Throughout the entire 12-month process, there was simply no interest in my version of events, not a syllable of which has ever been found to be inaccurate. This left s22(1) with only one option; assessing my activity as insufficiently Parliamentary from his personal opinion. You will be held responsible for his actions.

Further communication on these matters is now clearly futile, so I make the following points.

- These March 2022 Audit conclusions are now exposed as hopelessly flawed.
 - They will be independently assessed at the time of my choosing, not yours.
- I have no confidence in your actions and decline to sign the related quarterly reports, so please stop asking.
- Any invoices raised are of no concern.

Your refusal to address these factual omissions the appropriate time was either indolent or at worst vindictive. Your sustained and obdurate refusal to do so despite my reasonable requests may amount to contemptible, if not corrupt conduct.

Any privacy or confidentiality provisions with this communication is waived.

From: Assurance <Assurance@ipea.gov.au>

Sent: Thursday, 7 July 2022 3:35 PM

To: s22(1)

Subject: Re: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Mr Laming

Thank you for your response.

Please find **attached** further correspondence from the Independent Parliamentary Expenses Authority in relation to this matter.

It is important that you read the correspondence and respond.

Should you wish to discuss this matter, please do not hesitate to contact me on s22(1) or at assurance@ipea.gov.au.

P

Yours sincerely

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority

s22(1)

SEC=OFFICIAL

From: Andrew Laming s22(1)
Sent: Friday, 1 July 2022 1:28 PM
To: Assurance <Assurance@ipea.gov.au>
Cc: Assurance <Assurance@ipea.gov.au>
Subject: Re: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

The previous Audit was a fabricated conclusion, arrived at by omitting hard copy evidence in IPEA's possession from the final report.

This was pointed out in the draft stage and IPEA bizarrely elected to evade those constructive queries.

The entirety of the Audit turned on the omissions.

It is also clear that the process was activated two years later for political purposes, just 48 hours after adverse media; all of which has been found to be baseless.

I won't be bullied into dropping concerns regarding IPEA conduct by the immediate opening a new process.

The March 2022 Audit is now subject to appeal and I again ask IPEA to account for why the following evidence of Parliamentary travel to the Hobart conference address as early as June 11 2019 was excluded from Audit:

- conference registration, evening event booking, flight bookings, non-refundable accommodation bookings and hard copy invitation to attend, available from the convenor upon request.

Get [Outlook for iOS](#)

From: Assurance <Assurance@ipea.gov.au>
Sent: Friday, July 1, 2022 12:51:36 PM
To: s22(1)
Cc: Assurance <Assurance@ipea.gov.au>
Subject: RE: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Mr Laming

Thank you for your response.

Please find **attached** further correspondence from the Independent Parliamentary Expenses Authority in relation to this matter.

It is important that you read the correspondence and respond.

Should you wish to discuss this matter, please do not hesitate to contact me on s22(1) or at assurance@ipea.gov.au.

Yours sincerely

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
s22(1)

SEC=OFFICIAL

From: Andrew Laming s22(1)
Sent: Friday, 20 May 2022 10:03 AM
To: Assurance <Assurance@ipea.gov.au>
Cc: Assurance <Assurance@ipea.gov.au>
Subject: HPE CM: Re: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

Thank you.

Please accept yesterday's response as my final correspondence regarding this matter.

Get [Outlook for iOS](#)

From: Assurance <Assurance@ipea.gov.au>
Sent: Friday, May 20, 2022 9:54:14 AM
To: Andrew Laming s22(1)
Cc: Assurance <Assurance@ipea.gov.au>
Subject: RE: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Mr Laming

Thank you for your response. Please find **attached** further correspondence from the Independent Parliamentary Expenses Authority in relation to this matter.

Should you wish to discuss this matter, please do not hesitate to contact me on (02) 6215 3000 or at assurance@ipea.gov.au.

Yours sincerely

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
T: 02 6215 3000 | E: s22(1)

SEC=OFFICIAL

From: Andrew Laming s22(1)
Sent: Thursday, 19 May 2022 2:16 PM
To: Assurance <Assurance@ipea.gov.au>
Subject: Re: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

Dear IPEA,

The Sydney leg (5,6/4/2022) comprised meetings in a Parliamentary capacity with the Australian Society of Ophthalmologists. The Melbourne leg encompassed vehicle travel to a two-day event (8,9/4/2022) in regional Victoria in my electorate capacity, given my involvement through Stronger Communities funding in re-establishing post-COVID, a successful model for a similar regional community event in Bowman. The dependents' return travel

was accompaniment/facilitation of family life. Additional incidental meetings were held in both locations and I am prepared to publicly justify the benefits and value for money of the journey.

My current priority remains obtaining independent assessment of the 2019 IPEA travel assurance/audit decision.

From: Assurance <Assurance@ipea.gov.au>

Sent: 18 May 2022 10:44

To: s22(1)

Cc: Assurance <Assurance@ipea.gov.au>

Subject: Assurance Review - Mr Andrew Laming [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Mr Laming,

Please find **attached** correspondence from the Independent Parliamentary Expenses Authority in relation to travel you have undertaken.

Should you wish to discuss this matter, please do not hesitate to contact me on (02) 6215 3000 or assurance@ipea.gov.au.

Yours sincerely

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority

T: 02 6215 3000 | E: s22(1)

SEC=OFFICIAL

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Subject	Statement provided by Mr Laming on 8 July 2022	Information available to IPEA	Analysis	Comment
1. Accommodation bookings	<i>"June 12, 2019 non-refundable accommodation bookings indicating satisfactory pre-planning of the Parliamentary address to the Hobart Congress- in IPEA possession, removed from final Audit."</i>	IPEA accepts that on or around June 12 2019 there was an accommodation booking made and that this was information known and considered throughout the audit.	Information already taken into consideration.	The information provided does not materially change the outcome of the audit.
2. Flights to Hobart	<i>"June 12 flights to attend the conference- - in IPEA possession via FCM, omitted from final Audit."</i>	IPEA accepts that on or around June 12 2019 there were flights booked for Mr Laming to travel to Hobart. This information was known and considered throughout the audit.	Information already taken into consideration.	The information provided does not materially change the outcome of the audit.
3. Registration for RANZCO conference	<i>"June 12 registration for the conference- - in IPEA possession, omitted from final Audit."</i>	IPEA are aware that registration for the conference occurred. This information was known and considered throughout the audit.	IPEA notes that although these bookings were made, it does not mean they played out as the booking suggested. There is no evidence provided to IPEA that suggests Mr Laming attended any other part of the conference other than the session on Sunday morning. In fact he said on 6 December 2021 <i>"the invitation was to address delegates, including Q & A, not to attend sessions"</i>	The information provided does not materially change the outcome of the audit.

Subject	Statement provided by Mr Laming on 8 July 2022	Information available to IPEA	Analysis	Comment
4. Registration for the RANZCO Dinner on Saturday 22 June 2019	"June 12 registration for the Saturday evening event- - in IPEA possession, and confirmed with a single phone call to Conference Partners"	IPEA has always known, understood, and accepted that these various plans were put in place on or around 12 June 2019.	IPEA has evidence that Mr Laming did not arrive back in Hobart until the evening of 22 June 2019, when the dinner had already commenced. If he did attend the dinner, it was very late. We also have evidence of an individual using Mr Laming's Cabcharge card in a taxi at the time of the dinner.	The information provided does not materially change the outcome of the audit.
5. Correspondence between [§22(1)] and Mr [§22(1)] Laming	"[§22(1)] indicated the SMS communications with me arranging the Parliamentary address which I had no access to, were not obtained under IPEA information gathering powers because, [§22(1)] neglected to 'request the sms details.'"	<p>On 1 December 2021 IPEA issued [§22(1)] with a notice to provide information in relation to Mr Laming's attendance at the [§22(1)] conference. [§22(1)] provided a number of emails in relation to the arrangements for Mr Laming to attend.</p> <p>In further correspondence provided by Mr Laming on 14 July 2022 he stated "Dinner event booking and subsequent refund on June 24 because I was attending 'as [§22(1)] guest.'" This is the first reference to a refund being provided for the dinner.</p>	<p>IPEA's use of the terminology "at the last minute" is a direct quote from [§22(1)] He also said "...we became aware of his plans to attend....quite close to the meeting."</p> <p>[§22(1)] also advised "To the best of my knowledge, there was no written invitation made to Mr Laming to attend the combined meeting of the Tasmanian branch of RANZCO and ANZOPS. From memory, (it was a long time ago and there is nothing in our records), I think, a verbal invitation was made a few years earlier." This information conflicts with the information provided by Mr Laming on 14 July 2022 in relation to the refund for the dinner.</p> <p>The section 53 notice issued to [§22(1)] was deliberately broad to capture any relevant information. In particular it requested information on when</p>	The information provided does not materially change the outcome of the audit.

RESPONSE TO
ISSUES RAISED.

Subject	Statement provided by Mr Laming on 8 July 2022	Information available to IPEA	Analysis	Comment
			<p>arrangements were made for Mr Laming to address the RANZCO Tasmania Branch meeting and by whom were these arrangements initiated.</p> <p>This SMS exchange between Mr Laming and [REDACTED] on or around 12 June 2019 was not provided under the section 53 notice and it was also not provided or referenced by Mr Laming at any point during the audit. To the extent that IPEA followed up and got further information from [REDACTED] about Mr Laming's attendance, he did not talk about or mention this correspondence.</p> <p>Any evidence that the timing of this was on or around 12 June would be consistent with the timing of Mr Laming's other bookings for the trip.</p>	
6. Check in times for accommodation	<p><i>"The three unremarkable hotel check-in times forming the remainder of the Audit were completely consistent with my accounts."</i></p>		<p>The check in times provided by the accommodation providers were not consistent with Mr Laming's account that he spent 3 nights in Hobart at Amberley House. The relevance of this is that they show he checked in to Amberley house on the evening of the second day, which contradicts his suggestion that he was at the conference throughout.</p> <p>Given conflicting evidence, IPEA provides greater weight to the evidence provided</p>	<p>The information provided does not materially change the outcome of the audit.</p>

Subject	Statement provided by Mr Laming on 8 July 2022	Information available to IPEA	Analysis	Comment
7. Cancellation fees for Launceston to Melbourne flight bookings	<p><i>"The four Jetstar Launceston to Melbourne legs cost just \$96 each. They were either non-refundable or subject to a \$60 cancellation fee. This was a matter for FCM when dealing with my itinerary change, not the Parliamentarian. Value for money was the reason I didn't book four \$896 business class fares for this travel."</i></p>	<p>Nothing at all in the audit report focuses on or places any significance on the cancellation fees for these flights. The cost of these can be formally met within the framework (regulation 65). IPEA had no concerns and raised no concerns with Mr Laming in relation to these fees.</p> <p>Mr Laming did not provide any information about changes to the school meeting in the meeting with IPEA of 22 June 2021 and these flights were not discussed at that meeting. Therefore there was no reference that Mr Laming "wasted taxpayer funds".</p>	by Amberley House. They provided direct text messages between Mr Laming and themselves, confirming the time of check-in.	The information provided does not materially change the outcome of the audit.
8. Field visits	<p><i>"... the field visits to central Tasmania requiring twice as much driving as initially</i></p>	<p>In his email of 8 July 2022 Mr Laming references 'field visits'. In his various early responses about what he was</p>	Mr Laming's position in relation to the purpose of the car hire has been inconsistent and contradictory.	The information provided does not materially change the outcome of the audit.

