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Australian Government
Independent Parliamentary
Expenses Authority

ASSURANCE REVIEW MEMORANDUM – [2021/013]

Senator the Hon Amanda Stoker, Family Reunion Travel 12 December to 15 December 2020

Date: 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;
- ii. Accept the matter as closed with no further action required.

NOTED & ACCEPTED AS CLOSED / PLEASE DISCUSS

*Finalised
25/10/2021*

s 47F [Redacted]

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

Prepared by:

Reviewed by:

Date: 25 October 2021
s 47F [Redacted]

Assurance Support Officer, Audit & Assurance
Transparency, Assurance & Legal Branch

Date:
s 47F [Redacted]

A/g Director, Audit & Assurance
Transparency, Assurance & Legal Branch

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SCOPE

1. The scope of the assurance review is:
 - The use of travel expenses by Senator the Hon Amanda Stoker and her dependent children, for travel between Brisbane, Townsville and Proserpine from 12 December to 15 December 2020.

PURPOSE

2. This assurance review aims to:
 - Assess whether the use of travel expenses by the Senator was in accordance with the legislative framework, specifically whether family travel met the three-part test set out at section 6 of the *Parliamentary Business Resources Regulations 2017*.

BACKGROUND

3. The Independent Parliamentary Expenses Authority (IPEA) conducts ongoing systematic checking of expenses through regular sampling of transactions, including accompanying family and desirable destinations.
4. IPEA produced a family reunion travel resources report for all parliamentarians and their family members for the period 1 December 2020 to 31 January 2021.
5. IPEA found that 31 parliamentarians used family reunion travel resources at some time during the period 1 December 2020 to 31 January 2021.
6. With the exception of Senator Stoker's family travel, review of the travel undertaken by parliamentarians and their family members suggested no further action was required.
7. In accordance with IPEA's protocol on dealing with misuse of parliamentary work expenses, on 22 July 2021, an assurance review commenced into Senator Stoker's use of travel expenses from 12 December to 15 December 2020 (**Attachment A**).

LEGISLATIVE FRAMEWORK

8. Relevant legislation includes:
 - *Parliamentary Business Resources Act 2017* (the Act)
 - *Parliamentary Business Resources Regulations 2017* (the Regulations)
 - *Parliamentary Business Resources (Parliamentary Business) Determination 2017* (the Determination)
9. This assurance review has a particular focus on whether the three-part test in section 6 of the Regulations was met in relation to travel by the Senator:
 - the Senator was travelling for the dominant purpose of conducting parliamentary business;
 - the Senator's family was travelling to accompany or join her; and
 - the travel of the Senator's family was for the dominant purpose of facilitating family life.

ANALYSIS

10. IPEA conducted an analysis of travel:
 - On 12 December 2020, the Senator and her three dependent children flew from Brisbane to Townsville and arrived at 8:20 am.
 - At 8:30 am, the Senator hired a car in Townsville.
 - On 12 December 2020, the Senator claimed one night of travel allowance for Electorate Duties in Townsville at the commercial rate. No receipt was provided to IPEA.
 - Social media posts on 13 December and 14 December 2020 showed the Senator and her children went from Townsville to Gumlu and to Bowen. They then travelled from Bowen to Proserpine (**Attachment B**).
 - On 15 December 2020, the Senator returned the hire car in Proserpine at 3:00 pm.
 - At 3:35 pm, the Senator and her three dependent children departed Proserpine and arrived in Brisbane at 5:10 pm.
11. The Senator's trip was a total of four days and three nights, during which time she claimed one night of travel allowance on 12 December 2020, and kept the hire car until the end of her trip. The Senator did not claim travel allowance in Bowen for 13 December 2020 and did not claim travel allowance in Proserpine for 14 December 2020.
12. The Senator claimed one night of travel allowance of a possible three nights, and given the proximity of a desirable destination (the Whitsundays) to Proserpine, IPEA determined it necessary to consult with Senator Stoker in relation to her use of travel expenses. On 12 August 2021, IPEA wrote to the Senator setting out details of her use of travel expenses over the period from 12 to 15 December 2020 together with questions for her consideration and response (**Attachment C**).
13. On 20 August 2021, the Senator responded to IPEA (**Attachment D**).
14. The Senator confirmed that the dominant purpose for travel from Brisbane to Townsville on 12 December 2020 was for parliamentary business, to engage in electorate, stakeholder meetings, and a government agency site visit. The Senator provided supporting evidence.
15. The Senator confirmed travel from 13 December to 15 December 2020 was personal travel.
16. The Senator asked to be invoiced for the cost of the hire car and returning flights.

CONCLUSION

17. IPEA raised an invoice for the amount of \$2,620.13, being the cost of the hire car and flights from Proserpine to Brisbane for the Senator and her dependent children, together with a 25% penalty loading in accordance with section 38 of the Act. The invoice was provided to the Senator on 1 September 2021 and was paid in full on 25 October 2021.