



# Annual Report 2013

Department of the Legislative Council



## Letter of transmittal

The Honourable Don Harwin  
President of the Legislative Council  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Mr President

It is with pleasure that I submit for your information and presentation to the House the annual report for the Department of the Legislative Council for the year ended 30 June 2013.

As you are aware, the Department of the Legislative Council is not legislatively required to table an annual report. However, as has been customary over previous years, the opportunity to provide information on the performance of the Department is embraced.

The content of the report incorporates the reporting requirements of the *Annual Reports (Departments) Act 1985* and the *Public Finance and Audit Act 1983*, particularly in regard to the Department of the Legislative Council's aims, objectives, operations and financial performance.

I commend the report and hope you find it informative.

Yours sincerely

**David Blunt**  
Clerk of the Parliaments

## Contact us

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### Access to the Legislative Council

The Legislative Council chamber and public areas of Parliament House are open to the public from 9.00 am to 5.00 pm, every weekday (excluding public holidays). During sitting days, public access to the chamber is restricted to the visitor's gallery, where visitors can watch the proceedings of the House. A calendar specifying sitting days is available from the Parliament's [website](#).

## The year at a glance

	2012/2013	2011/2012	2010/2011	2009/2010	2008/2009	2007/2008
Department staff	38FTE <sup>1</sup>	38FTE	41FTE	39FTE	39FTE	49FTE
Secretary Research Assistants	46FTE	47FTE	52FTE	51FTE	46FTE	46FTE
Sitting days	60	71	48	51	47	47
Sitting hours	460	544	409	389	377	343
Bills passed	107	102	92	125	115	128
Amendments to bills (circulated)	471	527	573	226	355	374
Amendments to bills (agreed to)	78	88	127	80	78	62
Orders for papers	8	14	22	35	20	15
Notices of motion given	678	663	286	319	310	262
Committee inquiries	28	30	26	27	26	29
Committee reports tabled	18	20	18	18	19	22
Submissions to committees	2,362 <sup>2</sup>	2,153	700	2,273	1,491	681
Inquiry witnesses (hearings and forums)	547	850	302	581	668	622

<sup>1</sup>The Department has an establishment of 41 positions. However, as at 30.06.2013, the Department had 38 full-time equivalent staff members, which is indicative of staff who may work less than full time hours or who may be on leave.

<sup>2</sup>Note: An additional 5,224 responses were received by the Inquiry into same-sex marriage, including unique submissions, pro formas and signatures on petitions. These responses were not processed or published and are not included in this total of 2,362.

## Legislative Council financial summary

	2012/2013	2011/2012	2010/2011	2009/2010	2008/2009	2007/2008
Net cost of services for the Legislative Council	\$23,005,000	\$23,634,825	\$23,532,000	\$23,767,000	\$23,350,000	\$23,271,000
Operational, Committees and other costs	\$5,295,000	\$5,936,596	\$5,203,000	\$5,450,000	\$5,545,000	\$5,380,000



*The Hon Don Harwin MLC, President of the Legislative Council. The President is the Presiding Officer of the Legislative Council, who is recognised as its independent and impartial representative. The principal role of the President is to preside over the House.*

## President's foreword

The 2012/2013 reporting period has been a busy and challenging year for the Legislative Council.

Over 60 sitting days the Council concluded consideration of 107 bills, approximately half of which involved the consideration of amendments in committee of the whole. The high volume of committee work continued from the previous year with 14 committees conducting 26 inquiries.

The Council, as ever, has played an important role in holding the Executive Government to account and doing so has required vigilance in asserting its powers, both in relation to the House and its committees. In particular, the Council's power to order the production of State papers became the subject of an important Privileges Committee inquiry which has continued into the next reporting year.

In accepting this 2012/2013 Annual Report for the Department of the Legislative Council, I would like to thank our staff for their commitment to ensuring the Legislative Council and its members receive the support essential to fulfilling their roles, and for their contribution to safeguarding the integrity of the institution of Parliament in New South Wales. It is a pleasure to work with such a professional and dedicated team.

**The Hon Don Harwin MLC**  
President

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*The New South Wales Parliament is privileged to have on display 15 portrait busts, four of which are featured throughout this annual report. The four busts featured are on display in the Legislative Council. A brief biography of each of the members depicted is provided on the inside back cover.*



*Mr David Blunt, Clerk of the Parliaments. The Clerk provides expert advice on parliamentary law, practice and procedure to the President, ministers and members of the Legislative Council. The Clerk is also responsible to the President for the efficient and effective administration of the Department.*

## Clerk's review

The last year has been a challenging time for the Legislative Council. For much of the reporting period the Independent Commission Against Corruption (ICAC) was conducting public investigations into serious allegations concerning a number of former Ministers in the House. The Commission reported with findings of fact and recommendations for prosecution in respect of two of those former members shortly after the end of the reporting period, but it is yet to make corruption prevention recommendations arising from these inquiries.

Apart from their impact on the reputation of the House, the ICAC investigations threw up two particular challenges for the Legislative Council. Immediately prior to the commencement of public hearings a question arose as to whether or not the pecuniary interests register was a proceeding in parliament and whether or not the ICAC could use it in evidence. Ultimately, legislation was enacted to amend the *ICAC Act* to ensure the Commission could use the register in the course of its investigations (this matter is discussed at page 19).

Secondly, as the ICAC's public hearings proceeded, a current Member of the Legislative Council noticed that the Commission had published as exhibits a range of documents that it appeared should have been, but were not, included in a return to an order of the House for the production of documents in 2009, concerning "Mt Penny". Reporting in May 2013, the Privileges Committee found that the 2009 order for papers had not been fully complied with. At the end of the reporting period, the Privileges Committee was conducting a further inquiry to ascertain exactly why the order had not been complied with and the consequences that should flow (this matter is discussed on pages 32 to 33). This important inquiry will have a significant impact upon the ongoing effectiveness of the order for papers process in holding the Executive Government to account.

A third, unrelated, but also serious privilege matter arose during the reporting period. During the 2012 budget estimates hearing for the Police portfolio a witness declined to answer questions concerning "Operation Emblems", on the grounds that in doing so she would be committing an offence under the secrecy provisions in the *Crime Commission Act*. The Committee subsequently requested that I obtain legal advice on this matter.

The legal advice confirmed the procedural advice given to the Committee that express words are required to abrogate parliamentary privilege. Whilst the Committee decided not press the matter it did so “notwithstanding the power of the Committee to ask and compel answers to questions that would require the disclosure of information that may otherwise be caught by statutory secrecy provisions...” (this matter is discussed on page 49).

