​***Parliamentary committees innovating for greater participation and representation in parliamentary decision-making  -  is parliamentary privilege a barrier?***

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**Introduction**

It is well established that there is a crisis of trust in civil society,[[1]](#footnote-2) and a broad agreement (eg the CPA benchmarks,[[2]](#footnote-3) UN Sustainable Development Goals especially Goal 16[[3]](#footnote-4)) that increasing citizen participation and broadening representation in the work of public institutions is a way to address that.

The main avenues for broad citizen engagement with parliament outside elections, are directly with their representative, through petitions, and via the work of committees which when performing particular functions, have terms of reference that require them to engage with citizens.

Parliaments are fairly traditional places. Committees tend to operate in a very formal and legalistic manner, inviting ‘evidence’ in the form of written submissions from, and holding oral hearings with, a range of citizens, organisations and experts who are referred to as ‘witnesses’.[[4]](#footnote-5) While submissions are usually open to any member of the public, they are not really very broadly engaged with.[[5]](#footnote-6)

One reason for the formality, is that committee proceedings must be properly, formally constituted and recorded, to ensure that parliamentary privilege attaches to them.[[6]](#footnote-7) From time to time concerns arise about the need for protection of either witnesses or members, for protection of documents, or about the need to summons witnesses or documents in order to fully inform a committee. There are frequently considerations about whether to redact parts of submissions or hearing transcripts and broadcast footage, even from very formal proceedings. There is also a concern for perceived legitimacy of the information given to a committee in an informal setting, as being on the record’ makes it transparent and contestable.

There is a view that the formalities associated with ensuring the application of parliamentary privilege to proceedings of committees, is limiting committees from trying new ways of engaging with citizens,[[7]](#footnote-8) ways that could increase participation and broaden representation of citizen perspectives. Which begs the question of, are the protections and powers of privilege really necessary? If so, when?

When I’m thinking about trying new approaches, I go back to basic principles. Does the new idea help to better achieve a core parliamentary function? That is, will it help Parliament **to make law, to scrutinise the government, to represent citizens, to investigate matters of public policy, and to be a forum for debate and grievance?** [[8]](#footnote-9) Another consideration is how the idea connects with or relates to the functions of other arms of government – the courts and the executive. Because the separation of powers, and the sovereignty of parliament, are also basic concepts.

**Parliamentary Committees**

Parliaments establish committees to help them perform their functions.

In Queensland, all legislation must be referred to a portfolio committee for consideration before it is debated by the Legislative Assembly. The committee stage is a formal part of the Bill to Act process.[[9]](#footnote-10)

Committees usually take evidence in public, allowing it to be tested and contested, balanced and counter-balanced, by the committee and by the public (often through the media). This supports transparency and accountability and is in that regard, more important than the committee’s report: Committees must (in Queensland at least) ‘deliberate’ in private session on the ‘evidence’ they have received. ‘Deliberate’ means formal decision-making, including about their recommendations and report. So what is in the final report, and why, isn’t necessarily transparent. That report informs decision-making by the whole parliament.

Bill inquiries represent the bulk of portfolio committee work, most committees having several bill inquiries underway at any point in time alongside their other responsibilities (public accounts, public works, oversight of statutory bodies, and any public interest inquiry referred to them by the House or their own initiative).

My observation is that committees tend to apply a formal approach which supports the principles of transparency, accountability and contestability in fulfilling all of their functions to varying degrees depending on the issue and the political context. Those principles aim to promote public trust.

**Parliamentary privilege**

Back to those core principles again: ‘Parliamentary sovereignty’ means that the people through their collective representatives as a Parliament are ultimately in charge of our society. Not the Ministers and government agencies, not the courts, not the King.