Subject	Statement provided by Mr Laming on 8 July 2022	Information available to IPEA	Analysis	Comment
	<p><i>planned in order to 'loop back' to Hobart..."</i></p>	<p>doing in Tasmania over the 3 day period, he made no mention of these field visits.</p> <p>The first mention of the field visits was in Mr Laming's response to IPEA of 8 October 2021. When IPEA subsequently asked him to provide detail about the 'field visits' he failed to answer the questions put to him.</p> <p>The meeting record from 22 June 2021 confirms that when asked about the hire car use Mr Laming made no mention of his 'field visits' and advised IPEA they "<i>did the loop</i>".</p> <p>On 30 June 2021 Mr Laming advised IPEA that the first day of the 3 day car hire was not "<i>parliamentary</i>" and should be reimbursed. On 3 August 2021 he again advised he was "<i>happy to reimburse the first day of car hire</i>"</p>	<p>The notion of a parliamentary business field trip was not introduced by Mr Laming until 8 October 2021. At that time he had already made offers to reimburse the first portion of the hire.</p>	

Subject	Statement provided by Mr Laming on 8 July 2022	Information available to IPEA	Analysis	Comment
		On 16 August 2021 he said "in this case the Hobart vehicle rental was for three days in which I attended to the following parliamentary business in Hobart; a late Saturday Congress event, Sunday speaking commitment and transfers, then a Monday appointment and return to airport."		
9. Accommodation	"the first night of the non-refundable accommodation unsuitable."	Mr Laming advised IPEA that he stayed 3 nights at Amberley House. At some stage he introduced the notion that one of the adults got sick and they booked at another hotel, The Grand Chancellor Hobart.	Mr Laming has been elusive on the matter of accommodation and has not indicated what date the "first night" refers to.	The information provided does not materially change the outcome of the audit.



INDEPENDENT ASSESSMENT OF RULING 01/2022

27 October 2022

Assessment details

Assessor: s22(1) A/g Director Audit and Assurance (EL2), Transparency, Assurance and Legal Branch.

Date assessment commenced: 27 October 2022

Decision

After consideration of Ruling 01/2022, and all new material evidence provided by Mr Laming in the period 20 September 2022 to 20 October 2022, I have determined that the evidence does not impact upon the findings of the Audit upon which the Ruling was based.

Scope Assessment

On 27 October 2022, it was determined that an Independent Assessment be conducted on Ruling 01/2022. The Ruling pertains to use of business expenses by Mr Laming during the period 21 June 2019 to 27 June 2019.

The assessment of the Ruling was initiated following receipt from Mr Laming of additional evidence not previously provided, nor considered, in the course of the Audit of his use of business expenses.

This Independent Assessment will consider whether the provisions of Section 37 (5)(a) of the *Parliamentary Business Resources Act 2017* apply.

The Parliamentary Business Resources Act 2017 Section 37 provides:

Effect of ruling

- (4) A ruling given in relation to a member is, subject to subsection (5), conclusive evidence of the matters stated in the ruling.
- (5) A ruling given in relation to conduct engaged in by a member or any other person ceases to be conclusive evidence of the matters stated in the ruling to the extent that:
 - (a) the contrary is established by the member

Specifically, this assessment will consider Ruling 01/2022, all evidence provided to IPEA by Mr Laming in the period 20 September 2022 to 20 October 2022, and determine whether it impacts upon the findings of the Audit upon which Ruling 01/2022 was based.



Background

On 20 September 2022, Mr Laming wrote to IPEA enclosing six documents. The first document was a copy of an invoice for the cost of attendance at the RANZCO/ANZSOPS conference dinner, to be held on the evening of 22 June 2019. This document had been provided to IPEA in May 2021 and had been considered in the context of the audit.

The remaining five documents comprised an exchange of text messages between Mr Laming and the conference convenor over the period 18 May to 23 June 2019. These documents are at **Attachment A**.

On 6 October 2022 the A/g CEO Mr Michael Frost (Mr Frost) wrote to Mr Laming to advise him that on the basis of the new evidence provided, IPEA would be initiating a further independent review of the Ruling, as allowed under section 37(5) of the *Parliamentary Business Resource Act 2017*. Mr Frost also advised Mr Laming that IPEA was providing him with a final opportunity to submit any further relevant material evidence to form part of this final independent review of the Ruling. This correspondence has been provided to me as part of the documentation considered pertinent to this assessment and is at **Attachment B**.

On 7 and 20 October 2022 Mr Laming responded to Mr Frost and provided information. This information was provided to me as part of this assessment and the documents are at **Attachment C**.

Assessment of Information Provided by Mr Laming to IPEA

On review of the information provided by Mr Laming on 20 September 2022, 6 October 2022 and 20 October 2022, I have assessed that the only new material evidence provided is the correspondence between Mr Laming and the RANZCO/ANZOPS conference convenor over the period 18 May to 23 June 2019.

Details of the New Material Evidence

The five documents comprising of an exchange of text messages between Mr Laming and the conference convenor, over the period 18 May to 23 June 2019, are considered new material evidence for the purpose of this assessment.

The first reference to the RANZCO/ANZMOPS conference within the exchange between Mr Laming and the convenor is on 11 June 2019 when Mr Laming asks the convenor *"...could I help informally with your Hobart conference in any way (perhaps meeting the younger fellows?) I will be at UTas that week in any case."* On 12 June, Mr Laming provided the convenor with his parliamentary email address.

On 16 June 2019, the convenor wrote *"I just heard that all you will attend is the dinner and networking function. Please do not pay for that. I'd be delighted to invite you as my guest if you accept."* Mr Laming replied, on that day, *"Of course - I'm just not free till 6pm Sat"*. The convenor responded, also on 16 June, *"Great. If you have any free time in Sat or Sunday, please feel free to come for the scientific part. We will be discussing future of eye care and surgery on mars on Sunday morning!"* Mr Laming then wrote *"Sun morning is OK too"* to which the convenor replied *"Great."*

The next message in the exchange is from Mr Laming at 6.52pm on Saturday 22 June 2019 when he wrote *"See you soon."* Later, at 9.49pm that night, he wrote *"Great chat. Sounds like we have some work to do"*. The convenor responded, at 6.19pm the next day *"Thanks for dropping in. I agree we have some important things to do."*



Assessment of Additional Material Evidence

The exchange of text messages is the only new material evidence provided to IPEA in the period 20 September 2020 to 20 October 2022. This evidence had not been produced by Mr Laming in response to earlier invitations to provide “any further relevant evidence for consideration”. This evidence had also not been provided in the response to the section 53(2) notice served upon the convenor, nor in the follow-up request for all correspondence between the convenor and Mr Laming in relation to the conference.

The Audit Report found that the principal reason given by Mr Laming for his travel to Tasmania, to attend and address the RANZCO/ANZSOPS conference, was not, as he claimed, at the invitation of conference organisers. This finding was based on evidence provided to IPEA by the conference convenor who had advised IPEA in written statements that:

“To the best of my knowledge there was no written invitation made to Mr Laming to attend the combined meeting of RANZCO and ANZSOPS. From memory, (it was a long time ago and there is nothing in our records), I think a verbal invitation was made a few years earlier.”

“As mentioned above, there was no formal invitation on record”.

“We came to know about Mr Laming’s plan to attend the conference quite close to the actual meeting and we made a slot available for him to speak on Sunday 23rd of June”

“Please find attached a copy of the program. As mentioned above, Mr Laming’s talk is not in the printed program as we did not know about his plans to attend the meeting till quite late”

The evidence now provided in the form of the text exchanges indicates that by 11 June 2019, Mr Laming was planning a trip to Tasmania which included participation at some time and at some level in the RANZCO/ANZSOPS conference. They also clearly indicate that his attendance was not at the express invitation of the organisation to present at the conference. The convenor’s message of 16 June 2019 suggests a passive awareness of Mr Laming’s attendance which at that time did not involve participation on Sunday 23 June 2019. His “invitation” to Mr Laming in the 16 June 2019 exchange, after Mr Laming had advised he would not be free until 6pm on the Saturday, was ‘*If you have any free time in Sat or Sunday, please feel free to come to the scientific part.*’ There is no suggestion in this exchange that, at that time, any consideration had been given by the convenor to a formal presentation by Mr Laming on the Sunday morning.

Paragraph 71 of the Audit Report states:

71. There is no evidence that Mr Laming attended the conference at any time other than the Sunday morning “slot”. In fact, there is evidence to suggest that he was not in Hobart city until late in the second day of the two and a half day conference (see Hire Car and Travel Allowance below). Further, while the conference dinner was underway, commencing at 6:30pm on the evening of Saturday 22 June 2019, Mr Laming used business resources to travel by taxi from Sandy Bay to Glebe, arriving at 8:00pm. Mr Laming advises he can not recall the purpose of this taxi journey, though it is noted that the suburb of Glebe borders on the city and is within one kilometre of the conference venue.



The new evidence of exchange between Mr Laming and the convenor suggests that at some time on the Saturday evening, Mr Laming met with the convenor at the meeting venue. IPEA has evidence that are referenced and attached to the Audit Report (hotel check-in times and a taxi trip) that this would not have been before 8pm. It is not clear whether the convenor's message of 23 June 2019 *"thanks for dropping in"* refers to Mr Laming's attendance at the conference dinner Saturday evening or Sunday morning. The exchange does provide likely context to the convenor's evidence that *"we got to know of Mr Laming's plans to attend at the last minute"* and *"we came to know about Mr Laming's plan to attend the conference quite close to the actual meeting and we made a slot for him to speak on Sunday 23 June"*.

The Audit found that Mr Laming's involvement with the conference may satisfy the definition of parliamentary business but failed the dominant purpose test when examined within the context of his activities and use of business resources over a three day period. The additional material evidence provided clearly indicates that at the time of making his bookings for his travel on 12 June 2019, Mr Laming had not, as he has asserted, been invited to present to the meeting. Moreover, by as late as 16 June 2019, five days before the commencement of the conference, it would seem that he had not been expected by the convenor to attend the proceedings at any time other than the event on Saturday evening.

After consideration of Ruling 01/2022, and all new material evidence provided by Mr Laming in the period 20 September 2022 to 20 October 2022, I have determined that the evidence does not impact upon the findings of the Audit upon which the Ruling was based.