Two casual vacancies arose in the Legislative Council towards the end of the reporting year. The vacancy created by the resignation of the Hon Eric Roozendaal was filled by the Hon Ernest Wong, and the vacancy created by the resignation of the Hon Cate Faerhmann was filled by Dr Mehreen Faruqi.

Towards the end of the reporting period the half-way point in the 55th Parliament was crossed. The most contentious legislation dealt with during the year included restructuring of major state assets, in this case the long term leasing of ports, and further changes to compensation schemes (the Victims Compensation Bill passed after an all-night sitting that ended at 4.56 am, while the Motor Accidents Bill remained on the Notice Paper at the end of the reporting period and has since been discharged). The rare all-night sitting debating the Victims Compensation Bill attracted controversy of its own. For many, this controversy was a reminder that all-night sittings are best avoided and that sitting times have generally become much more civilized in recent years.

The number of orders for papers agreed to by the House was at (recent) record lows during the reporting period (but has increased to most usual levels since). The numbers of questions on notice increased to levels not seen since 2007/08, precipitating debate on a motion to limit the numbers of questions that could be submitted on any one day (which debate is yet to be concluded). The work of the Procedure Office in supporting the sittings of the House is outlined on pages 21 to 34.

There were a number of significant committee inquiries during the reporting period. The Social Issues Committee Inquiry into Same-Sex Marriage, which reported shortly after the end of the reporting period, attracted a record number of submissions. The Inquiry into Public Land Use involved extensive travel within regional NSW, which was made possible by supplementary funding. Members were able to produce unanimous reports on contentious and complex policy areas such as the partial defence of provocation and the medicinal use of cannabis. The work of the Committee Office in supporting the work of Committees is outlined on pages 35 to 49. Since the end of the reporting period the work of Committees has been celebrated and reflected upon in the C25 program, something that will be dealt with in depth in next year’s report.

I am pleased to report that the Department’s community engagement and parliamentary relations initiatives (outlined on pages 50 to 60) have continued to be well received. Two LC in Practice seminars for public servants were sold out and presentations were made to both business and community organisations. It was a great pleasure for the NSW Parliament to host a delegation from the California State Senate. Staff in the Office of the Black Rod co-ordinated arrangements for this very successful visit.

In the last two Annual Reports, I have commented on the need for the three Parliamentary Departments to work collaboratively on administrative issues. During this reporting period there have been a number of achievements in this regard. A new performance development policy was agreed to and is being implemented in all three Departments. Considerable progress has been made on the review of existing policies and the development of the Parliament's intranet. Since the end of the reporting period work has begun in earnest on the implementation of the new *Members of Parliament Staff Act*.

There have also been some significant milestones in respect of the NSW Parliament's twinning relationships with the National Parliament of the Solomon Islands and the Bougainville House of Representatives. In July 2012 we convened and co-hosted a twinning conference for all Australian and Pacific Parliaments in Honiara at which ideas and experiences were shared. This was followed by a twinning workshop involving our twinned partners, planning for future activities. Just before the end of the reporting period confirmation was received that we had been successful in obtaining funding from AusAID for a further two years to support the twinning program.

Most of those reading this annual report will be accessing the on-line version, with embedded links to various databases and other sources of information about the work of the Legislative Council. A bare minimum of printed copies have been produced with minimal formatting, in accord with the spirit of the Premier's memorandum concerning reducing the costs of annual reports.

One important change to the content of this year's report is the inclusion of the results of the first survey of members' views about the services provided by the Department of the Legislative Council (the survey results are summarised on page 18 and detailed in Appendix 1). I would like to thank all of those members who took the time to respond to the survey. As expected, the survey demonstrated a high level of satisfaction with the work of the Department. Once again, this annual report is a testament to the hard work and professionalism of the staff of the Department who serve the Legislative Council with dedication and pride.

**David Blunt**

Clerk of the Parliaments



## At a glance

*The Legislative Council has a traditional role as a House of Review, acting as a check and balance on the Executive Government through such procedures as questions to ministers and orders for the production of documents... the Council also has an active committee system.*



## The Legislative Council

The Legislative Council is the oldest legislative body in Australia, established in 1823. The Legislative Council is also referred to as the Upper House, the second chamber, the State Senate, or the House of Review.

The title of House of Review originates from the Legislative Council's traditional role of acting as a check and balance on the Executive Government through such procedures as questions to ministers and orders for the production of documents. In addition, the Legislative Council's committee system allows members to examine public affairs, including the administration of government, in more detail.

There are 42 members of the Legislative Council, elected according to a system of proportional representation with the entire State as a single electorate. Members serve an eight-year term, with one half of the Council elected every four years at a periodic election.

## The Department of the Legislative Council

The Department of the Legislative Council's role is to support the sittings of the House and the activities of its committees. This includes the provision of procedural, analytical and administrative support services to enable members of the Council to effectively perform their parliamentary duties.

The three principal program areas of the Department are the Procedure Office, the Committee Office and the Office of the Black Rod. The Department has in the current year an establishment of 41 full time equivalent (FTE) staff. There are also 46 FTE staff working as Secretary/Research Assistants to members.

The Department is accountable to the President of the Legislative Council, who is elected by the members of the House at its first sitting after each election. The Hon Don Harwin MLC was elected President following the 2011 State election.



## Our purpose

The Department provides services to ensure:

- the effective functioning of the House and its committees
- that members of the Legislative Council are supported to fulfil their parliamentary roles
- the community has access to the Legislative Council and information about the role and function of the Council and of the Parliament as a whole.

## Our values

We take pride in serving the Parliament of New South Wales.

We believe in the importance of parliamentary institutions and the democratic process and we work to strengthen and foster respect for them.

We make great efforts to preserve the corporate memory and ensure institutional continuity, while continuing to innovate.

We work together to provide professional, responsive and impartial support to the members of the Legislative Council and to other stakeholders.