*Parliament makes the law and raises taxes. It is also the place where ministers are called to account by representatives of the whole nation for their decisions and their expenditure of public money. Grievances, great and small, can be aired, regardless of the power or wealth of those criticised.*​

*In order to carry out these public duties without fear or favour, Parliament and its members and officers need certain rights and immunities. Parliament needs the right to regulate its own affairs, free from intervention by the government or the courts. Members need to be able to speak freely, uninhibited by possible defamation claims. These rights and immunities, rooted in this country's constitutional history, are known as* ***parliamentary privilege.***

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Parliament’s, or the people’s sovereignty, is reflected in its ability to control its own affairs, free of interference from the other two branches of government. ‘Parliamentary Privilege’ exists so that Parliament can fulfil its functions as, and for, ‘the people’.

Parliaments need good quality – valid, complete – information to fulfil their functions: in particular, to **make laws** and **scrutinise the actions of the executive** on behalf of the people.

Parliamentary privilege is a bundle of powers and immunities from the reach of the general law, to ensure the Parliament including through its committees) can fulfil its functions.

These are the main aspects of Parliamentary privilege:

* Immunity: Freedom of speech
* Powers: Regulate own proceedings (Exclusive Cognisance)​ – including the power to obtain information, protect against breaches of privilege and punish for contempt’s of Parliament.

Importantly, these immunities and powers have a reach beyond elected Members of Parliament, to all who participate in parliamentary proceedings: for example, people who brief Ministers (including public servants), citizens and corporations who engage with committees, and to documents called for by, or given to the parliament or a committee. They apply when a member, a committee, or the parliament is fulfilling their functions as a member, a committee or the parliament.

The privilege of freedom of speech comes from the 1688 *Bill of Rights*, and has been incorporated into the statute of many other jurisdictions since then:

***Assembly proceedings can not be impeached or questioned*** ​

*The freedom of speech and debates or proceedings in the Assembly can not be impeached or questioned in any court or place out of the Assembly.*​

‘Other place’ means a court, tribunal, or other body of the executive that is quasi-judicial in nature. In return, Parliament adopts the principle of mutual respect or ‘comity’, with the Courts, including the ‘sub judice’ convention; and parliaments do not criticise the judiciary (as an institution, at least). Committees might hold over an inquiry into a complaint, pending court proceedings related to the same matter. And despite its scrutiny function with regard to the Executive, there is usually a respect shown for Cabinet confidentiality conventions.

The definition of ‘proceedings’ indicates the scope of the immunity or power claimed by Parliament. Proceedings include all words said and acts done:

* in the course of
* or for purposes of
* or incidental to

the transacting of the business of a House or of a committee. This includes:

* the act of giving evidence to a House or committee
* the evidence given
* the presentation or submission of a document to a House or committee
* the preparation of a document for purposes of or incidental to the transacting of the business of a House or committee
* formulating, making or publishing a document by or pursuant to an order of a House or committee; and
* the document formulated, made or published by or pursuant to such an order.

Note (in Queensland at least):

*it does not matter what the nature of the business transacted by a committee is or whether the business is transacted under this Act or otherwise.[[10]](#footnote-11)*

As you can see, pretty much anything that is said or done for and by a parliamentary committee (properly constituted so as to be a proceeding of parliament) can give claim to privilege, where necessary to protect the ability of the parliament to do its jobs.

**When is privilege necessary for committees to fulfil their functions?**

But let’s think about when it’s really necessary for committees to be sure their proceedings are such that privilege can be claimed.

The functions of parliamentary committees vary depending on their terms of reference, which can be found in statute, standing orders, sessional orders, or resolutions of the House and/or the committee itself. Some committees, and some Inquiries, have express oversight, quasi-judicial, or ‘fact-finding’ terms of reference.

Where committees make decisions that have significant consequence – i.e. a recommendation to pass or amend a bill, or to make a finding of wrongdoing – it becomes more important that proceedings are protected to ensure as far as possible, the integrity of the evidence and the integrity of those decisions.

