

4 September 2020

## Statement from the Chairman of the Council for the Order of Australia

**The Honourable Shane L. Stone AC QC**

“The Council for the Order of Australia has considered requests for the cancellation of appointments to the Order of Australia of Ms Bettina Arndt AM and Mr Mike Carlton AM and will make no further recommendations to the Governor-General.

“In the normal course of events, the Council does not comment on consideration around an individual’s appointment to the Order. In this instance we have noted the considerable interest in the process by which Australians are recognised through the Order of Australia and, in rare cases, have that recognition taken away. We welcome the opportunity to make more Australians aware of the Order of Australia – it is a system that belongs to all of us and relies on the community taking an active interest, especially nominating people in their lives they think worthy of recognition.

“The Council takes great care in exercising its responsibilities, both in relation to appointments and in considering whether an appointment or award should be terminated or cancelled. The Governor-General acts on its recommendations and does not independently make or terminate appointments.

“In relation to terminations and cancellations; in line with precedent, past practice and the Order’s Constitution:

- The Council has and will continue to consider the cancellation or termination of awards where an individual has been convicted of a crime or offence under the law, received a civil penalty under the law or has been subject to an adverse finding by a court, tribunal or other body exercising judicial or administrative power under the law.
- The Council requires the judicial process to be exhausted before making a recommendation to cancel or terminate.
- The Council will also consider cancellation or termination where information on which the initial recommendation was made is found to be based on false or misleading material.

“The Terminations and Cancellations Ordinance of the Constitution also includes a clause allowing for termination or cancellation where an individual has behaved or acted in a manner that has brought disrepute on the Order. In the Council’s view, as a general principle, for the Order to be brought into disrepute a conviction, penalty or adverse finding must have occurred. In essence, the Council recognises that a finding under the law prescribes the behaviours, and expressions, which are abhorrent to society and therefore uses such findings as the threshold for termination and cancellation.

“In a system that recognises the service of hundreds of people each year, it is inevitable that each list will include some people who others believe should not be recognised. Unanimous community approval is not a criteria for Council to make a recommendation. Nominations for Awards are from the community. Similarly, individuals are neither qualified nor disqualified on the basis of their political leanings, social views or religious convictions. The Council’s recommendations are not an endorsement of the political, religious or social views of recipients, nor is conferral of an honour an endorsement of the personally held beliefs of recipients. Nor are they directed by governments or influenced by lobbying or public campaigning.

“The Council will not be making further comment on individual appointments.”