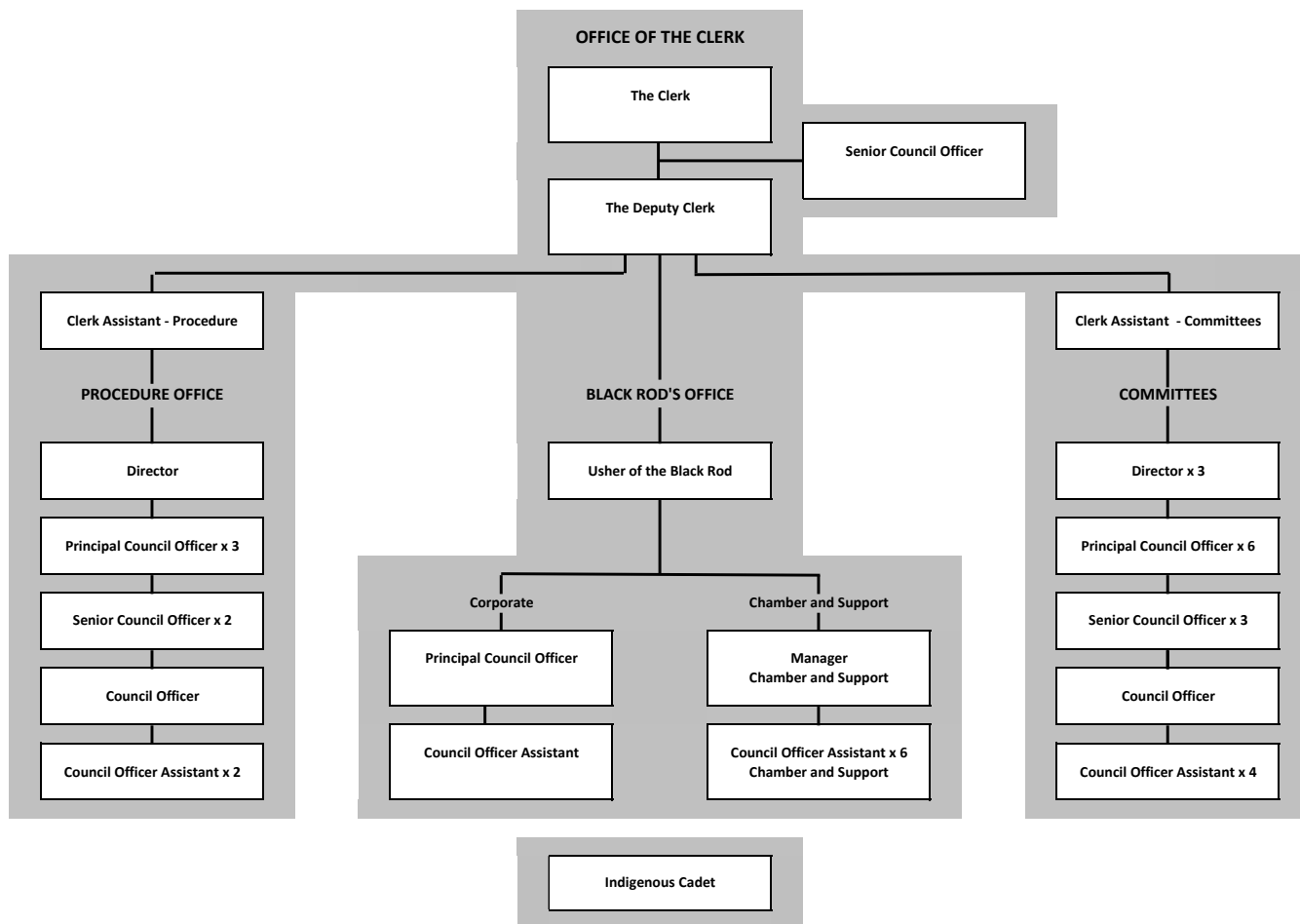
*The Department of the Legislative # has an establishment of 41 staff. The principal program areas Department are the Procedure Office, the Committee Office and the Office of the Black Rod.*



# Organisational structure

## DEPARTMENT OF THE LEGISLATIVE COUNCIL ORGANISATIONAL CHART

(current as at 30 June 2013)



## Executive Team



David Blunt, M Phil, LLB (Hons)

### **Clerk of the Parliaments and Clerk of the Legislative Council**

The Clerk of the Parliaments is the administrative head of the Department of the Legislative Council. The Clerk is responsible to the President of the Legislative Council for the efficient and effective administration of the Department. The Clerk provides expert advice on the proceedings of the Council to the President, Deputy President, ministers and members of the Council and committees on parliamentary law, practice and procedure.



Steven Reynolds, BEd, LLB, MPS

### **Deputy Clerk**

The Deputy Clerk manages the Office of the Clerk and assists the Clerk to manage the planning, development, direction and performance of the Department of the Legislative Council to ensure its effective operation, within budgetary constraints. The Deputy Clerk supports the Clerk in the provision of expert advice to the President, Members and committees of the Legislative Council on parliamentary law, practice and procedure.



Beverly Duffy, BSW (Hons)

### **Clerk Assistant - Committees**

The Clerk Assistant - Committees provides strategic direction to the Committee Office to facilitate best practice in project management of inquiries and the production of high quality reports that contribute to the development of good public policy and effective scrutiny of the executive.



Steven Frappell, BEd (Soc Sci), BA (Hons), LLM

### **Clerk Assistant - Procedure**

The Clerk Assistant - Procedure supports the President, ministers and other members through the provision of authoritative advice on Legislative Council procedure to enable them to undertake the legislative process effectively. The Clerk Assistant Procedure provides strategic direction and procedural advice to the Procedure Office across its table, procedural research and training functions.

## Leadership Team

Our Leadership Team is comprised of the members of the Executive Team, see above, and the Directors who manage the Procedure Office, Committee Office and Office of the Black Rod: Ms Susan Want, Director-Procedure; Ms Madeleine Foley, Director-Committees, Mr Stewart Smith, A/Director-Committees, Ms Teresa McMichael, Director-Committees; and the Usher of the Black Rod, Ms Rachel Callinan.

# Strategic planning

## Strategic Outlook for the NSW Parliamentary Departments 2012-2015

The Parliament of New South Wales consists of two Houses, the Legislative Council and the Legislative Assembly, the members of which are directly elected by and accountable to the people of New South Wales.

The Houses and their members are supported by three departments: the Departments of the Legislative Council, and Legislative Assembly, which provide procedural, analytical and administrative support to the respective Houses and their committees; and the Department of Parliamentary Services, which has stewardship of Parliament House and provides a broad range of corporate support services to members directly and to the House departments.

The *2012-2015 Strategic Outlook for the NSW Parliamentary Departments* details the strategic objectives for the Administration as being:

- respond to the evolving role of members and the parliamentary institution
- increase involvement and awareness of NSW citizens about the Parliament and the parliamentary process
- better engagement with stakeholders
- promote strong stewardship and effective management of public resources
- optimise the Parliament's physical infrastructure
- support our 'twinned' Parliaments under the arrangements established by the Commonwealth Parliamentary Association.