While usually not decision-making bodies themselves (though I note in some jurisdictions, some committees do have the power to amend, or to resolve to introduce Bills themselves[[11]](#footnote-12)) committees make recommendations to the parliament. In many jurisdictions, standing or sessional orders provide that committee reports must be considered and debated as a dedicated part of formal parliamentary business: for example, Bill inquiries in Queensland are a central part of law-making. Committees are required to recommend in their Bill Inquiry reports whether the Bill should be passed.[[12]](#footnote-13) Those reports then directly inform the second reading and consideration in detail stages of the legislative process.[[13]](#footnote-14) The public needs confidence a committee is basing its deliberations, as reported to the House, on reliable and complete information. This will lead to better law, and greater perceived legitimacy of that law.

Furthermore, in Queensland, committee reports on proposed legislation are ‘extrinsic material’ which may be used by a court as an aid to interpretation, in some circumstances.[[14]](#footnote-15) So committee reports can have quite a far-reaching effect.

In contrast, the reports of other types of committee inquiries – such as matters of public interest, public accounts, public works – are formally listed on the notice paper for debate during a dedicated time each sitting week. The question before the House then is ‘that the House take note of the report’. A decision by the House to note a report, while allowing for parliamentary debate of the topic, is less significant than a decision to make a law.

Committees can and do hold less formal proceedings where they have determined that would help them get better information to deliberate on; and where public interest is such that it is required politically.

These can occur as part of formal proceedings, but do not have to be. For example a site visit, informal meetings over lunch not formally recorded by Hansard – a community barbeque, or a facilitated forum to advise on an emerging issue can all be very useful in public interest inquiries, where the purpose of evidence collection is to ensure sufficient information to make good policy – a task then carried out by the government, which conducts its own consultation as part of the policy and/or legislation development process. But because of the nature of the question before the committee (and ultimately before the House), it can be riskier in performing scrutiny functions, such as determining whether to recommend a specific detailed law be passed, or overseeing a public agency where allegations of wrongdoing might arise. In such inquiries, protections are more likely to be required to ensure the committee can obtain the accurate, valid information it needs, and be protected from impeachment, to fulfil its functions in the interests of the people.

Matters of privilege can arise unexpectedly, and not necessarily contemporaneously with the proceedings. Some time after a Bill inquiry hearing in Queensland some years ago the committee office had an approach from police requesting to use evidence given in a formal hearing a year or so earlier as evidence in a murder prosecution. A Bill inquiry hearing on smoking product regulation saw allegations of criminal activity made in a public forum; and the voluntary assisted dying bill inquiry saw disclosures of potentially unlawful actions. An inquiry into wage theft used a mix of approaches, including formal hearings where witnesses could provide information which may otherwise have been subject to non-disclosure agreements without fear of being sued. Because those forums were proceedings of parliament, the committee was able to include the valuable information obtained, test it against other evidence, and draw conclusions without legal risks to the submitters and witnesses. That is not to say there are not other risks, as I shall come to shortly.

**There are an increasing number of digital tools to support public participation, in both formal proceedings, informal proceedings, and as part of the infrastructure supporting committee work.**

Committees in Queensland use social media platforms to advertise inquiries, including ‘tagging’ to attract attention by particular interest or geographic groups (we are considering how to reach other platforms and digital spaces than the mainstream ones), and using esubmission platforms that enable pre-sorted data through ‘forms’ which improve our processes for submission validation and pre- content analysis efforts, and provide demographic data.[[15]](#footnote-16) Hearings routinely include participation by witnesses and members via video-conferencing.

For some time now committee proceedings have been broadcast via the internet. The parliament has little control of re-publication, regardless of broadcast conditions, and a seemingly legitimate source of information can be filtered such as to misrepresent it. The speed and scope of ‘reach’ and what can be done with digital media, is unprecedented. Once broadcast, or published, digital records of parliamentary proceedings are effectively beyond parliament’s control, despite the broadcast terms and conditions.

