



CABINET OFFICE

18 October 2022

Wendy McGuinness
McGuinness Institute



Ref: OIA-2022/23-0149

Dear Wendy McGuinness

Official Information Act request relating to a code of conduct for MPs

Thank you for your Official Information Act 1982 (the Act) request received on 16 September 2022. I apologise for the delay in replying to you. You requested:

- “1. Does a New Zealand Code of Conduct for MPs currently exist? If yes, where can a copy of the current code be found (e.g. link)?*
- 2. If no, was a Code of Conduct ever discussed/progressed by MPs in the House or by DPMC in the last twenty years? If it was discussed, who discussed it (and when) and why did the idea never take hold?*
- 3. Do you know whose speech this is? Can you share the context?*
Note: The dates at the top may be incorrect (i.e. it states last updated in 2007, but originally published in 2019) and the links at the bottom are not working.
- 4. Do any document/s exist that outline how New Zealand might develop a Code of Conduct for MPs? If yes, could you provide a copy? We are keen to learn who would write the code, how would it become approved and who would administer/police it. Any further information or suggestions on who might have this information would be appreciated.*
- 5. Is there anything in our constitutional arrangements, New Zealand law or our protocols that might prevent MPs from developing their own code of conduct? Please expand and provide any relevant material.”*

The Department of the Prime Minister and Cabinet is not responsible for matters relating to members of Parliament or their conduct. There is considerable material available in the public domain on this issue – in an effort to assist we have provided a number of links below, but future questions in relation to this matter should be directed to the Parliamentary Service for response.

Does a New Zealand Code of Conduct for MPs currently exist? If yes, where can a copy of the current code be found (e.g. link)

Recommendation 4 of the independent external review, *Bullying and Harassment in the New Zealand Parliamentary Workplace* led to the development of the Behavioural Statement for Parliament which can be accessed through the following link: <https://www.parliament.nz/mi/footer/about-us/behavioural-statements-for-the-parliamentary-workplace/>

In June 2022 the Speaker of the House Rt Hon Trevor Mallard announced that a Commissioner of Parliamentary Standards would be appointed to consider the conduct of MPs: [Independent role established to consider MPs' conduct - New Zealand Parliament \(www.parliament.nz\)](https://www.parliament.nz/Independent_role_established_to_consider_MPs_conduct_-_New_Zealand_Parliament)

If no, was a Code of Conduct ever discussed/progressed by MPs in the House or by DPMC in the last twenty years? If it was discussed, who discussed it (and when) and why did the idea never take hold?

See above.

Do you know whose speech (<https://www.parliament.nz/en/visit-and-learn/how-parliament-works/office-of-the-speaker/speeches/a-code-of-conduct-for-members-of-parliament-is-the-time-ever-right/>) this is? Can you share the context? Note: The dates at the top may be incorrect (i.e. it states last updated in 2007, but originally published in 2019) and the links at the bottom are not working.

From publicly available sources, I can advise that this speech was given by the Hon Margaret Wilson, who was Speaker of the House between 3 March 2005 and 8 December 2008. It was given at the 38th Presiding Officers and Clerks Conference which is an annual conference for Presiding Officers and Clerks from New Zealand, Australia and the Pacific Islands.

For further information about this speech you may wish to contact the library at Parliament.

Do any document/s exist that outline how New Zealand might develop a Code of Conduct for MPs? If yes, could you provide a copy? We are keen to learn who would write the code, how would it become approved and who would administer/police it. Any further information or suggestions on who might have this information would be appreciated.

See the references to the Francis inquiry provided above. I am refusing this part of your request on the grounds that the information sought is publicly available (see section 18(d) of the Act).

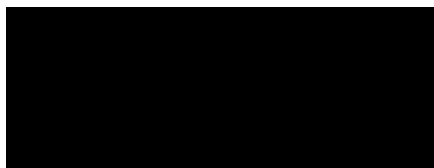

Is there anything in our constitutional arrangements, New Zealand law or our protocols that might prevent MPs from developing their own code of conduct? Please expand and provide any relevant material.

This part of your request asks DPMC to form and provide an opinion on a legal or constitutional question. It is not a request for official information.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

We do not intend to publish this response on the Department of the Prime Minister and Cabinet's website.

Yours sincerely

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Acting Secretary of Cabinet