The Strategic Outlook for the NSW Parliamentary Departments informs the strategic planning processes undertaken individually by each Department.

## Department of the Legislative Council Strategic Plan 2012-2015

The *Department of the Legislative Council Strategic Plan 2012-2015* reinforces the Department's commitment to the Parliament's strategic objectives. In addition, the *Strategic Plan* elucidates the core business of the Department as providing advisory, research and support services to the House and its Committees.

The Department also undertakes a range of longer term projects with the aim of continually improving our ability to undertake our core work. Each of the key projects which are set out in the the Strategic Plan are framed within the Parliament's strategic objectives. As part of planning processes, key projects are determined yearly to ensure they remain relevant to the needs of members, community, stakeholders, and the House and its committees.

During the reporting year, the Department undertook a variety of key projects that provided service enhancements. A full list of key projects for 2012-2013 follows, along with a summary of accomplishments. Additional information on these activities is provided throughout the report under relevant sections.

## Key Projects 2012-2013

***Enhance the Legislative Council Chamber broadcasting capability: by implementing, in collaboration with staff of the Department of Parliamentary Services, the replacement of the current broadcasting system in the Legislative Council chamber.***

### **Achievement**

The replacement of the Chamber broadcasting system was finalised, on time and within budget, on 12 June 2012. Since installation some minor adjustments have been made to the audio system. The overall implementation process was very successful and has led to enhancements to the broadcasting system.

***Enhance knowledge of the standing orders and procedures of the House: by progressing the development of Annotated Standing Orders of the Legislative Council and by commencing a review of the first edition of New South Wales Legislative Council Practice, with a view to publication of a second edition in 2013.***

### **Achievement**

Since June 2013 the Annotated Standing Orders Project has progressed with considerable historical research undertaken and detailed commentary on the evolution and application of each standing order being developed. In addition, the Annotated Standing Orders Database has been updated with new procedural precedents from the current parliamentary session. Further information is available on page 30.

The review of the first edition of *New South Wales Legislative Council Practice* is well underway and several chapters have been revised by the Editorial Committee. Further information is available on page 30.

***Enhance customer service: by surveying members' satisfaction with all services provided by the Department, together with enhanced professional training, development and feedback processes for Department staff to provide better support to members.***

### **Achievement**

The Department of the Legislative Council designed and delivered a members' survey on 25 June 2013. Approximately 56% of the members surveyed responded with feedback which will be used to improve the support and services the Department provides to members and their staff. Further information is available on page 18 and in Appendix 1.

The new whole-of-Parliament Performance Development Program was approved in April 2013. Training in the new program was provided for both managers and staff in June 2013. Legislative Council staff have now been requested to commence and complete the process, including finalisation of action plans, by 30 August 2013.

***Support members and staff training: by delivering a revised training program to members and their staff on the processes and practices of the House.***

### **Achievement**

Work has commenced on developing eight online training modules for members' staff which will allow for easy and flexible access. Further information is available on page 31.

***Supporting members' participation in committee work: by establishing a 'chairs committee', and providing additional training to members and staff; and by completing the trial of a secure eCommittee electronic documents system for committee business, to better support the needs of members through improved dissemination of business papers, flexible access to documents, improved workflow and document security.***

#### **Achievement**

A Chairs' Committee was established and has met twice with very positive outcomes, including the promulgation of interim social media guidelines and the adoption of a standard approach to rescission motions in the committee context.

A secure eCommittee electronic documents system for committee business was trialled during the reporting period with full implementation planned for 2013-2014.

***Improve the Parliament House visitor experience: by contributing to the development and implementation of a visitor experience strategy for Parliament House, new brochures and a touch screen display; and fostering a whole of parliament approach to information provided by Department officers for tours of the building.***

#### **Achievement**

A whole-of-Parliament Visitor Experience Strategy was approved by the Presiding Officers in September 2012. Various projects as part of the strategy have begun and the Department of the Legislative Council has contributed significantly to a number of projects. Further information on these initiatives is available on page 51 to 52.

***Improve stakeholder access and engagement: by continuing to improve access to information about the Legislative Council including fact sheets, running new 'Legislative Council in Practice' sessions for public sector agencies, and expanding outreach through school outreach presentations and university guest lectures; developing a social media strategy and consistent Parliament corporate brand and identity; and by expanding the NSW Council of Social Services workshop model on engaging with committee inquiries to include workshops aimed at the private sector.***

#### **Achievement**

Two 'Legislative Council in Practice' sessions were held during the reporting year with positive feedback received from participants. A school outreach session was conducted in Deniliquin in August 2012. The Department of the Legislative Council, in partnership with the NSW Council of Social Services, conducted several workshops for the community services sector during the reporting period.

On 24 June 2013, the Department of the Legislative Council launched its Twitter account which will be used to inform members, the media and the public, and promote the role of the Council and its committees. Further information on this initiative can be found at page 57.

The Parliamentary Administration has developed a style guide which includes agreement to consistently use the original 19th century parliamentary crest on all official documents and signage across the Parliament. In addition, a department-specific style guide has been prepared to ensure the consistent and appropriate use of the individual elements of the Council's own corporate identity.



The Parliamentary Administration has developed a style guide which includes agreement to consistently use the original 19th century parliamentary crest on all official documents and signage across the Parliament. In addition, a department-specific style guide has been prepared to ensure the consistent and appropriate use of the individual elements of the Council's own corporate identity.

***Promote the achievements of the Legislative Council committee system: by organising a conference to mark the 25th anniversary of the Legislative Council's modern committee system, to be held in 2013.***

#### **Achievement**

Planning and associated activities commenced for the September 2013 conference, referred to as C25. Further information on the outcomes of the Conference will be reported in the 2013-2014 annual report.

***Support Twinning: by contributing to ongoing programs funded by the AusAID grant to the NSW Parliament for the Strengthening parliamentary institutions in the Solomon Islands and Bougainville project, including secondments, training and mentoring programs in the areas of procedure, administration and committees, and in particular the 2012 Twinning Conference in Honiara.***

#### **Achievement**

The Department of the Legislative Council has continued its strong commitment to the Twinning Program, with workshops, staff secondments and informal liaison and mentoring all taking place during the reporting year. A full description of activities is available at page 66 to 69.