Here are a few examples of 3rd parties outside the parliament republishing official broadcast footage:

In these two cases, the citizens refused to ‘unpublish’ after requests from the Clerk and the Speaker. One publicised the requests, and her rejection of those. The Ethics (Privileges) Committee found that both matters amounted to contempts of parliament. In the former case, on the recommendation of the Ethics committee, no further action was taken by the House.[[16]](#footnote-17) In the latter, the House agreed to an Ethics Committee recommendation for a written reprimand from the Speaker. [[17]](#footnote-18)

Not since the 1950s has the Parliament ordered an imprisonment, and that incidentally was for publishing articles deemed to be intimidatory to a member fulfilling his functions in the House.[[18]](#footnote-19) And technology means that anyone can a journalist or a publisher now, with no framework of professional codes of conduct.

As we can see in this example. where official footage of a witness giving evidence to a formally constituted committee hearing, was republished by another party on multiple social media platforms to vilify the witness and her evidence. The witness’s place of work was identified. Even though the proceedings were formally constituted and the proceedings orderly, the witness was not “protected” by privilege. Regardless of whether parliamentary or legal action is taken against the other party for that republication (and I make no comment as to whether contempt or legal thresholds are reached), these after-effects clearly have implications for the willingness of citizens to trust and participate in committee proceedings.[[19]](#footnote-20)

Fortunately such instances are relatively rare, suggesting people do generally have respect for the integrity of parliamentary proceedings. Formalities do seem to discourage breaches, in the main.

But if such behaviour can occur in formalised proceedings, under threat (mild as it might be) of sanction, are the risks to those who share information with committees higher in a more informal setting?

Beyond these now standard digital technology uses, other formats for evidence collection by committees is ad hoc.[[20]](#footnote-21) Video submissions have been accepted by committees:[[21]](#footnote-22) dilemmas have arisen as to where and when to publish them, due to the same concerns about misuse as for broadcast footage.

Inquiries on polarising matters, such as COVID-19 regulation, abortion and voluntary assisted dying, attract high volumes of individual submissions are often assisted by automated technologies, including social media and online submission platforms operated by vested interest third parties. These reflect little more than an expression of opposition or support – effectively, they are a ‘vote’, and are of limited value to the deliberative function of committees. They are rarely representative of a broad range of perspectives, or even of the community generally. While Members are often influenced by numbers, and make reference to % of opposition or otherwise indicated in a committee inquiry (and it’s usually opposition, suggesting participation is driven by fear rather than excitement about engaging with parliament), when a decision is made anyway its legitimacy is then questioned. Formal surveys run by committees have been equally challenged regarding legitimacy.

I suggest that Committees performing parliamentary functions with respect to matters of public interest could safely and effectively increase participation and representation using many innovative practices that do not have to occur as a ‘proceeding of parliament’.

There is a movement in the public engagement world at present, towards ‘deliberative democracy’ – whereby citizens actively and directly participate in public decision-making processes.

Democratic inquiry occurs in the public sphere,[[22]](#footnote-23) which is far more participatory in nature than any deliberative processes of parliaments.[[23]](#footnote-24)  And as the capacity of political parties to legitimately advocate for particular policy agendas in the public sphere declines due to perceived lack of relevance (evidenced by increasing numbers of independent and minor party members of parliament), it becomes easier for other interest groups to gain legitimacy.[[24]](#footnote-25)

It would seem people do engage on issues that matter to them, though not necessarily with Parliamentary democracy.[[25]](#footnote-26) And those issues are often polarized. There is disagreement as to whether the general public has the capacity to find accurate information from quality sources – including parliamentary broadcasts of proceedings – evaluate it, and use it to inform decisions for the public good.[[26]](#footnote-27) Having a diverse range of participants contribute in an orderly and transparent manner to Inquiries into matters of public interest provides an opportunity for ‘proponents of divergent views to find common ground’. [[27]](#footnote-28) The approach is frequently contrasted to the less regulated online public space.[[28]](#footnote-29) The idea is of a deliberative space that makes it safer for people to go beyond binary positions, and to change their minds.[[29]](#footnote-30) It’s thought this will lead to increased trust in the decision-making process, and better public decisions.