Conclusion

It is my view, after considering Ruling 01/2022 and the additional material evidence, that the evidence does not impact upon the findings of the Audit upon which the Ruling was based, that the expenses incurred by Mr Andrew Laming were not incurred for the dominant purpose of conducting his parliamentary business and that his use of public resources contravened section 26 of the *Parliamentary Business Resources Act 2017*.

s22(1)



s22(1)

A/g Director, Audit and Assurance
Transparency, Assurance and Legal Branch
Independent Parliamentary Expenses Authority





6:17

98%

Andrew Laming



Saturday, 10 May 2019 • 10:51 pm

Nationally we are in the
game - Bowman flying
clear at 9% - thanks for
the message

Tuesday, 11 June 2019 • 8:29 pm

Hi ^{s22(1)} could I help
informally with your
Hobart conference in any
way (perhaps meeting
the younger fellows?) I
will be at UTas that week
in any case. Andrew

Wednesday, 12 June 2019 • 8:35 am



Andrew Laming



Text message



6:18

98%

Andrew Laming



s22(1)

@aph

.gov.au

12/06/2019, 8:35 am

Sunday, 16 June 2019 • 11:18 am

Andrew. I just heard that all you will attend is the dinner and networking function. Please do not pay for that. I'd be delighted to invite you as my guest if you accept

s22(1)

Of course - I'm just free till 6pm Sat



Text message



6:18

97%

Andrew Laming



A Of course - I'm just not free till 6pm Sat

Great. If you have any free time in Sat or Sunday, please feel free to come for the scientific part. We will be discussing future of eye care and surgery on mars on Sunday morning!

Sun morning is ok too

Great.

Saturday, 22 Jun 2019 • 6:52 pm



Text message



6:18

97%

Andrew Laming

A Sun morning is ok too

Great.

Saturday, 22 June 2019 • 6:52 pm

A See u soon

Saturday, 22 June 2019 • 9:49 pm

A Great chat. Sounds like we have some work to do

Sunday, 23 June 2019 • 6:19 pm

Thanks for dropping in.
I agree we have some
important things to

s22(1)



Text message



6:19

97%

Andrew Laming



Great.

Saturday, 22 June 2019 • 6:52 pm

A

See u soon

Saturday, 22 June 2019 • 9:49 pm

A

Great chat. Sounds like
we have some work to do

Sunday, 23 June 2019 • 6:19 pm

Thanks for dropping in.
I agree we have some
important things to
do.

s22(1)



Text message



s22(1)

From: s22(1) on behalf of Frost, Michael
Sent: Thursday, 6 October 2022 3:49 PM
To: s22(1)
Cc: Assurance
Subject: Correspondence to Mr Andrew Laming from acting IPEA CEO [SEC=OFFICIAL]
Attachments: October 2022 - Attention Mr Andrew Lamming - correspondence from IPEA.pdf

SEC=OFFICIAL

Good afternoon Mr Laming

Please see attached correspondence from Mr Michael Frost acting IPEA CEO.

Your sincerely

s22(1)

Executive Officer to the CEO, Annwyn Godwin
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

W: www.ipea.gov.au & www.ipea.gov.au/ed

SEC=OFFICIAL

OFFICIAL: Sensitive



Australian Government
Independent Parliamentary
Expenses Authority

6 October 2022

Mr Andrew Laming

Email: s22(1)

Dear Mr Laming

On 20 September 2022 you emailed IPEA in relation to the audit of your travel expenses and allowances during the period 21 to 27 June 2019. You enclosed 6 attachments. The first attachment was a copy of an invoice for the cost of attendance at the RANZCO/ANZSOPS conference dinner on the evening of 22 June 2019. You had provided this document to IPEA in May 2021 and it had been considered in the context of the Audit conducted. The remaining five attachments comprised of an exchange of text messages between yourself and s22(1) over the period 18 May to 23 June 2019.

The information contained in these five documents had not previously been made available to IPEA, either by yourself or by s22(1) in response to our request in accordance with section 53(2) of the *Independent Parliamentary Expenses Authority Act 2017*, or in a subsequent request for copies of correspondence between he and you on this subject.

I am writing to advise you that on the basis of the new evidence provided, IPEA will initiate a further independent review of the Ruling, as allowed under section 37(5) of the *Parliamentary Business Resource Act 2017*.

IPEA notes that over the course of its engagement with you in relation to this matter, commencing on 1 April 2021, you have had numerous opportunities to respond to questions put to you and to provide evidence material to the audit. I take this opportunity to remind you of the importance of providing all material evidence to IPEA and the obligation to act in good faith when accounting for the use of public resources.

With this in mind IPEA is providing you with a final opportunity to submit any further relevant material evidence to form part of this final independent review of the Ruling, as allowed under section 37(5) of the *Parliamentary Business Resource Act 2017*.

OFFICIAL: Sensitive

All information must be provided to IPEA no later than **Thursday 20 October 2022**. The final independent review of the Ruling will commence from 21 October 2022. Evidence received after 20 October 2022 will not be considered.

Should you wish to discuss this matter further, please contact me on s22(1)

Sincerely

s22(1)

Michael Frost
A/g Chief Executive Officer
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603
s22(1)

s22(1)

From: Frost, Michael
Sent: Friday, 7 October 2022 12:37 PM
To: Assurance; Pearson, Nicole
Subject: FW: Correspondence to Mr Andrew Laming from acting IPEA CEO [SEC=OFFICIAL]
Attachments: IPEASept22.docx

SEC=OFFICIAL

Team

Please see response for consideration.

Michael

Michael Frost
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

www.ipea.gov.au

The Independent Parliamentary Expenses Authority acknowledges the traditional owners and custodians of country throughout Australia and acknowledges their continuing connection to Land, Waters and Community. We pay our respects to the people, the cultures and the Elders past, present and emerging.



SEC=OFFICIAL

From: Andrew Laming
Sent: Friday, 7 October 2022 12:22 PM
To: Frost, Michael
Subject: RE: Correspondence to Mr Andrew Laming from acting IPEA CEO [SEC=OFFICIAL]

Some observations on the handling of this matter, with recommendations provided.
Happy to respond to additional queries if required.

From: Kopilow, Melinda s22(1) **On Behalf Of** Frost, Michael
Sent: Thursday, 6 October 2022 2:49 PM
To: s22(1)
Cc: Assurance <Assurance@ipea.gov.au>
Subject: Correspondence to Mr Andrew Laming from acting IPEA CEO [SEC=OFFICIAL]

SEC=OFFICIAL

Good afternoon Mr Laming

Please see attached correspondence from Mr Michael Frost acting IPEA CEO.

Your sincerely

s22(1)

Executive Officer to the CEO, Annwyn Godwin
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

W: www.ipea.gov.au & www.ipea.gov.au/ed

SEC=OFFICIAL

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir,

The SMS exchange speaks for itself and demonstrates ample preparation for the RANZCO meeting. The 2019 federal election was three weeks prior, so it was impossible to arrange attendance until the Parliamentary sitting calendar had been released.

The catastrophic 2019 calendar year data loss of my email records (APH sent folder) presents a unique auditing challenge. The loss was forensically investigated with over 30 hours of DPS work and found to have occurred at least six months prior. Data recovery was impossible. It is hard to explain why this critical issue was omitted from being subject to Audit, given it was impossible to provide any documentation from the year in question.

I note that nothing in my account was ever found to be incorrect, either at Assurance, or at Audit.

While elements of the journey may have been annoying to investigators, the areas of dispute at conclusion of Assurance were limited to whether:

- i. Friday evening was spent at Amberly House or elsewhere, (\$150). My wife's short-term illness during the regional Tasmania journey necessitated booking of extra accommodation in every location and on all three nights, at personal expense.
- ii. Regional Tasmanian travel contained a Parliamentary purpose (one day vehicle rental \$133).
- iii. Short taxi journeys (Melbourne and Hobart) were for Parliamentary purposes, (<\$100), and
- iv. Additional evidence from the Melbourne Gala dinner could be obtained. Strangely this was completely omitted from Audit.

The remainder of the journey is difficult to dispute, with the following elements clearly occurring.

- i. Sunday meeting Parliamentary address,
- ii. Monday education meetings,
- iii. 12hour Melbourne visit for the last half of the annual Gala dinner.

The IPEA approach may be characterised as;

- Failing to contact me in July 2020 when questions arose regarding duplicated flights, which had a reasonable explanation,
- Initiating Assurance, the working day after baseless accusations were publicised against me,
- Inordinate nine-month timeline for Assurance,
- Insufficient grounds for proceeding to Audit
- Superficial Audit, resulting in no additional material to dispute my version of events
- Inordinate Audit delays (three months to three accommodation providers and **\$22(1)**)
- Indifference to my draft Audit feedback,
- Timing Audit release to coincide with the 2022 Budget and sitting week,
- Rush to include the Audit decision into Q1 2022 reporting,
- Refusal to engage in good faith until Commonwealth Ombudsman intervention this week.

The IPEA process makes repeated subjective references to my recollection and inconsistency. This is not supported by my detailed provision of documentation; inevitably from outside the data loss window.

There are repeated references to 'changing his story' when in fact it was the questions that were changing. Noting from the outset, Assurance sought specifically:

1. What was your dominant purpose for travelling to Hobart on Friday 21 June 2019?
4. Can you please confirm you, your spouse and children stayed at Amberley House whilst in Hobart?

Answers to the above were provided: RANZCO address, and yes. Any additional information was the result of follow-up questions, rather than 'changing the story.' Regional travel would always fill the weekend time I was not at the conference. It was never a dominant purpose for travel, so not part of my initial response.

IPEA appears to have set upon my comment 'seeing the sites,' assuming it to be sight-seeing. When requested, I forwarded substantial evidence of electorate purpose, from before and after the data loss window. My sense is that IPEA disposition turned on frustration that I provided evidence of electorate purpose for regional travel, as evidenced by their decision to place no weight upon it.

The second issue is treatment of witnesses **s22(1)** now has a new career, and this process was potentially damaging to him. I was understandably reluctant to draw him into this mess and there was no need for his name to appear in a final report. Taxi records show precisely how long I was at the venue and it was not 'an hour' as the Audit states. ***IPEA may establish a way to be more sensitive to confidentiality of cooperating third parties and provide them with the option to cooperate without being identified publicly.***

The treatment of **s22(1)** was frankly, deceptive. The construction of Audit questions was leading, closed and below best practice (as demonstrated by other agencies). **s22(1)** had already confirmed my attendance at the meeting. I had provided ample evidence that the address contained both electorate and Parliamentary purpose. To support an adverse finding, his equivocal response at Audit required IPEA follow-up which did not occur. It appears anything supporting my account in **s22(1)**'s correspondence (long-standing invitation and confirming my address occurred) was omitted, in favour of selected commentary assisting the adverse finding.

The remainder of the report then became a 'house of cards.' Other Parliamentary activities were ignored because they were not my original dominant purpose, even though on their own, regional visits or stakeholder meetings are sufficiently Parliamentary to justify the flights and the related nights of accommodation. But this wasn't the approach taken by IPEA.