***Enhance organisational capacity: by working together with the LA and DPS to support the intranet steering committee to develop a new design for the Parliament's intranet which will incorporate better navigation, content and appearance; contribute to the review of policies hosted on the intranet and support the work of the Information Technology section to prepare a new Standard Operating Environment.***

#### **Achievement**

The Department is represented on the Intranet Steering Committee and work is progressing well on new intranet architecture. Testing is currently being conducted. Departmental staff have contributed to the work of the Policy Review Steering Committee, with a number of Parliament-wide policies renewed and updated during this reporting period. The Department has also supported the IT section in its work to implement the new operating system.

## Planning ahead for the Department of the Legislative Council

The Department recently updated its *Strategic Plan* to detail key priorities for the period 2013-2014. The core business of the Department of providing advisory, research and support services to the House and its committees remains the same. Several projects from the 2012-2013 year will be continued and further developed. In addition several new initiatives will be progressed including:

- Increase public involvement in and awareness of the Parliament and parliamentary processes by improving access to information about the Legislative Council including a new training course for the private sector on operations of the Parliament, a new training course on parliamentary privilege, and trialling a new Legislative Council twitter account.
- Improve stakeholder access and engagement in committee inquiries by exploring online consultation methods for committee inquiries, including surveys and social media forums; examining the methods for processing large volumes of individual submissions; reviewing the format of committee reports, including the possible development of an eReader version of reports; developing new committee brochures with a focus on plain language and web accessibility; and considering the reach and effectiveness of current methods of committee inquiry advertising with a view to developing a new strategy.

- Promote the achievement of the Legislative Council committee system by holding a seminar to mark the 25th anniversary of the modern committee system in September 2013; and conducting interviews with former members of the Legislative Council who were instrumental in establishing the standing committee system as part of Stage one of the Legislative Council Oral History Project.
- Further support members and staff by working with the Department of Parliamentary Services and Legislative Assembly to implement the *Members of Parliament Staff Act*.

The Legislative Council's *Strategic Plan* and the Parliament's *Strategic Outlook* are both available on the Parliament's [website](#).

## Members' survey

The Department of the Legislative Council identified in its Strategic Plan 2012-2015 that it would survey members to determine their level of satisfaction with the services provided by the Department. A members' survey was distributed to members on 21 June 2013. The survey group comprised 39 members (two new members of the Legislative Council were not surveyed and the President was also excluded at his request).

As well as assessing members' satisfaction with the Department as a whole, the survey was designed to elicit feedback in relation to the specific activities and services provided by the Department's key functional areas: the Procedure Office, the Committee Office, the Office of the Black Rod, and the Office of the Clerk.

Responses were received from 22 members, representing a participation rate of 56%. The survey results indicate that members are in general very satisfied with the level of service provided by the Department with 95% of members (21 of 22 members) responding that they are highly satisfied or satisfied with the overall performance of the Department.

The survey provided members with the opportunity to provide qualitative comment on ways that the Department could improve the level, type and quality of services it provides to members. Valuable feedback was given and the Department will use the information when planning priorities.

A significant finding arising from the survey was the level of interest from members in further procedural training. This is valuable information, as up until now (and based on earlier consultation with members in the previous Parliament) the Department's procedural training initiatives have been largely directed towards members' staff rather than members themselves. The survey findings are provided in Appendix 1.

## Legislation

### **Constitution Act 1902**

The principal act governing the Legislative Council is the *Constitution Act 1902*. The key sections of the Act are:

- Section 3 - Definitions
- Section 5 - General legislative powers of the Legislature
- Section 7A - Referendum for Bills with respect to Legislative Council and certain other matters
- Section 10A - Prorogation of Parliament
- Section 14A - Disclosure of pecuniary interests and other matters by Members
- Section 15 - Standing Rules and Orders to be laid before the Governor
- Part 3, Division 2 - Special provisions relating to the Legislative Council.

### **Other legislation**

*Parliamentary Evidence Act 1901*

*Parliamentary Electorates and Elections Act 1912*

*Imperial Acts Application Act 1969*

*Parliamentary Papers (Supplementary Provisions Act) 1975*

*Election Funding, Expenditure and Disclosures Act 1981*

*Public Finance and Audit Act 1983*

*Interpretation Act 1987 (section 41)*

*Independent Commission Against Corruption Act 1988*

*Parliamentary Remuneration Act 1989*

*Subordinate Legislation Act 1989*

*Public Interest Disclosures Act 1994*

*Parliamentary Precincts Act 1997*

*Defamation Act 2005*

*Election Funding, Expenditure and Disclosures Amendment Act 2012*

*Local Government Amendment (Members of Parliament) Act 2012*

*Members of Parliament Staff Act 2013*

### **Significant legislative changes during the reporting year**

*Members of Parliament Staff Act 2013*

passed Parliament on 19 June 2013.

The Act, which is yet to be assented to, provides a new legislative framework for the employment of members' staff.

The Independent Commission Against Corruption Amendment (Register of Disclosures by Members) Bill 2012 was assented to on 29 October 2012. The object of the Bill was to amend the *Independent Commission Against Corruption Act 1988* to remove any doubt that the Independent Commission Against Corruption may use the register of pecuniary interests or other matters disclosed by members of Parliament, in relation to its investigations.

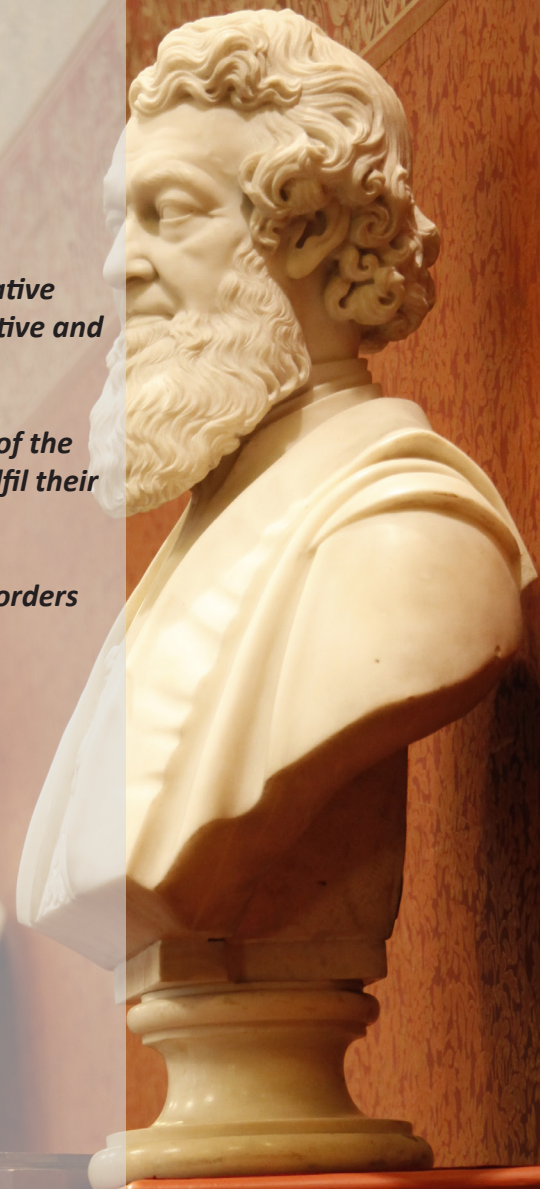
The above legislation and all other New South Wales acts, regulations, planning instruments and other statutory instruments are published online at: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au). This site is maintained by the Parliamentary Counsel's Office.