There are some exciting examples of approaches at different points along the ‘deliberative democracy’ spectrum:[[30]](#footnote-31) I visualise one end of that spectrum being direct and binding decision-making by a group of representatives OUTSIDE the formally represented members of parliament – and at another point closer to the other end, facilitation of a representative group of people using reliable information to inform their elected representatives about their views. I note that many examples towards the more innovative end of the spectrum are from parliaments which were born out of struggles for greater representation and participation in public decision-making[[31]](#footnote-32) or which have had their own powers affected by those struggles.[[32]](#footnote-33),[[33]](#footnote-34) In contrast, the colonial history of Australian Parliaments may be a reason for a slowness to innovate in ways that provide greater participation and representation and importantly, power, to non-members of Parliament in decision-making. Nevertheless in the context of decreasing trust in parliaments, I can see great value in moving the indicator from the other end of the spectrum.

Inviting under-represented affected populations, citizens forums can have an educative and deliberative function that is key to supporting informed participation,[[34]](#footnote-35) potentially countering the effect on the quality of deliberative input of opinions often formed in the unregulated, mostly privately owned, digital public space. Given the fundamental role of parliament in balancing interests to make decisions in the public good, such forums could similarly aim to present the range of considerations on the matter under Inquiry (for example reducing crime, fairness, human rights) and engage in a balancing process. This can support a broader public understanding, and depending on how it feeds into decision making, add transparency and accountability to the decision-making processes of parliament.

Videoconference platforms and other enabling technology, including AI, can overcome limitations of physical space, geography, language and disability, enhancing inclusion.[[35]](#footnote-36)

Input could be facilitated via curated information that supports deliberation, include high quality knowledge and/or perspectives not included in public conversation to support deliberation by participants.[[36]](#footnote-37) The internet could be utilised by moderators during proceedings to conduct ‘fact checks’ with reputable sources, with findings shared immediately with the group.[[37]](#footnote-38) This technology aided approach offers much greater legitimacy than submissions generated via third-party co-ordinated email campaigns or submission platforms, which can have disproportionate or illegitimate influence in the decision-making process.[[38]](#footnote-39)

Guarding against exclusion of those with limited access to technology is an important consideration, too: digital tools should be supplemented with other means of participation.

A Parliament could, systematically via its standing and sessional orders or by resolution, agree to commit to debating reports of citizens’ forums in parliament. Citizens could see how their representatives are engaging with the issue, and representing their views. The forums could continue as reference groups for committees, where an Inquiry ensues from the scoping work.

Providing direct avenues to parliament for more informed and representative public discourse can build trust in public decisions.

On a larger scale, without even facilitating any formal discourse whereby the need for powers or protection arises, Parliaments and committees could use digital technology to counter mis- and disinformation to the broader public, and encourage broad participation in the regulated, more democratically legitimate political discourse. Committees could use AI to monitor social media, analyse trends in discussion forums, and to ‘push out’ relevant validated information into that space, also encouraging participation in a deliberative forum where their views can be heard by decision-makers. No input need be received via those channels. The only concern might be about maintaining the dignity of the parliament in that unregulated space, where republications may be a challenge.

AI could produce and distribute information to people who may have, or are expressing, an interest in it, in different formats and languages – summaries of issues, of proposed legislation – including ‘easy English’ – and tailored assessments of ‘why the Bill might affect you’ with a view to increasing participation by and representation of populations not currently engaged.

While AI can be helpfully used to assist humans to sort and categorise data, where it is used to analyse and generate a brief to inform a decision of Parliament, the main issue I can see is ‘the black box problem’ - not knowing how a decision was reached, what information was considered, excluded, or interpreted through what lens. That could have a negative effect on legitimacy, and trust. Of course that can apply to the human analyst as well, who also looks through a lens created by the inputs of his or her own life experience~~.~~

But the human can be asked to explain their reasoning, and that can be tested. The verifiability of information that would be protected by privilege (because prepared for a committee to fulfil its functions) is critical for the legitimacy of decisions based upon it and consequently, for public trust. There have already been issues in Australia with AI generated submissions to Inquiries.[[39]](#footnote-40)

I’m sure we’ll hear more about the significant potential for, as well as the challenges of, AI over the course of the next few days.

