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Australian Government
Independent Parliamentary
Expenses Authority

ASSURANCE REVIEW MEMORANDUM – [2021/022]

The Hon Christian Porter MP, travel to and from Sydney during the period 18 to 25 April 2021

Date: 22 October 2021

To: Nicole Pearson
Branch Manager, Transparency, Assurance & Legal

RECOMMENDATION

It is recommended that you:

- i. Note the contents of this assurance review and accept the matter as closed with no further action required.

NOTED & ACCEPTED AS CLOSED

/ PLEASE DISCUSS

Date: October 2021
Nicole Pearson
Branch Manager
Transparency, Assurance & Legal Branch

Prepared by:

Reviewed by:

s 47F

Date: 22 October 2021

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Assistant Director, Audit & Assurance
Transparency, Assurance & Legal Branch

Date: 22 October 2021

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Director, Audit & Assurance
Transparency, Assurance & Legal Branch

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SCOPE

1. The scope for the Assurance Review (the review) is the use of travel resources during the period 18 to 25 April 2021 (the relevant period).

PURPOSE

2. The review aims to determine the dominant purpose of the travel that was undertaken by the Hon Christian Porter MP, in Sydney during the period 18 to 25 April 2021.

BACKGROUND

3. A number of social media posts (Twitter) were posted in relation to the relevant period of travel, referencing the April to June 2021 IPEA Expenditure Report (**Attachment A**). There were subsequent social media posts, from other authors, on this subject.
4. In accordance with IPEA's protocol on dealing with misuse of parliamentary work expenses (the protocol), a preliminary assessment was conducted. The assessment found that travel resources were used to travel to Sydney, NSW during the relevant period.
5. On 28 September 2021, in accordance with the protocol, an Assurance Review into this matter was commenced.

LEGISLATIVE FRAMEWORK

6. The relevant legislative framework is:
 - *Parliamentary Business Resources Act 2017 (the PBR Act)*
 - *Parliamentary Business Resources Regulations 2017 (the Regulations)*
 - *Parliamentary Business Resources (Parliamentary Business) Determination 2017 (the Parliamentary Business Determination)*
 - *Parliamentary Business Resources (Commonwealth Transport) Determination 2017*

Obligations

7. The principles based legislative framework imposes a number of obligations on parliamentarians in relation to their use of public resources. In summary, parliamentarians are personally responsible and accountable for their use of public resources. They must be prepared to publicly justify their use of public resources for conducting their parliamentary business and must act ethically and in good faith in using, and accounting for the use of, those resources. Specifically, a parliamentarian must not claim public resources unless they are claimed for the dominant purpose of conducting their parliamentary business.

Definitions

8. "Parliamentary business" has the meaning given by section 6 of the PBR Act. Activities that fall within the four duty streams of parliamentary business are set out in the Parliamentary Business Determination as "parliamentary duties", "electorate duties", "party political duties", and "official duties" (**Attachment B**).

ANALYSIS

9. IPEA obtained data in relation to travel for Mr Porter covering the relevant period. Staff travel expenses were also obtained for the period.
10. Based on available internal information, Mr Porter used parliamentary business resources to travel to Sydney during the relevant period. It should be noted that three of his ministerial staff also travelled to Sydney during the relevant period, with one staff member claiming travelling allowance for 6 nights (beginning 19 April 2021).
11. On 28 September 2021, IPEA wrote to Mr Porter asking that he describe the nature of his parliamentary business in relation to the travel and travel-related expenses accessed to and around Sydney during the relevant period (**Attachment C**).
12. On 11 October 2021, Mr Porter provided a detailed response regarding his travel, including an explanation on the dominant purpose and nature of his parliamentary business in Sydney (**Attachment D**). The response also included a breakdown outlining his schedule and the parliamentary business conducted on each day, listed in table form.
13. In Mr Porter's response, he stated "*the dominant purpose of my travel during the abovementioned dates was parliamentary duties in my capacity as Minister for Science, Industry and Technology*".
14. Mr Porter also noted that he had "*previously released publicly (in June 2021) details of portfolio stakeholder meetings and engagements for the period 31 March 2021 – 1 May 2021 in response to a freedom of information request. This information is publicly available on the Department of Industry, Science, Energy and Resources FOI Disclosure log at <https://www.industry.gov.au/sites/default/files/2021-06/disclosurelog-21-032-68723.pdf>*" (**Attachment E**).

CONCLUSION

15. On the basis of Mr Porter's response, IPEA is satisfied that the dominant purpose of his travel to and within Sydney during the period 18 to 25 April 2021 was parliamentary business and was not inconsistent with the Framework.