Some remaining issues are outlined below (Audit para numbering used):

(8) The Hobart travel was at the organiser's invitation. **s22(1)** refers to a long-standing invitation to participate in his Audit response. The new SMS material refers to 'please attend as my guest.' It is acknowledged that this was relating to the social events which I had indicated to the conference organiser I would pay for personally, simply to support **s22(1)**'s efforts. Conference Partners should have been included in the Audit scope but were omitted.

(8) It is false that **s22(1)** were 'unaware of his intention to attend until shortly before the conference commenced,' as established by these SMS records.

(8) The Audit repeatedly confuses my intention to address the meeting and mingle with delegates, with IPEA's alternative test of duration of attendance (57). Parliamentarians typically attend conferences for an hour, including an address, and some additional time with organisers. My stay was the entire Sunday morning, starting with an early breakfast at the venue.

(8) A number of calls to **s22(1)** are not recorded in the SMS exchange but can be inferred by the language used. For instance, my June 12 SMS containing simply my email was at the request of the **s22(1)** in a June 11 conversation, who wanted to provide it to the Conference organiser for registration.

(8) IPEA appears to argue the three-day stay in Tasmania could not be supported by a short appearance at the RANZCO meeting. A timeline of events may assist;

- June 11- s22(1) s long-standing invitation to attend taken up, given that for the first time, a May federal election meant that mid-June was for the first time, unlikely to be a sitting period. This was confirmed when the Parliamentary sitting calendar and party room meeting schedule was released early June. I did not want to embark on family reunion travel this far from home if I was required for meetings in Canberra on a Sunday before a sitting week.
- June 12- Non-refundable three-day accommodation, travel and flight bookings made. The three-day booking allowed for both Friday afternoon and Monday morning working hour options for stakeholder meetings.
- Any part of the weekend not at the RANZCO meeting, would comprise regional Tasmania CFT boardwalk site visits, as meetings with stakeholders on weekends was not possible.
- At some point, s22(1) notified me she could not meet Friday, and opted for Monday instead. At this point, the itinerary was reordered to do site visits first, then the RANZCO events/address, additional site visits late Sunday, then s22(1) pre-departure Monday.
- Deferring the Brisbane to Hobart flight to shorten this journey was not feasible. Direct Brisbane – Hobart flight options are limited, Friday Amberly accommodation was non-refundable and it would leave only half of Saturday for a long-distance site visit. So the bookings were not changed.
- I made clear to s22(1) that I was available only late Saturday (SMS) and confirmed with him that I had returned to Hobart, then shared feedback on the address after the meeting concluded.

The decision to travel into regional Tasmania was long-standing, but a next-to-dominant purpose neither sought nor provided in the initial Assurance request. Travelling these distances was made possible by splitting site visits in two. The meeting with Schools administrators is also Parliamentary business and value for money.

(13) It is standard practice to arrange short-term visits to interstate evening events as important as the annual Hort Connections gala dinner. The decision to attend at the conclusion of meal service allowed for all Parliamentary business to be achieved. There was little point sitting at a table of people unrelated to the food hub proposal for the first two hours of meal service. I no longer have any recollection of these meetings two years later, nor is there any written record from that calendar year. This left the testimony from s22(1) which while limited in detail, confirms my attendance and my activity moving around the event. This should have been sufficient evidence that I did precisely what I claimed I did. If the taxi records took me to another location, then an adverse finding could be justified. There was no time in this 12 hour journey to have any other dominant purpose for travel. It is incorrect to claim attendance was 'restricted to the concluding hour,' as IPEA taxi records indicate this was not the case.

(31) It is unfortunate that IPEA did not contact me on June 9, 2020, when IPEA questions first arose around duplicate flight bookings to Melbourne (out of both Launceston and Hobart). The timeline (8) provides the completely innocuous explanation. The Four Jetstar (\$96 each) Launceston to Melbourne legs were initially booked when unconfirmed stakeholder meetings were anticipated to occur on Friday. The re-ordering of the itinerary led to re-routing out of Hobart, making the site visits out-and-back journeys rather than one-way to Launceston. After cancellation fees were paid, I suspect FCM decided applying for refund had limited financial return.

(58) Audit reliance on selective quotations from s22(1) fail to capture his limited recollection. It is regrettable that more open questions were not employed, such as 'Please detail all communication between you and Dr Laming regarding attendance at the 2019 meeting, including hard-copy, email, SMS or other mediums.' The closed questioning 'Did RANZCO invite' was leading. It confused the pre-existing relationship I had with a senior colleague and the likelihood that these arrangements may have been settled via other mediums (note the AEC example provided). I argue the vagueness in s22(1)'s response should have been recognised and actioned with follow-up, rather than what appears to have occurred; cherry-picking of his statement, which has directly led to re-opening of this process. It is extraordinary that when a third-party states 'quite close to the actual meeting,' that an Auditor does not inquire how close? Conference registration is clearly June 12, so the value of s22(1)'s comments are hardly decisive. ***IPEA may consider preparing draft Audit questions to Parliamentarians in advance, to ensure agreement is reached and failures such as on this occasion are averted.***

(59) This appears to be a straw man argument suggesting dishonest under-attendance at a conference which I was only ever scheduled to give an address, then mingle with delegates so they had an opportunity to engage. The Hobart taxi trip was taken because my ill wife asked that she not be left without a vehicle should she require it. This appears to have been omitted from the report. Constructing a narrative that IPEA successfully exposed my Sunday attendance at a conference I was only attending on a Sunday was a misrepresentation of the facts. Rejecting my registration as not 'proving I was attending as a speaker' then omitting all evidence of early planning is probably the most significant Audit failing. Using 'last minute' as grounds to deem a Parliamentary address insufficiently Parliamentary, it is not clear why the Audit would omit evidence before it from Audit; travel booking dates, accommodation booking date, conference registration date and vehicle hire dates. One can only assume it undermined the adverse finding. ***IPEA should include all relevant evidence before it be included, annexed or at least referenced in the document.***

(61) It is unfortunate that costs of a vehicle rental cannot be apportioned when the invoice provide breakdown. I was willing to find a sensible resolution to this matter, but this was consistently refused. ***Assurance should offer off-ramps for Parliamentarians. For instance, in the final step of Assurance, the provisional IPEA position should be known to the Member (detailing the business costs that remain insufficiently unsubstantiated totalling x + loading) so that compromise can be reached, rather than the fast-tracking into an Audit that ultimately revealed no additional detail of relevance to the process.***

(62) The new information was the result of being asked new questions, as outlined above.

(63) Subjective assessments (particularly erroneous ones) about how far someone is likely to be able to 'drive in a day,' have no place in an Audit. Please forgive the observation that this came from ACT residents reflecting on how far Queenslanders drive.

(64) Not clear on how this is relevant, particularly now that dominant purpose of the RANZCO meeting has been demonstrated. Regional travel was non-dominant but used to constructively in-fill the weekend agenda, around the final meeting program.

(65) The Amberly booking was non-refundable. The intention was to see the room before booking additional rooms at personal expense. In the end, my wife's illness made the regional travel too difficult to complete, so like the following nights, additional commercial accommodation at personal expense was required. On the second night Amberly and the conference venue were utilised. On the final night, we did reach Amberly to secure a second room. Even these details were so vague to me two years later, that I was reluctant to detail them in Assurance because of the risk it might mislead

or be found to be incorrect. If IPEA disputes the first night at Amberly, Audit must demonstrate that non-commercial accommodation was used on that evening.

(65) Claiming the three-night Amberly booking was a result of not keeping hard copies of the other bookings on the road and the ease of submitting the single invoice rather than my office chasing additional accommodation evidence then attempting to split the Amberly invoice. My office was not aware this would be a significant issue at the time.

(67) Nothing in the audited accommodation records disputes my account.

(68) If the first night is deemed to be an incorrect accommodation claim, I am happy to reimburse it with loading.

(70) A number of baseless findings are listed here, but nothing has ever contradicted my version of events. ***IPEA may consider reviewing procedures so that adverse findings of this nature require at a minimum; evidence that the member engaged in a dominantly non-Parliamentary activity, or evidence the member misled the Assurance or Audit process.*** Neither apply in my case.

(83) Comprehensive data loss includes my 26 June electorate meetings. I worked from the office and was anticipating a rare opportunity to meet an Indigenous leader. At some point this meeting was cancelled, but I may not have become aware until late that day. In the end, my Brisbane to Melbourne flight and travel to my accommodation left me too late for the dinner, so I elected to eat nearby. I then awaited s22(1)'s invitation to join his table at the conclusion of the meal service to meet interstate contacts. The Melbourne journey does raise a legitimate question about whether a short journey for a short engagement justifies the Parliamentary expense. I argue this matter is sufficiently rigorously tested by publication of travel records and the ensuing media scrutiny. This travel was scrutinised in 2020 and my account so robust that it wasn't even the lead story in the Guardian article. ***As a result of IPEA action since, both Hobart and the Melbourne legs have generated a new precedent; that IPEA now decides that verified Parliamentary activity is now insufficiently Parliamentary, in the absence of identifying alternative dominant purposes. Having IPEA move beyond exclusively factual audits and into subjective calls on sufficiency of Parliamentary activity is a longer discussion that this process has precipitated.***

(85) The response did not change between (84) and (86). The questions changed. Nothing in (84) is contradicted by (86) and I had no records to rely upon.

(88) Referring to s22(1) as a 'former-Laming employee' further discredits his testimony. He was passionate about electorate issues as CEO of our largest transport operator, so briefly worked in my office before his CEO appointment with the state's horticulture body. He was ideally placed to make the interstate connections at his table for the food hub. ***As suggested above, IPEA might arrive at a less invasive mechanism that allows third parties to cooperate without being identified, particularly in highly damaging reports of this nature. It is startling that an Audit arrived at an adverse finding for this leg, without including him in the process.***

(90) Two years after the fact, I could no longer remember the entities engaged at the gala dinner, nor the names of their representatives. Phoning registered attendees to inquire if they recalled conversations or had copies of my emails from 2019 seemed futile. Loss of the entire APH email record from that year directly led to this situation, which would have been averted by initiating the Assurance process in a more reasonable timeframe (the following 12 months). ***(see recommendation on timing)***

(91) The reference to 'haphazard nature' is disputed. Hort Connect is the nation's largest gala, with ; required meetings spread across a large number of table locations. Taxi records confirm 9:46 arrival and the event runs far longer than the 11pm documented conclusion. Attendance was not for an hour. There is no other possible dominant purpose for my attendance at that location nor any evidence attendance was for purposes other than I have outlined. Excluding s22(1) from audit was inexplicable.