That the need for parliamentary privilege will come into play is fairly low risk in informal evidence gathering processes. Or to formal ‘listening’ processes that don’t relate to a specific, or significant, question before the House (such as whether a specific law should be passed or a formal finding made). Committees should use less formal proceedings for scoping their Inquiries, and in doing so identify material that should be brought onto the record under more formal conditions, such as a formal hearing, or tabling of a report which would allow contesting in a context to which privilege would attach. That is, in the committee’s own or the House proceedings.

**A related issue: the Executive**

In a unicameral parliament with a majority government, we see the government very much control the agenda of the Parliament. On several occasions in recent years Ministers have announced that they have established parliamentary inquiries before the House has even had notice of or considered any motion to do so.

This limits the committee’s ability to scope its own inquiry by listening to what the people think are the important factors. A greater use by executive governments of deliberative democracy practices would flow through to Parliaments, in the Bills presented and referred, and in public interest referrals.

Another aspect of party dominance over all things parliament, is that public proceedings are not ‘safe spaces’ for Members to deliberate and potentially, change their minds from binary positions. Their party, their voters, their donors – are watching. This impacts on citizen willingness to participate in hearings, and is the reason committee deliberations must, under the Standing Orders, always take place in private. Committee reports don’t always reflect the range of input, or how the committee has deliberated on that input. I expect the media go straight to statements of reservation, as I do, to see if there is a diversity of positions expressed – but these also often reflect party positions, and not necessarily a consideration of the diverse views represented by the evidence.

In Queensland the committee office has recently undertaken a survey of committee stakeholders, including those who subscribe to the committee’s mailing list, those who have made written submissions to Inquiries, and those who have appeared as witnesses at committee hearings. As well as being a small sample size and not statistically significant, it doesn’t tell us anything about people who are NOT engaged with committees. But it does give us some ideas about improvements.

Key findings include that committees are perceived by witnesses (63%) and submitters (59%) as being interested in the views of ordinary people, not only experts.  Subscribers (40%) who have not necessarily engaged personally, were less likely to believe that. A few witnesses said that they felt committee members had tried to discredit them, presumably as their evidence was ‘tested’. Others were very positive about the experience of appearing before a committee.

In Queensland the new 58th Parliament provides us with an opportunity to brief new members on this feedback, and base suggestions as to new approaches to improve participation and representation. There’s a generational shift at present, of members and parliamentary staff, lending a great opportunity for us to encourage new committees, with new members, to try new approaches in both formal, informal and supporting proceedings.

**Conclusion**

Parliamentary committees are most likely to need the protections and powers of parliamentary privilege when fulfilling their scrutiny functions, where arguably, the stakes are higher in terms of immediate impacts on individuals. That is not to say that some people won’t attempt to push the boundaries of respect for the ground rules the people’s house has set for itself, as I have shown. While there may be remedies available where that happens, it still has the potential to negatively impact the willingness of others to inform the parliament’s decision-making.

On appropriate issues, less formal participation methods can increase representation of groups that don’t presently tend to see parliament as a relevant forum. Parliaments could venture further into the digital public sphere, to draw people into legitimate formal parliamentary democracy. Parliaments and their committees have ways to bring informal proceedings into the scope of formal ‘evidence’ that can be tested and contested (e.g. a report of a forum). To increase their reach and encourage participation from under-represented groups, they should explore the use of technologies including AI, with appropriate provisions to protect the integrity of both the Parliament, and the information it relies upon to fulfil its functions.