# In the House

*Providing support to enable the Legislative Council to fulfil its role as a representative and legislative body.*

*Providing services to ensure members of the Legislative Council are supported to fulfil their parliamentary duties.*

*Enhancing knowledge of the standing orders and procedures of the House.*



## Overview

The House sat for 60 sitting days during 2012-2013 averaging nearly 11 hours per sitting day. The longest sitting day, 29 May 2013, started at 11.00 am and finished at 4.45 am the following morning due to a lengthy debate on the Victims Rights Bill. The House sat beyond midnight on an additional two occasions.

During the reporting period, the volume of business considered by the Legislative Council was comparable to previous years.

The number of bills and amendments considered during the financial year was relatively consistent with previous years. A total of 118 new bills were either introduced in the Council or received from the Assembly during the reporting period compared to 116 last year. Consideration of 107 bills was concluded during the year compared to 101 last year. The Council considered 53 bills in committee of the whole and amended 20 bills.

The time allocated for Question Time and for each question and answer was consistent with previous years. However, there was a significant increase in the number of questions on notice to ministers submitted to the Questions and Answer paper with 3,108 questions being submitted during 2012-2013 compared to 1,637 questions during 2011-2012. The number of orders for the return of State papers was fewer than last year with eight orders being agreed to in 2012-2013 compared to 14 in 2011-2012.

## The Procedure Office

The Legislative Council Procedure Office provides procedural advice and support to the President, members and the Clerk. Advice may be provided at short notice on sitting days in relation to matters arising in the House, or it may involve longer-term research into detailed procedural matters arising during both sitting and non-sitting periods. Research also includes long term projects such as the development of the Annotated Standing Orders of the Legislative Council.

The Procedure Office also undertakes all preparations for the sitting of the House, such as preparing tabled papers for presentation, together with compiling the official papers and records of the House (other than Hansard). The Procedure Office also provides administrative, research and procedural support to the Privileges Committee and the Procedure Committee.

In addition, the Procedure Office coordinates, and in some cases delivers, training for Legislative Council staff and members and their staff. Procedure Office staff also contribute to and participate in various community access and engagement initiatives of the Legislative Council which aim to enhance community awareness of the role of the Council and its members.

Underpinning the Procedure Office's work is a commitment to providing the best possible environment for members to effectively discharge their parliamentary duties and to increase public recognition and awareness of the role of members and the Council.

As it is principally responsible for supporting the Legislative Council and its members, the workload of the Procedure Office is closely linked with the activity of the House.

## Providing support for the effective functioning of the House

### Bills

The Procedure Office assists members and their staff in relation to legislation by providing advice on the procedures for the introduction, amendment and carriage of bills through the House and by preparing procedural scripts for use by members. The Procedure Office also manages the process for the assent to and registration of bills introduced in the Council and agreed to by both Houses.

The Procedure Office, jointly with the Legislative Assembly, also maintains a bills database which is available on the Parliament's [website](#). As a bill passes each stage, the database is updated, ensuring the most current information is available to members and the public. Amendments to bills are attached to individual bill web pages, allowing members and others who are not in the chamber to access amendments online.

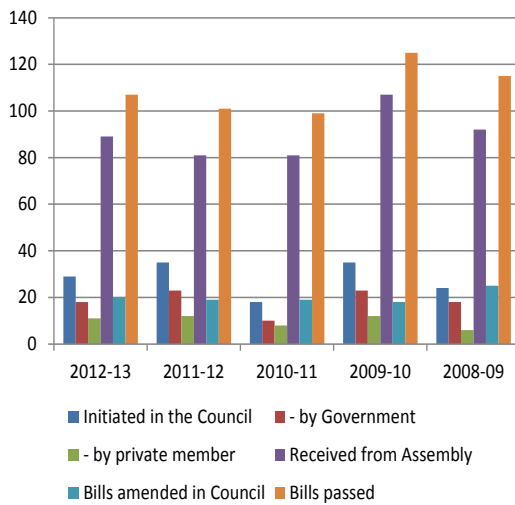
In addition, the Procedure Office records the passage of bills through the House on the *Running Record*, a real time online record of all proceedings in the chamber available on the [website](#). The *Running Record* is updated as bills are debated and amendments proposed.

During 2012-2013, 89 bills were received from the Legislative Assembly and 29 were introduced in the Council. Of those introduced in the Council, 18 were government bills and 11 were private members' bills. The Council passed 107 bills during the reporting period, including one of the bills introduced by a private member. A further eight bills were introduced but not concluded. Three private members' bills considered by the House during the reporting period were defeated.

*The President of the Legislative Council, the Hon Don Harwin, and the Hon Dr Peter Phelps, the Government Whip, conferring during sittings of the House.*



## Bills considered in the Legislative Council



### Amendments to bills

The Procedure Office processes all amendments to bills received from members. Procedure Office staff examine the amendments to ensure their admissibility and to support the Clerk and the Chair of Committees in the management of the committee of the whole process, load the amendments on the Parliament's bills database and circulate the amendments to members. Not all amendments circulated are subsequently proposed but all must be processed prior to the bill being considered in committee of the whole. The Procedure Office also produces running sheets of amendments to assist the Chair of Committees and members with the order of moving and debating amendments.

The number of amendments circulated in 2012-2013 was low relative to the previous two reporting periods. During the year, the Procedure Office processed 471 amendments to 58 bills. Of these, 107 amendments were to two bills which were not ultimately considered in committee of the whole before the end of the financial year. The House considered 53 bills in committee of the whole, to which 294 amendments were proposed and 78 agreed to by the House.