(93) The complete loss of email records is the pervading reason for IPEA 'not being provided with evidence.' This data loss should also have been subject to Audit, rather than employed as a mechanism to imply I was unreliable. IPEA continued to exploit my lack of material from the 2019 calendar year, to justify activating the Audit option. ***IPEA need to establish clear grounds for proceeding to Audit. This includes why third parties are both selected for or excluded from Audit.***

(94) The cost of my wife accompanying me (from Melb to Canberra overnight and then back to the electorate) was higher than remaining in Melbourne at her own expense. The cost of her then joining me to attend the Melbourne gala then return home the following day was immeasurably more expensive. She elected to remain in Melbourne, meeting her own living and accommodation costs for two days. We were not aware at the time that this might compromise the family reunion provisions. My reading indicates it does not. Omitted also is that my wife had to complete the family journey to Hobart with a return leg of some sort. We elected to do this from Melbourne and for established reasons. My Canberra speaking invitation and the electorate meeting with a senior Indigenous leader was more important than remaining in Melbourne, so the journey was revised accordingly. ***IPEA should significantly expand the detail around family reunion travel. This could include explanatory examples.***

(95) Nothing in my account of this journey has ever been found to be incorrect. Provision of additional information is an inevitable outcome from being asked additional and more specific questions.

(96) I would note the following broader issues.

- The Assurance process opened nearly two years after travel was completed. IPEA's first inquiries in June 2020 should correspondence to me, allowing a timely response at a time when my email records may have been intact. Partial recovery of March 2019 emails suggests the data loss occurred in very late 2020. ***A best practice requirement might be that Assurance procedures be limited to travel taking in the current or previous financial years. Another recommendation is that Assurance be preceded by an earlier step, for instance where unusual travel activity has been identified, but additional Assurance not required.***
- The handling of my draft Audit responses (March 2022) and the difficulties I faced forwarding additional evidence (April to September 2022) is a concern. It reduces the likelihood that members would cooperate with IPEA in future. ***IPEA should ensure that there is complete separation between the staff conducting Assurance, from Audit, from draft feedback provision and also from the FOI process.***
- The Audit phase appears to have selectively incorporated third parties likely to contribute to an adverse finding and omitted any party likely to undermine it. ***Audit strategies should be provided to Parliamentarians at the outset, including the matters for attention and third parties to be engaged, to prevent what happened in this case (see 93).***
- The initiation of a new Assurance process in June 2022 (travel to a two-day Victorian Field Day), in the midst of my unsuccessful dealings with the CEO represents a perceived attempt to bully me into silence. This limits my confidence in IPEA processes and I reserve my rights on further engagement.

Andrew Laming

s22(1)

From: Frost, Michael
Sent: Thursday, 20 October 2022 8:06 PM
To: Pearson, Nicole; IPEA - Assurance Unit
Subject: Fwd: Correspondence to Mr Andrew Laming from acting IPEA CEO [SEC=OFFICIAL]
Attachments: Image.jpeg

From: Andrew Laming s22(1)
Date: 20 October 2022 at 7:48:48 pm AEDT
To: Frost, Michael s22(1)
Subject: RE: Correspondence to Mr Andrew Laming from acting IPEA CEO [SEC=OFFICIAL]

Dear Michael,

Thankyou for commencing the review tomorrow.

1. I am confident the additional s22(1) material will be decisive in establishing appropriate meeting planning. Text invitation to 'attend as my guest,' came in s22(1)'s official RANZCO meeting convenor capacity. Only s22(1) retained these text exchanges; mine were lost with device changes (jpeg shows date when s22(1) provided material to me).
2. Audit of the Melbourne leg supported my version of events. However, selective quotation of s22(1) and failure to audit him was detrimental to me and directly led to a baseless audit outcome. I will stand by his longer statement as evidence IPEA cannot dispute that I was there in a Parliamentary capacity.
3. I also note the decision to subject me to more assurance in the same month IPEA was refusing to engage me fairly with this original matter. I have no confidence further Assurance would be fair and won't be exposing others to the misrepresentation experienced by s22(1) and s22(1). In my capacity organising Redfest 2021 and 2022 in Bowman, travel to a two-day regional field day in Victoria was legitimate electorate business. There will be no further engagement on this matter unless IPEA presents evidence to the contrary.

Thank you

From: Frost, Michael s22(1)
Sent: Wednesday, 12 October 2022 4:41 PM
To: Andrew Laming s22(1)
Subject: RE: Correspondence to Mr Andrew Laming from acting IPEA CEO [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Mr Laming.

I can confirm that I have recently received 2 emails from you.

Regards

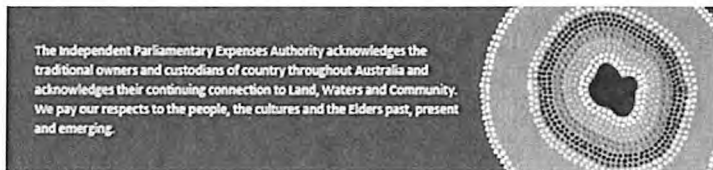
Michael

Michael Frost
 A/g CEO

Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

www.ipea.gov.au



SEC=OFFICIAL

From: Andrew Laming s22(1)
Sent: Wednesday, 12 October 2022 5:03 PM
To: Frost, Michael s22(1)
Subject: RE: Correspondence to Mr Andrew Laming from acting IPEA CEO [SEC=OFFICIAL]

Can I confirm your receipt of my submission please.

From: s22(1) On Behalf Of Frost, Michael
Sent: Thursday, 6 October 2022 2:49 PM
To: s22(1)
Cc: Assurance <Assurance@ipea.gov.au>
Subject: Correspondence to Mr Andrew Laming from acting IPEA CEO [SEC=OFFICIAL]

SEC=OFFICIAL

Good afternoon Mr Laming

Please see attached correspondence from Mr Michael Frost acting IPEA CEO.

Your sincerely

s22(1)

Executive Officer to the CEO, Annwyn Godwin
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603
s22(1)

www.ipea.gov.au & www.ipea.gov.au/ed

SEC=OFFICIAL

Be careful with this message

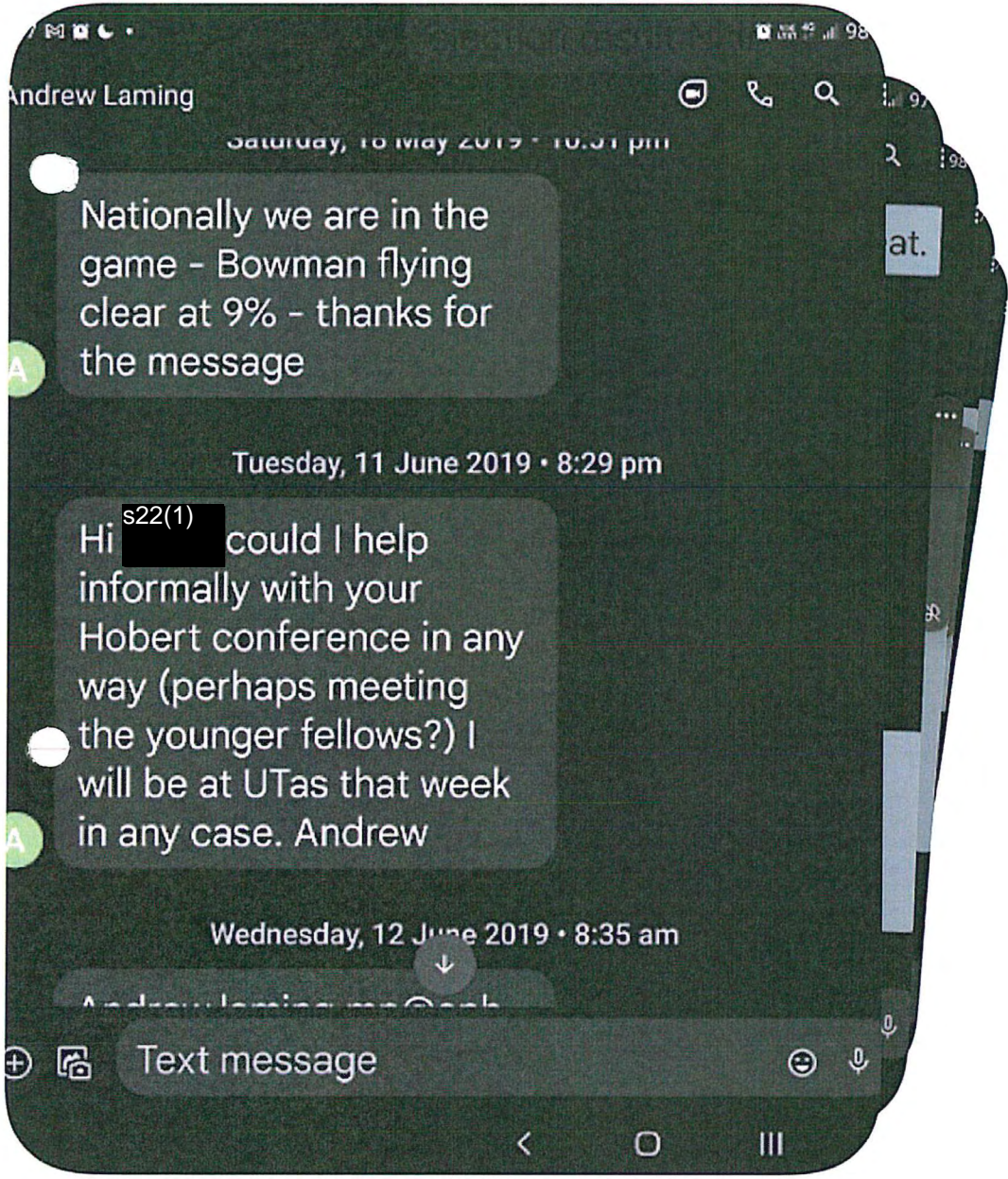
External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

s22(1)

Q

Wed, 13 Apr, 6:25 am

5 Photos



Wed, 13 Apr, 7:34 am

Great help - thank you



Australian Government
Independent Parliamentary
Expenses Authority

1 December 2021

s22(1)

The Royal Australian and New Zealand College of Ophthalmologists
94-98 Chalmers Street
Surry Hills NSW 2010

Email: s22(1)

Dear s22(1)

Requirement to Provide Information

I write pursuant to subsection 53(2) of the *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act) to require you to provide information to the Independent Parliamentary Expenses Authority (IPEA).

Background

IPEA has reason to believe that you have information or documents relevant to the performance of an audit that IPEA is conducting under paragraph 12(1)(i) of the IPEA Act.

IPEA is conducting an audit of the use of Travel Expenses and Allowances by Mr Andrew Laming MP for the period 21 June to 27 June 2019.

Details of the information required

As part of this process, IPEA requires you to provide the following information:

1. did RANZCO invite Mr Laming to attend the combined meeting of RANZCO & ANZSOPS held in Hobart June 2019?
2. if so, was this invitation offered in his capacity as a member of the federal parliament, and, when was the invitation made?
3. when were arrangements made for Mr Laming to address the RANZCO Tasmania Branch meeting on the morning of 23 June 2019?
4. by whom were these arrangements initiated?
5. a copy of the program of the RANZCO Tasmania Branch meeting confirming that Mr Laming addressed the meeting on Sunday 23 June 2019.

