



Cassy O'Connor MP  
Leader of the Tasmanian Greens

Saturday, 26 September 2020

**The Hon Peter Gutwein MP**  
**Premier of Tasmania**

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Dear Premier,

I write in response to your correspondence of yesterday.

You suggest the Greens are in some way bound by Cabinet confidentiality, and on this basis should not have asked the questions of Minister Jaensch we asked on Thursday. That is a ridiculous proposition.

Indeed, it was as a result of an administrative error that we received confirmation your government had previously decided to remove protections for tenants in the wake of the full bench of the Supreme Court decision in the case of *Housing Tasmania V. Parsons* last year. This is a matter of very significant public interest and potential impact on the lives of thousands of Tasmanians. We had a solemn responsibility to raise it in Parliament.

Of course, it saddens me that a blameless member of the Minister's staff has been affected. I suggest if you are looking for someone to apologise for the way the staff member is feeling, you speak to Minister Jaensch. If he had told the truth when we asked our first question on Thursday, the Cabinet decision would not have seen the light of day. Blame rests firmly with the Minister. We had no choice but to reveal the Cabinet decision once he had misled Parliament.

There is nothing more serious in a Westminster democracy than a Minister of the Crown lying to Parliament. For the Greens' part, the imperative to hold Ministers to account is a fundamental to our duty as Parliamentarians.

Regarding Codes of Conduct; I am surprised you would have the audacity to quote them in your correspondence, given Minister Jaensch has clearly breached both the Parliamentary and Ministerial Codes of Conduct.

The Code of Conduct for Member of Parliament states:

**Accuracy of statements**

*A Member must only make statements in Parliament and in public that are, to the best of their knowledge, accurate and honest.*

*A Member must not mislead Parliament or the public in statements that they make.*

*Whether any misleading was intentional or unintentional, a Member is obliged to correct the Parliamentary record, or the public record, at the earliest opportunity in a manner that is appropriate to the circumstances.*

**Parliamentary conduct**

*A Member conducts themselves in Parliament in ways that will protect the public interest, and enhance public confidence and trust in Parliament.*

The Ministerial Code of Conduct states:

**Misleading Statements**

*Ministers must not mislead Parliament or the public in statements they make and are obliged to correct the Parliamentary or the public record in a manner that is appropriate to the circumstances as soon as possible after any incorrect statement is made.*

On all these grounds, Minister Jaensch has failed in his duty as a Minister of the Crown to uphold the highest ethical standards and to undertake his responsibilities with integrity. He has betrayed the trust of Tasmanian people.

On your specific assertion that the Greens have somehow breached the Code of Conduct for MPs, I note your letter quotes only the third paragraph of the relevant section. Paragraphs one and two make it clear we have acted responsibly and fulfilled our duty as Members.

**Use of official information**

*A Member makes appropriate use of official information strictly for the purpose of performing their role as a Member of Parliament in the best interests of the public.*

*A Member must take care to protect confidential and official information in their possession or knowledge.*

It was entirely appropriate for the Greens to raise the threat to tenancy protections revealed by the Cabinet decision. We also did take care to protect the information, and decided only to release it in Parliament if the Minister was untruthful. Our actions were taken on behalf of all Tasmanians who live in rental homes. We would have been negligent not to raise this matter.

In closing, I note disgraced former Labor minister, Steve Kons, has come out in defence of Minister Jaensch. Mr Kons apparently still carries a grievance for being forced to resign from Cabinet by then Premier, Paul Lennon, for lying to Parliament.

Even Paul Lennon understood the seriousness of the charge, yet you and other ministers are standing by Mr Jaensch in the same circumstances.

This matter now goes directly to your credibility as Premier. If Minister Jaensch does not resign for knowingly misleading Parliament, you have no option but to sack him. His position is untenable and it's a matter of great regret to our democracy that you apparently cannot yet grasp this fact.

As I have said in public statements, we will not let this clear breach of parliamentary and ministerial standards go unchallenged. Mr Jaensch is unfit to be a Minister of the Crown.

Yours sincerely,



**Cassy O'Connor MP**

Leader of the Tasmanian Greens