The highest number of amendments circulated to any bill was to the Government Sector Employment Bill and cognate bill. Of the 51 amendments circulated to the bills, 31 were moved, and none were agreed to.

In total, 16 Legislative Assembly bills were amended by the Council:

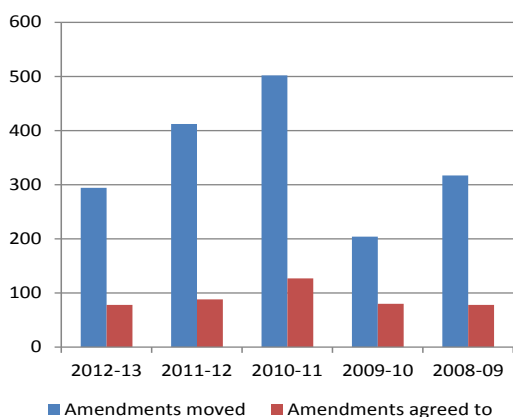
- Child Protection Legislation Amendment (Children's Guardian) Bill 2013
- Environmental Planning and Assessment Amendment Bill 2012
- Health Legislation Amendment Bill 2013
- Human Tissue Legislation Amendment Bill 2012
- Independent Commission Against Corruption and Other Legislation Amendment Bill 2013
- Law Enforcement (Powers and Responsibilities) Amendment (Kings Cross and Railways Drug Detection) Bill 2012
- Local Government Amendment (Conduct) Bill 2012
- Local Government Amendment (Early Intervention) Bill 2013
- Local Land Services Bill 2013
- Road Transport Bill 2013
- Service NSW (One-stop Access to Government Services) Bill 2013
- Small Business Commissioner Bill 2013
- Snowy Mountains Cloud Seeding Trial Amendment Bill 2012
- Statute Law (Miscellaneous Provisions) Bill 2013
- Statute Law (Miscellaneous Provisions) Bill (No 2) 2012
- Victims Support and Rights Bill 2013.

There were also four Council bills amended in the Council, one of which was a private member's bill:

- Crime Commission Bill 2012
- Forestry Bill 2012
- Game and Feral Animal Further Amendment Bill 2012 (private member's bill)
- Industrial Relations Amendment (Industrial Representation) Bill 2012.



## Amendments moved and agreed to by the Legislative Council



## Tabled documents

The Procedure Office prepares all documents for presentation in the House and enters details of each document in the Minutes of Proceedings and in the tabled papers database. The Procedure Office also assists members with the process for tabling papers by liaising with ministerial offices and departments as required.

During 2012-2013, 1,206 documents were tabled in the Legislative Council, the majority of which were annual reports of government departments and agencies or statutory instruments.<sup>3</sup> Other types of papers tabled in the House included returns to orders for the production of State papers, petitions, reports from parliamentary committees and messages from the Governor of New South Wales or the Legislative Assembly.

### Orders for papers in the Legislative Council

In 2012-2013, eight orders for the production of State papers were agreed to by the House, fewer than in previous years. Of the orders for the production of State papers made in the reporting period, four were initiated by members of the Opposition, and four by The Greens. Six of the orders for papers were agreed to as formal business without debate. Orders for papers during the reporting

period related to the following issues:

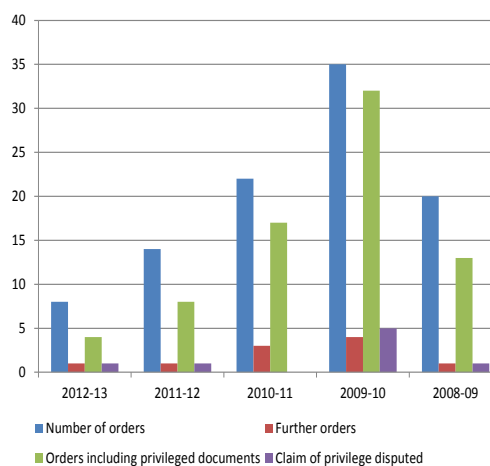
- the Nimmie-Caira System Enhanced Environmental Water Delivery Project
- a former NSW Department of Primary Industries employee
- the heritage order on “Peroomba” in Warrawee
- the Yaralla Estate
- the 2013-2014 budget
- draft liquor promotion guidelines.

The House agreed to a second order relating to Peroomba after the first return to order had been received.

The reduction in the number of orders for papers resulted in a reduction in the volume of papers returned. In 2012-2013, the Procedure Office processed 48 archive boxes of papers returned, 10 boxes of which contained documents, over which privilege was claimed, that can only be viewed by members of the Legislative Council.

Privilege was claimed on documents contained in four of the eight returns during 2012-2013. The validity of the claim of privilege on documents relating to the Nimmie-Caira System Enhanced Environmental Water Delivery Project was disputed and referred to an independent legal arbiter for evaluation. Following recommendations made by the Independent Legal Arbiter, the Honourable Terence Cole, the House resolved to make those papers public.

## Order for Papers



<sup>3</sup> Coincidentally this is the exact same number of papers tabled in the House in 2011-2012.

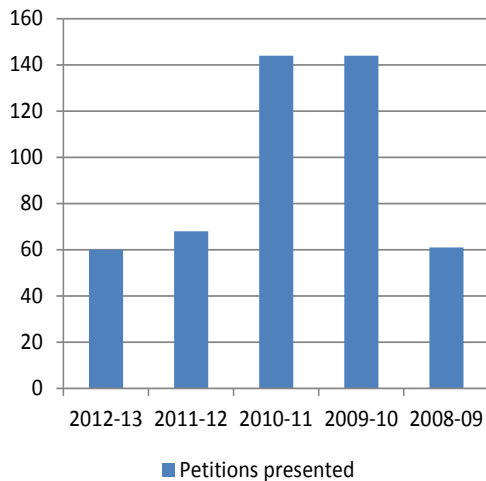
### *Petitions presented to the Legislative Council*

During 2012-2013, 60 petitions were presented to the House relating to 39 different issues, 11 of which were presented on more than one occasion. The petitions were presented from a total of over 124,000 signatories.

As in previous years the petitions received by the House varied substantially in subject matter, frequency and the number of signatories. In the last reporting period the presentation of large petitions was noted. In 2012-2013 four petitions with over 1,000 signatories were presented and one irregular petition regarding International Trafficking and Harvesting of Human Organs was presented from over 100,000 signatories.