Consequences of not complying with this requirement

This letter is a formal notice under subsection 53(2) of the IPEA Act. IPEA has the power to require you to provide information under this provision.

Therefore, there are legal consequences if you do not provide the information as required in this notice. Section 53(4) of the IPEA Act provides that the maximum penalty for this offence is 30 penalty units (currently \$6,660).

Giving false or misleading information or providing false or misleading documentation to IPEA in compliance or purported compliance with a notice given under s53(2) are offences under s137.1 and s137.2 of the *Criminal Code*. These offences carry a maximum sentence of 12 months imprisonment.

Deadline for providing the information to IPEA

You must provide the required information by email to assurance@ipea.gov.au by close of business **Wednesday 15 December 2021**.

If you have any questions about this notice, please contact s22(1) on s22(1) or email assurance@ipea.gov.au.

Yours sincerely,

s22(1)

Annwyn Godwin
Chief Executive Officer
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

s22(1)

Phone: 02 6215 3000

s22(1)

s22(1)

From: s22(1)
Sent: Wednesday, 8 December 2021 8:50 AM
To: s22(1)
Cc:
Subject: Fwd: IPEA - Notice to Provide Information [SEC=OFFICIAL] Mr Andrew laming
Attachments: 10917_RANZCO_2019_A4 Handbook_PROOF8.pdf; ATT00001.htm; Untitled attachment 08349.html; ATT00002.htm

Subject: FW: IPEA - Notice to Provide Information [SEC=OFFICIAL] Mr Andrew laming

Dear Ms Godwin,

Thank you very much for your email of December 1 2021 regarding Mr Laming's attendance at the Tasmanian branch of RANZCO's branch meeting held in Hobart in June 2019 along with ANZOPS. We got to know of Mr Laming's plan to attend at the last minute so there is not much in the written/published programs .

In response to your questions re Mr Laming:

1. To the best of my knowledge, there was no written invitation made to Mr Laming to attend the combined meeting of the Tasmanian branch of RANZCO and ANZOPS. From memory, (it was a long time ago and there is nothing in our records) ,I think ,a verbal invitation was made a few years earlier .
2. As mentioned above, there was no formal invitation on record .
3. We came to know about Mr Laming's plan to attend the conference quite close to the actual meeting and we made a slot available for him to speak on Sunday the 23rd of June. From memory it was around the morning tea break. I have confirmed with some of my colleagues who attended the meeting that Mr Laming did indeed speak at the meeting.
4. As I was the conference organizer, I was the one responsible for any alterations to the program as outlined above .
5. Please find attached a copy of the program. As mentioned above, Mr Laming's talk is not in the printed program as we did not know about his plans to attend the meeting till quite late .

Please let us know if you need any more information.

Sincerely yours

s22(1)

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

COMBINED MEETING OF

RANZCO &

Tasmania Branch of the Royal Australian and New Zealand College of Ophthalmologists

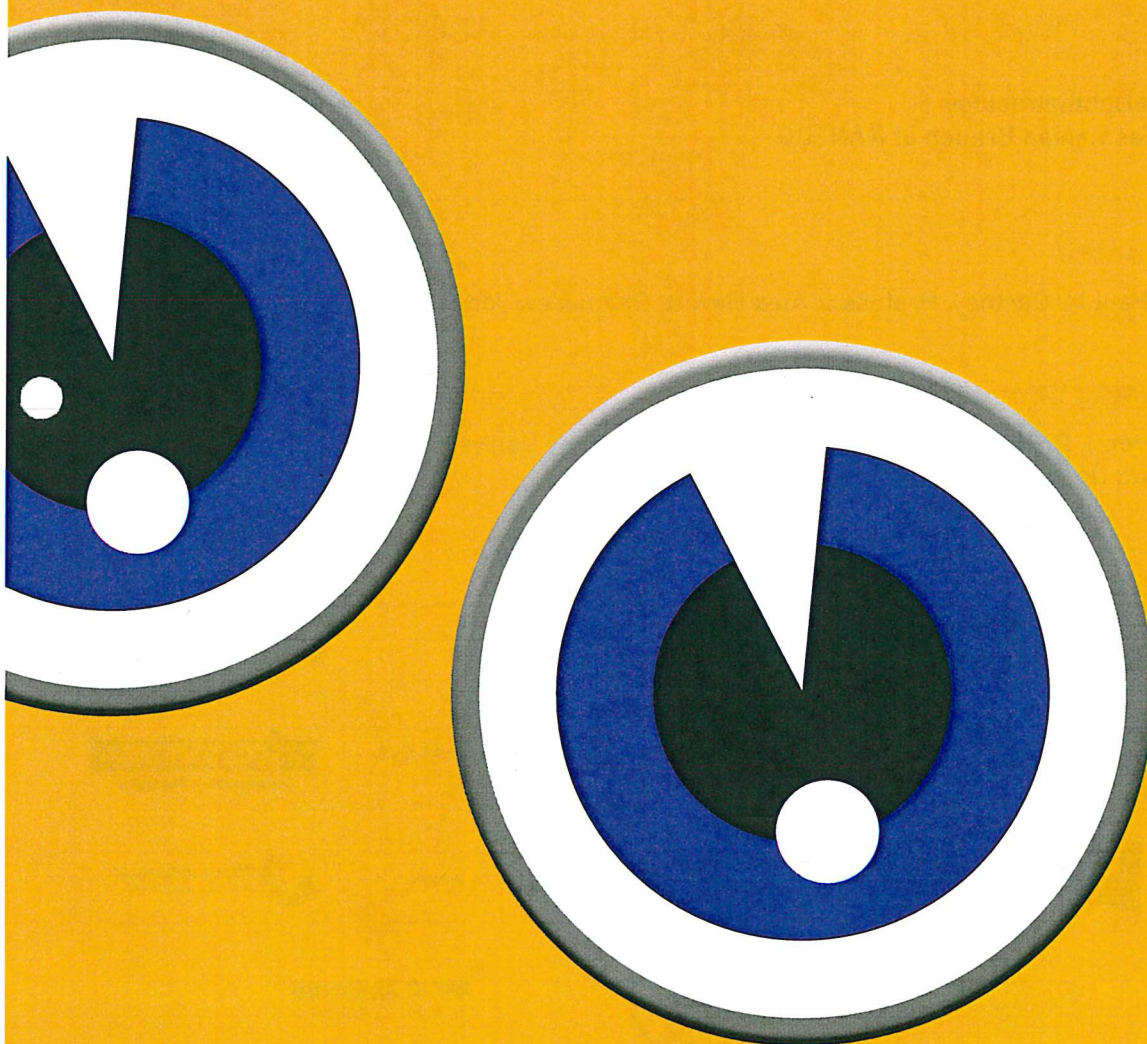
ANZSOPS

Australia and New Zealand Society of Ophthalmic Plastic Surgeons

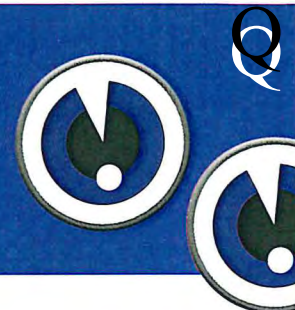
21-23 JUNE 2019

Hotel Grand Chancellor, Hobart Tasmania

Oculoplastic Surgery for the Comprehensive Ophthalmologist



Welcome



Dear colleagues

It is our pleasure to welcome you to the combined meeting of the Tasmanian Branch of the Royal Australian and New Zealand College of Ophthalmologists (RANZCO), and the Australia and New Zealand Society of Ophthalmic Plastic Surgeons (ANZSOPS).

As ophthalmologists, we are often confronted with oculoplastic problems that need attention.

Our patients expect nothing less than a perfect result, both functionally and cosmetically. Not only is it important for us to keep abreast with the latest techniques but also to work on improving what we are already doing.

We are privileged to have leading experts in the field of oculoplastics spend an educational weekend with us in Hobart to help enlighten us on this important topic.

We hope you enjoy this wonderful opportunity to catch up with colleagues and friends, old and new, to share memories and get updated on the various news and information in the field.

With best wishes

s22(1)

Clinical Professor of Ophthalmology
Meeting Convenor, Tasmanian Branch of RANZCO

Organising Committee

s22(1)

ANZSOPS Organising Committee

s22(1)

Platinum Sponsors

Alcon

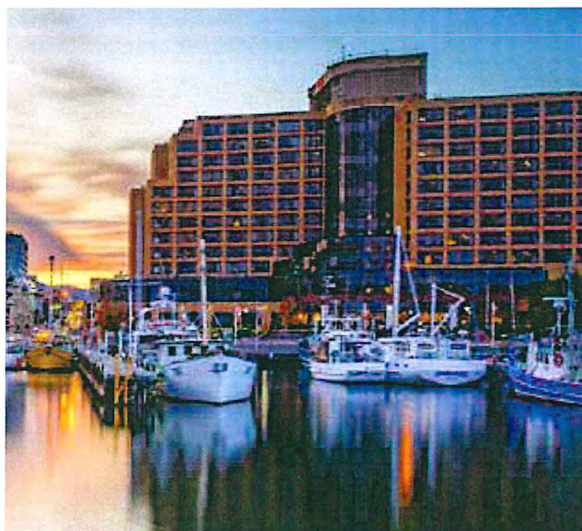
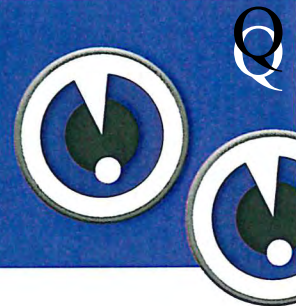
Name Badge Sponsor



Gold Sponsors



General Information



MEETING DETAILS

Venue

Hotel Grand Chancellor, Hobart

Registration Open

Friday 21 June: 08:30 – 17:00

Saturday 22 June: 08:00 – 13:30

Sunday 23 June: 08:15 – 13:00

Special Requirements

Every effort has been made to ensure delegates with special requirements are catered for. Should you require any assistance, please contact the Registration Desk to enable us to make your attendance at the meeting a pleasant and comfortable experience.