1. Gerry Stoker, Mark Evans, and Max Halupka, ‘Trust and Democracy in Australia: Democratic Decline and Renewal’ (Democracy 2025:Report No. 1, Museum of Australian Democracy, 2020) 21. [↑](#footnote-ref-2)
2. Commonwealth Parliamentary Association, *Recommended Benchmarks for Commonwealth Legislatures*  (Commonwealth Parliamentary Association, 2018); and David Beetham, *Parliament and Democracy in the Twenty-first Century: A guide to good practice* (Inter-Parliamentary Union, Switzerland 2006). <https://www.ipu.org/resources/publications/handbooks/2016-07/parliament-and-democracy-in-twenty-first-century-guide-good-practice> . [↑](#footnote-ref-3)
3. United Nations, SDG Goals [THE 17 GOALS | Sustainable Development (un.org)](https://sdgs.un.org/goals). [↑](#footnote-ref-4)
4. Carolyn Hendriks, Sue Regan, Adrian Kay, ’Participatory Adaptation in Contemporary Parliamentary Committees in Australia’ (2019) 72 *Parliamentary Affairs* 267. [↑](#footnote-ref-5)
5. Carolyn Hendriks and Adrian Kay, ‘Deepening Public Engagement in Legislative Committees’ (2019) 54(1) *Government and Opposition* 25, 30. [↑](#footnote-ref-6)
6. Hendriks et al (2019) 279. [↑](#footnote-ref-7)
7. Ibid. [↑](#footnote-ref-8)
8. Ken Coghill, ‘The functions of Parliament: reality challenges tradition’ (2012) 27(2) *Australasian Parliamentary Review* 55, 56. [↑](#footnote-ref-9)
9. *Constitution of Queensland Act* s 26B. [↑](#footnote-ref-10)
10. *Parliament of Queensland Act 2001* (Qld) s 9(5)). [↑](#footnote-ref-11)
11. Scottish Parliament, [Committee Bill](https://www.parliament.scot/bills-and-laws/about-bills/how-a-bill-becomes-an-act/committee-bill) <https://www.parliament.scot/bills-and-laws/about-bills/how-a-bill-becomes-an-act/committee-bill>. [↑](#footnote-ref-12)
12. Queensland Legislative Assembly, *Standing Rules and Orders*, SO 132. [↑](#footnote-ref-13)
13. *Constitution of Queensland Act* (n 48) s 26B. [↑](#footnote-ref-14)
14. *Acts Interpretation Act 1954* (Qld) s14B (3)(c). [↑](#footnote-ref-15)
15. For example, Australian Parliament, Making a submission to a committee inquiry (webpage) <[www.aph.gov.au/Parliamentary\_Business/Committees/House/Making\_a\_submission](http://www.aph.gov.au/Parliamentary_Business/Committees/House/Making_a_submission)>. [↑](#footnote-ref-16)
16. Queensland parliament, Ethics Committee, Report No. 181, 56th Parliament – Matter of privilege referred by the Speaker on 15 June 2018 relating to an alleged breach of the terms and foncidions of the broadcast of proceedings of Parliament. [Ethics Committee Report 181 (parliament.qld.gov.au)](https://documents.parliament.qld.gov.au/tableoffice/tabledpapers/2018/5618T1973.pdf). [↑](#footnote-ref-17)
17. Queensland Parliament, Ethics Committee, Report No. 223, 57th Parliament – Matter of privilege referred by the Housing, Big Build and Manufacturing Committee on 6 March 2024 relating to an alleged unauthorised disclosure of committee proceedings. [Report No. 233, 57th Parliament - Matter of Privilege referred by the Housing, Big Build and Manufacturing Committee on 6 March 2024 relating to an alleged unauthorised disclosure of committee proceedings](https://documents.parliament.qld.gov.au/tableoffice/tabledpapers/2024/5724T1079-B94F.pdf), and Record of Proceedings, [2024\_08\_20\_WEEKLY (parliament.qld.gov.au)](https://documents.parliament.qld.gov.au/events/han/2024/2024_08_20_WEEKLY.pdf). [↑](#footnote-ref-18)