Welcome Reception

Date: Friday 21 June

Time: 18:00 – 19:00

Venue: Government House, 7 Lower Domain Rd, Queens Domain, Hobart, Tasmania

Attire: Lounge Suit/Day Dress

Networking with Younger Fellows

Date: Saturday 22 June

Time: 17:30 – 18:30

Venue: Hotel Grand Chancellor Atrium Bar (located within the hotel lobby)

Attire: Smart casual

Meeting Dinner

Date: Saturday 22 June

Time: 18:30 – 21:30

Venue: Hotel Grand Chancellor, Harbour View Room 1 (mezzanine level)

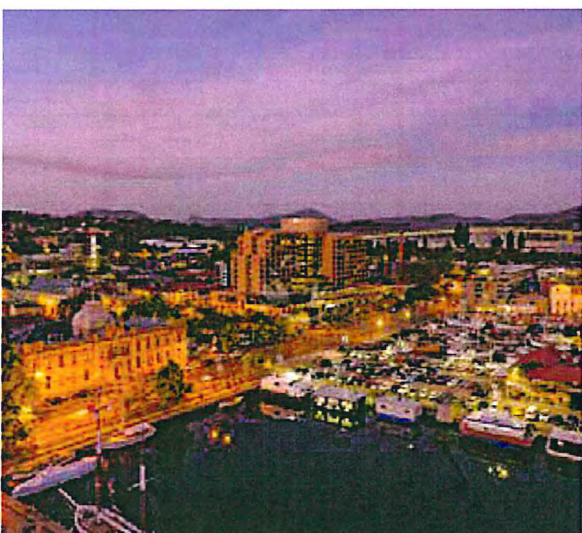
Attire: Smart casual

WI-FI

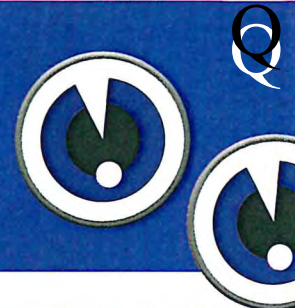
Complimentary Wi-Fi will be available throughout the meeting.

Network name: RANZCO Meeting

Password: ranzco2019



Program



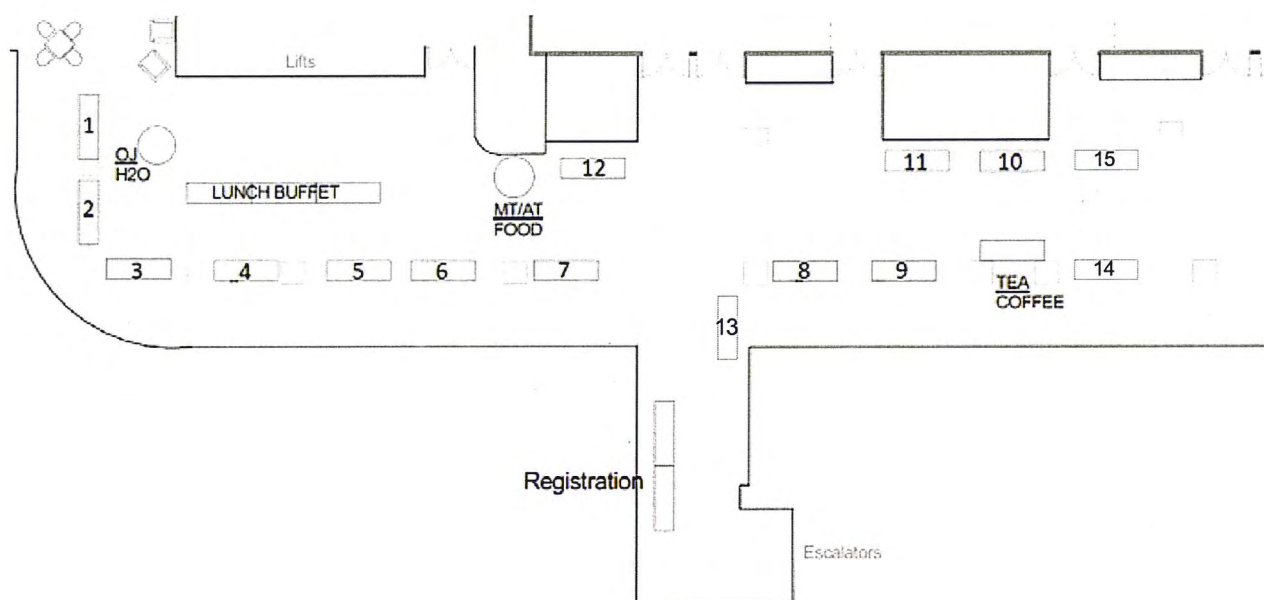
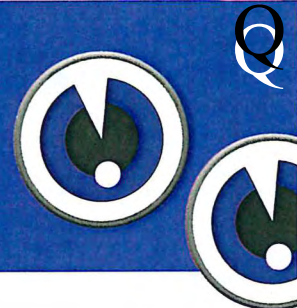
Friday 21 June 2019		
0830 – 0900	Registration, Arrival Tea and Coffee	Hotel Grand Chancellor Mezzanine, Level 1
0900 – 1030	History for diagnosis in a patient with a watery eye Ian Francis <i>A directed and detailed history of a patient's tearing, which includes that related to lacrimation, epiphora and pterolacrimal, may permit the aetiology of the tearing to be obtained, and the appropriate tests streamlined towards the correct diagnosis</i> Lacrimal Surgery for the generalist Liz Insull <i>Lacrimal surgery with a focus on the management of nasolacrimal duct obstruction and canalicular trauma</i> Epiphora in Children Geoff Wilcsek <i>This talk will focus principally on the management of congenital nasolacrimal duct obstruction, the talk will also look at other causes of dysfunctional lacrimal drainage throughout childhood</i>	
1030 – 1100	Morning Tea	
1100 – 1230	Thyroid Eye Disease Tim Sullivan The general ophthalmologist's role in orbital disease Tim Sullivan Entropion Jenny Danks <i>Procedures, choices, illustrated surgical techniques useful in your practice</i> <i>Lower lid entropion, retractors, horizontal tightening</i> <i>Upper lid entropion techniques, difficulties</i>	
1230 – 1330	Lunch	
1330 – 1500	Lower Lid Ectropion Stephen Ng <i>Surgical techniques, results & longevity of ectropion surgery will be discussed. This will assist ophthalmologists to construct a treatment algorithm for the management of ectropion</i> Upper Lid Ptosis Dov Hersh <i>A practical guide to ptosis surgery for comprehensive ophthalmologists: my approach and tips for anterior ptosis surgery, posterior ptosis surgery and frontalis slings. The talk will focus on techniques to find correct surgical planes, what to do when you are anatomically lost and learning from my mistakes</i> Upper Lid Blepharoplasty Ben Burt	
1500 – 1530	Afternoon Tea	
1530 – 1700	Eyelid Malignancies: Common tumours and common considerations Lucy Goold <i>A discussion of common eyelid malignancies, risk factors for extension and guidelines for margins</i> Adnexal trauma – evaluation and timing of repair Simon Taylor Evisceration and Enucleation: Technique selection and modification for improved outcomes Lindsay McGrath <i>We will revisit these common procedures for malignant or end stage eye disease, with suggestions for implant type, surgical modifications, and pre and post operative care to optimise cosmesis, motility and prosthesis retention</i>	
1800 – 1900	Welcome Reception Government House, 7 Lower Domain Rd, Queens Domain. Attire for the Reception is Lounge Suit/Day Dress.	

Saturday 22 June 2019

0800 – 0835	Registration, Arrival Tea and Coffee	Hotel Grand Chancellor Mezzanine, Level 1
Scientific Session		Hotel Grand Chancellor, Grand Ballroom 2&3
0835 – 0840	Introduction and Welcome Clinical Prof Nitin Verma AM Meeting Convenor, Tasmanian Branch of RANZCO	
Session Chair	Dr Lucy Goold	
0840 – 0900	Tips and Tricks for Temporal Artery Biopsy A/Professor Ian Francis	
0900 – 0930	Orbital Fractures: The Maxillofacial Surgeons Perspective Dr Paul Sillifant	
Session Chair	Dr Charles Su	
0930 – 1030	OCULOPLASTICS CASE PRESENTATIONS A Difficult case of Thyroid Eye Disease A/Professor Geoff Wilcsek A new technique of floppy eyelid repair A/Professor Geoff Wilcsek Sebaceous carcinoma of the eyelid Dr Dov Hersh Eosinophilic angiocentric fibrosis (a variant of IgG4 orbital inflammatory disease) Dr Dov Hersh Management of congenital Dacryocystocele: Case Series Dr Morgan Kennedy	
1030 – 1100	Morning Tea	Hotel Grand Chancellor Mezzanine, Level 1
Scientific Session		Hotel Grand Chancellor, Grand Ballroom 2&3
Session Chair	Professor Alex Hewitt	
1100 – 1105	Introduction to the Bruce Hamilton Lecture Dr Barry Taranto	
1105 – 1135	Bruce Hamilton Lecture Professor David Mackey	
Session Chair	Clinical Professor Nitin Verma AM	
1135 – 1205	What is the role of Radiation Oncology in managing neoplasia of the ocular adnexa and orbit Dr Michael Jones	
1205 – 1235	Medical Management of Neoplasia of the Ocular Anaxa Dr Andrew Jevtic	
1235 – 1245	RANZCO Presidential Update A/Professor Heather Mack, RANZCO President	
1245 – 1315	Lunch	Hotel Grand Chancellor Mezzanine, Level 1
1315 – 1700	RANZCO Communications Team	Media training for Fellows – Harbour View Room 2
1730 – 1830	Younger Fellows Networking Function Hotel Grand Chancellor Atrium Bar (located within the hotel lobby). Attire for networking with younger fellows is smart casual.	
1830 – 2130	Meeting Dinner Hotel Grand Chancellor, Harbour View Room 1 (mezzanine level). Attire for the dinner is smart casual.	

Sunday 23 June 2019	
0730 – 0830	Annual General Meeting, Tasmanian Branch of RANZCO Hotel Grand Chancellor Mezzanine, Harbour View Room 2
0815 – 0850	Registration, Arrival Tea and Coffee Hotel Grand Chancellor Mezzanine, Level 1
Scientific Session – Hotel Grand Chancellor, Grand Ballroom 2&3	
0850 – 0900	RANZCO Tasmanian Branch Update Dr Andrew Traill Secretary, Tasmanian Branch of RANZCO
Session Chair	Dr Andrew Jones
0900 – 0920	Future of Eye Care. A vision Clinical Professor Nitin Verma AM
0920 – 0950	Surgery on Mars Dr Jeff Ayton
0950 – 1010	A progress report from the Tas RANZCO Hons Scholarship Holder Connor Greatbatch
1010 – 1030	IOP after repeated intravitreal injections Dr Matthew McCartney
1030 – 1100	Morning Tea
Scientific Session Hotel Grand Chancellor, Grand Ballroom 2&3	
Session Chair	Dr Zoe Gao
1100 – 1105	Australian Society of Ophthalmologists (ASO) Update Clinical Professor Nitin Verma AM
1105 – 1125	Audit of refractive outcomes using ORA assisted intra ocular lens choice and positioning Dr George Smith
1125 – 1135	Gene Therapy in Hobart Professor Brendan Vote
1135 – 1155	Management of lagophthalmos in leprosy Clinical Professor Nitin Verma AM
Session Chair	Dr Rob McKay
1155 – 1330	Audits and Clinical Cases Interesting Oculoplastic Case #1 Dr Fiona Pearce Interesting Oculoplastic Case #2 Dr Fiona Pearce A Frontal bone fracture Dr Damien Ling A case of pleomorphic adenoma of the lacrimal gland with calcification Dr Charles Su Challenging Oculoplastic Case #1 Dr Freni Kalapesi Challenging Oculoplastic Case #2 Dr Peter Martin A complex case of BCC/IgG4/GPA Dr Scott Teske Two cases of late P. Acnes orbital infection Dr Scott Teske A post-op cosmetic problem Dr Scott Teske

Exhibition



Display	Organisation
1	Carl Zeiss Pty Ltd
2	Device Technologies
3	Avant
4	Bausch + Lomb
5	Customcare Compounding Pharmacy
6	Johnson And Johnson Surgical Vision
7	Alcon Laboratories
8	Designs For Vision
9	MDA National Insurance
10	Glaukos Australia
11	Spectrum Surgical
12	Boq Specialist
13	RANZCO
14	Novartis
15	Bayer Healthcare

Conference Secretariat**Andrew Watts**

Conference Manager, Conference Design

P +61 (3) 6231 2999**A** 228 Liverpool Street, Hobart TAS 7000**E** mail@conferencedesign.com.au**RANZCO Enquiries****Sarah Stedman**

Manager – Events and Industry Relationships

P +61 (2) 9690 1001**A** 94-98 Chalmers Street, Surry Hills NSW 2010**E** sstedman@ranzco.edu

OFFICIAL: Sensitive

Australian Government
Independent Parliamentary
Expenses Authority

7 July 2022

Mr Andrew Laming

Email: s22(1)

Dear Mr Laming

Outstanding Assurance Matter

I wrote to you on 30 June 2022 in relation to an Assurance Review of your use of travel expenses between 5 and 10 April 2022. My letter noted that in your earlier correspondence on this Review you had not provided IPEA with the supporting documentation necessary for the conduct of the Review. I advised you of the obligations imposed upon parliamentarians by section 98 of the *Parliamentary Business Resources Act 2017*.

Your response of 1 July 2022 did not address the Assurance Review but raised matters pertaining to the earlier Audit of your use of business expenses between 21 and 27 June 2019. I will deal with those matters first.

On 3 March 2022, IPEA's acting Chief Executive Officer wrote to you enclosing a copy of the Draft Audit Report. You were invited to correct any factual errors and provide any further relevant evidence for consideration in relation to the draft findings. You responded in emails dated 16 and 23 March 2022. IPEA gave consideration to the contents of that correspondence and concluded that you had not identified factual errors or provided further relevant and material information. The Chief Executive Officer wrote to you on 24 March 2022 enclosing a copy of the final Audit Report and the Ruling of the Members of IPEA.

In subsequent emails to IPEA, you have spoken of obtaining independent assessment of the Audit and have indicated that the Audit is now subject to appeal. While judicial review of an audit outcome and a ruling may be available under section 39B of the *Judiciary Act 1903* – a matter on which you would need to seek independent legal advice – IPEA has not been advised of any review. Accordingly, IPEA currently regards this matter as closed.

OFFICIAL: Sensitive

OFFICIAL: Sensitive

In relation to the Assurance Review of your use of travel expenses between 5 and 10 April 2022, I again confirm that section 98 of the *Parliamentary Business Resources Regulations 2017* requires that a parliamentarian is obliged to provide IPEA with such compliance information as is required to determine that an expense has been incurred in accordance within the legislated provisions. Where compliance information as sought is not provided, section 98 specifies that the Commonwealth is not liable for the cost of resources accessed.

Accordingly, if you do not by Friday 15 July 2022 provide IPEA with supporting documentation as specified in both my letters of 18 and 20 May 2022, I will raise an invoice for the relevant travel expenses.

Yours sincerely

s22(1)



Nicole Pearson

Branch Manager, Transparency, Assurance and Legal

Independent Parliamentary Expenses Authority

One Canberra Avenue, FORREST ACT 2603

s22(1)

**OFFICIAL: Sensitive**

s22(1)

From: Godwin, Annwyn
Sent: Wednesday, 14 September 2022 5:21 PM
To: Pearson, Nicole
Cc: Assurance
Subject: FW: Assurance Review [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Nicole

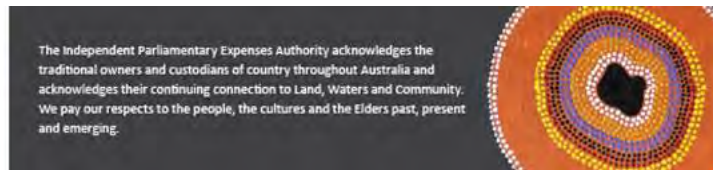
FYI and appropriate filing etc. Regards, Annwyn

Annwyn Godwin

Chief Executive Officer
 Independent Parliamentary Expenses Authority
 One Canberra Avenue, Forrest ACT 2603

s22(1)

W: www.ipea.gov.au



SEC=OFFICIAL

From: Godwin, Annwyn
Sent: Wednesday, 14 September 2022 5:20 PM
To: 'Andrew Laming'
Subject: Assurance Review [SEC=OFFICIAL]

SEC=OFFICIAL

Dear Mr Laming

I acknowledge your email below of 8 September 2022.

As per correspondence of 23 July 2022, IPEA independently reviewed and concluded:

"... the Audit Report and Ruling 01/2022 did not ignore, omit or dismiss information as indicated by your emails of 8 and 14 July 2022.

As allowed for under section 37 of the *Parliamentary Business Resources Act 2017* (PBR Act), no contrary grounds were established in the information provided by you. Therefore, there is no change to the outcome or findings of the Audit Report of Ruling.

Correspondence on this matter is concluded. Future correspondence relating to the same content will be read and placed on file, but you will not necessarily receive a response."

I understand you have been previously advised of external rights to a judicial review. Should you decide to pursue this matter further, I would advise you to seek independent legal advice.

Consistent with previous advice, future correspondence relating to the same content will be read and placed on file, but you will not necessarily receive a response.

Regards, Annwyn

Annwyn Godwin

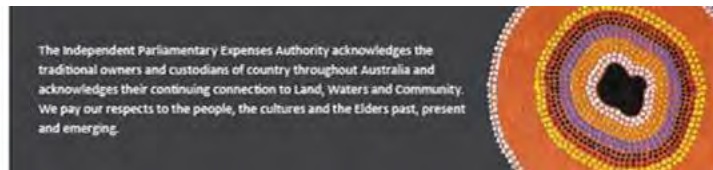
Chief Executive Officer

Independent Parliamentary Expenses Authority

One Canberra Avenue, Forrest ACT 2603

s22(1)

W: www.ipea.gov.au



SEC=OFFICIAL

From: Andrew Laming s22(1)

Sent: Thursday, 8 September 2022 1:29 PM

To: Godwin, Annwyn s22(1)

Subject: RE: Assurance Review

I am now in receipt of the relevant FOI material from IPEA, confirming in writing my suspicions regarding the failures of the 2021 travel assurance and 2022 audit.

The vague questions in s22(1) notification to s22(1) (1 Dec 2021) failed to seek all relevant records. The vague reference to 'did RANZCO invite,' was a question insufficient in detail to ensure that text message arrangements from nearly three years previously were provided.

- The response from s22(1) contained phrases carefully omitted from the report that information was 'to the best of my knowledge,' twice referred to as 'from memory' and again once to 'it was a long time ago.'
- It is abundantly clear that this was not the thorough or exhaustive audit response that this process deserved; prior to IPEA embarking on the solo-flight to destroy my political reputation.
- There was no IPEA follow-up in this regard, and no specific statement that the information gathering powers extend to text messages; the most likely form of communication between two clinical colleagues.
- The response actually states 'I think a verbal invitation was made a few years earlier' indicating an ongoing invitation to attend this meeting was in place; with attendance made possible only thanks to the mid-year 2019 election freeing up June from sitting weeks.
- With the mid-May 2019 election that year in mind, arrangements to attend Hobart could only start once the Parliamentary sitting calendar was received. This was in early June that year, just days before bookings were made.
- IPEA made no effort to clarify what 'quite close' and 'last minute' meant. It is now verified that in s22(1) s case, he meant June 11 8:35pm with attendance arrangements completed the following day (12 June, 2019). This is an utterly reasonable timeframe for a Parliamentary address to be confirmed.

I find your agency has engaged in malevolent and potentially corrupt conduct by;

- Having no basis to initiate this audit, apart from four inadvertently non-refunded Jetstar flights worth \$96 each, which are a matter for FCM agents to cancel as I requested, when re-routing the journey. All you had to do was write to me about it in 2019.
- Rejecting my hardcopy evidence of RANZCO meeting registration because it wasn't speaker registration
- Discrediting my attendance because I didn't 'attend more than Sunday morning.' Parliamentarians address conferences; and are not expected to stay for the duration.
- Omitting important evidence of pre-planning the address, including RANZCO dinner registration from 12 June, accommodation and travel arrangements made on or around 12 June,
- A paranoia regarding Tasmania accommodation, where additional bookings at no cost to the Commonwealth were always required on each day due to the size of party, then additional changes occurred due to illness. The Amberly three-day booking was the original one made, available to my staff in advance and submitted because the one invoice covered the relevant days. While variations did occur at short notice, they were at no additional cost to the Commonwealth.
- Including bizarre edicts that driving 800km to do site visits in a day is not possible.
- Deliberately initiating an assurance process the day after adverse media about me which has now been exposed as utterly baseless.
- Making no allowance for the loss of nearly a year of Parliamentary records from that period in assessing the matter
- Refusing to clarify errors in s22(1)'s testimony brought to your attention at the appropriate time,
- Persisting with the pre-determined adverse outcome, despite the remainder of the audit in no way disputing my version of events,
- Failing to audit anything that might support my account of events, including s22(1) in Melbourne, the Conference organiser (self-evidently because it would destroy the IPEA position) or meeting attendees referred to in s22(1)'s correspondence who would also verify the substance of my Parliamentary address,
- Misrepresenting my verbal 'seeing the sites' with 'sightseeing' then placing no weight on the account, as a mechanism to further buttress the adverse finding,
- Rejecting meeting with Independent Schools representatives as not being 'sufficiently Parliamentary,' based on me having another dominant purpose, which was rejected without basis in truth, using cherry-picked testimony from s22(1)
- Suggesting the nation's largest horticultural event was not 'sufficiently Parliamentary' by falsely claiming I attended for 'an hour' then discrediting the former CEO of the Queensland stakeholder body who invited me, as 'purported.'
- Misrepresenting provision of additional information to more detailed questioning as 'changing his story.'
- Releasing a report lacking any objective evidence that;
 - Any of my responses were incorrect or,
 - Any other non-Parliamentary dominant purpose existed.
- Initiating with little hesitation a new assurance process as a means of bullying a member who was simply attempting to correct the agency's findings in a previous report.

You will understand my lack of confidence in your agency and any further action will be vigorously contested.

On a personal note, your dismissal of these concerns is disappointing.

Three individuals in your agency are responsible for the conduct of these matters, and I will not allow that to taint the remainder of IPEA.

Be careful with this message

External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

SEC=OFFICIAL