18. *R v Richards; Ex parte Fitzpatrick and Browne* (1955) 92 [CLR](https://en.wikipedia.org/wiki/Commonwealth_Law_Reports) 157. [↑](#footnote-ref-19)
19. (In that matter, the victim witness’s professional body wrote to the republishing witness requesting she ‘attack the issue, not the person’ and remove the footage. I only know that because the second witness doubled down in a new video post in which she held up the clearly marked as ‘confidential’ document, repeating the original claims, stating she had not broken any law, and alleging she was now being bullied). [↑](#footnote-ref-20)
20. Hendriks et al (2019) 276. [↑](#footnote-ref-21)
21. For example, see Legal Affairs and Community Safety Committee, Queensland Parliament, *Inquiry into serious vilification and hate crimes* (webpage) <https://www.parliament.qld.gov.au/Work-of-Committees/Committees/Committee-Details?cid=170&id=3099>. [↑](#footnote-ref-22)
22. Jennifer Forestal, ‘Beyond Gatekeeping: Propaganda, Democracy, and the Organisation of Digital Publics’ (2020) 83(1) *Journal of Politics* 306. [↑](#footnote-ref-23)
23. Spencer McKay and Chris Tenove, ‘Disinformation as a Threat to Deliberative Democracy’ (2021) 74(3) *Political Research Quarterly* 707-708. [↑](#footnote-ref-24)
24. Carolyn Hendriks, Sue Regan, Adrian Kay, ’Participatory Adaptation in Contemporary Parliamentary Committees in Australia’ (2019) 72 *Parliamentary Affairs* 267, 281. [↑](#footnote-ref-25)
25. Gerry Stoker, Mark Evans, and Max Halupka, ‘Trust and Democracy in Australia: Democratic Decline and Renewal’ (Democracy 2025:Report No. 1, Museum of Australian Democracy, 2020). [↑](#footnote-ref-26)
26. Jennifer Forestal, (n 31) 308. [↑](#footnote-ref-27)
27. *Odgers* 462. [↑](#footnote-ref-28)
28. European Parliamentary Research Service, Digital Democracy – is the future of civic engagement online? March 2020, Briefing, (Re-)thinking democracy, PE 646.161 p 2. <https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2020)646161> [↑](#footnote-ref-29)
29. Sarah Moulds, ‘From Disruption to Deliberation: Improving the Quality and Impact of Community Engagement with Parliamentary Law-making’ (2020) Public Law Review 31 264. [↑](#footnote-ref-30)
30. For example, see Sarah Moulds, *Connected Parliaments – Reimagining Youth Engagement with Parliaments in Australia, Practical Toolkit and Call for Action* 2024, Winston Churchill Memorial Trust. [↑](#footnote-ref-31)
31. For example France, Scotland, Northern Ireland, Ireland, Wales. [↑](#footnote-ref-32)
32. For example, the United Kingdom. [↑](#footnote-ref-33)
33. And New Zealand Parliament has built-in representation of specific population groups through its electoral system. [↑](#footnote-ref-34)
34. Carolyn Hendriks and Adrian Kay, ‘Deepening Public Engagement in Legislative Committees’ (2019) 54(1) *Government and Opposition* 25, 39. [↑](#footnote-ref-35)
35. Digital Democracy Commission, *Open Up! Report of the Speaker’s Commission on Digital Democracy* (United Kingdom Parliament, 2015). [↑](#footnote-ref-36)
36. McKay and Tenove (n 33) 711. [↑](#footnote-ref-37)
37. McKay and Tenove (n 33) 708. [↑](#footnote-ref-38)
38. McKay and Tenove (n 33) 709. [↑](#footnote-ref-39)
39. Eleanor Dickinson, ‘Parliament published a submission containing AI-drafted inaccuracies’ *ITnews,* 28 May 2024. [↑](#footnote-ref-40)