A full list of petitions presented in the 55th Parliament, and information regarding preparing and presenting petitions, is regularly updated and made available on the Legislative Council's [website](#).

**Petitions presented**



*The Deputy Leader of the Government, the Hon Duncan Gay MLC, answering a question during question time in June 2013. Seated on the dais next to the President is the Hon Andrew Miriki, the Speaker of the Bougainville House of Representatives, who was visiting the NSW Parliament as part of the twinning arrangements.*



The Procedure Office publishes details of all papers tabled, including petitions and papers returned to an order of the House, in the Legislative Council Minutes at the end of business each day. The Minutes of Proceedings are available on the [website](#).

Details of tabled papers are also available on the Legislative Council's tabled papers database on the [website](#).

Members, government departments and others can search for papers tabled in the House since May 1995. Access to these documents and the provision of ongoing records management for the records of the House is coordinated by the Procedure Office.

## Parliamentary Record

In June 2013 an up to date version of the NSW Parliamentary Record was published jointly by the Legislative Council and the Legislative Assembly. The NSW Parliamentary Record, first published in June 1905, contains the historical record of Parliaments and members of both Houses from the first Council appointed on 11 August 1824 up to and including the first two years of the 55th Parliament. The NSW Parliamentary Record also contains details of Governors, Ministries and Parliamentary Officers. An online format of the NSW Parliamentary Record was also developed and launched during the year. The online version will be updated and republished as necessary. The NSW Parliamentary Record can be found on the Parliament's [website](#).

## Procedural advice and drafting assistance

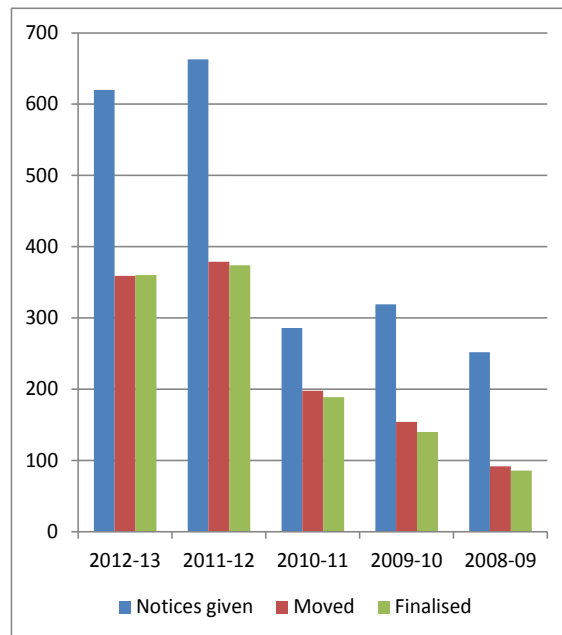
One of the key responsibilities of the Procedure Office is the provision of procedural advice and drafting assistance to members regarding matters they wish to initiate in the House. Each sitting day the Office assists members and their staff with notices of motion, questions, procedural scripts for complex procedures, amendments to motions and interpretation and clarification of the standing orders.

In addition, notices of motions are vetted by the Procedure Office for compliance with the standing orders. The majority of notices of motions given in the House are given by private members. During 2012-2013, 678 notices of motions were given in the House. This number is consistent with 2011-2012 but, as with that financial year, high in comparison to earlier years.

In 2012-2013, 620 notices, over 90 per cent of the total 678 notices given during the year, were given by private members. Of those notices, 359 were considered by the House and finalised. Again, this number is consistent with 2011-2012 but high in comparison to earlier years. This can largely be attributed to the volume of notices dealt with as 'formal business' under SO44, which provides a mechanism for the House to consider items without amendment or debate. Under a temporary order, known as a sessional order, notices of motion not relating to bills or the disallowance of statutory rules expire after twenty sitting days. This limited the period in which notices of motion for private members' business remained on the Notice Paper and was an incentive for members to seek to have motions considered as formal business.

The increase in business considered by the House has significantly added to the workload of the Procedure Office, both in the preparation of notices and in recording their consideration by the House in the Minutes of Proceedings.

### Private members' business in the Legislative Council



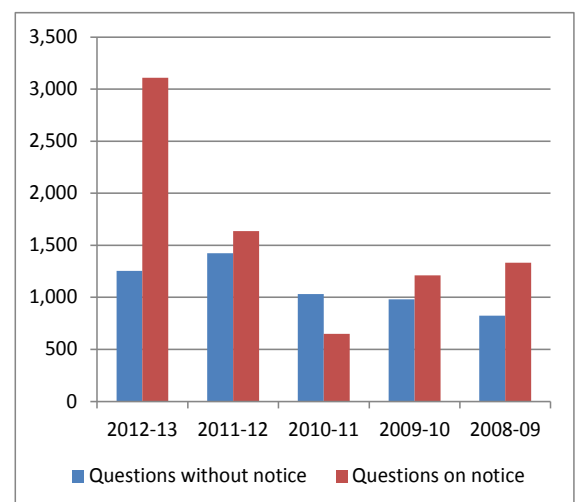
### Questions and answers

The Procedure Office examines all questions submitted for inclusion in the Questions and Answers Paper for compliance with the standing orders and to ensure they are directed to the responsible minister.

In total, 3,108 questions on notice were lodged during 2012-2013, a substantial increase from 2011-2012. While this equated to an average of 51 questions per sitting day, 325 questions were asked on just one day. All questions on notice and their corresponding answers were entered in the Questions and Answers database which enables members and others to search for their questions and answers via the Internet.

There was a decrease in the number of questions asked during Question Time this year, largely attributable to fewer sittings days than in the previous financial year. However, there was also a decrease in the average number of questions asked each sitting day, down from 21 to 20 questions per day. In total, 1,255 questions were directed to ministers during Question Time in 2012-2013.

### Questions in the Legislative Council



## Providing research and support on procedural matters

In 2012-2013, the Procedure Office continued to provide high level procedural research and advice. Notable research material produced during the reporting period included:

- a history of conferences between the Houses on bills since 1856
- research concerning the application of anti-discrimination legislation and other staff-related Acts to the Parliament
- research concerning the effect of the motion ordering documents to be printed and the publication of papers in the tabled papers series
- advice concerning the procedures for raising matters of privilege in the House under Standing Order 77
- advice to members concerning the application of the Constitution (Disclosures by Members) Regulation 1983 which provides for the disclosure of members' pecuniary and other interests
- research and advice to members concerning the application of section 13 of the *Constitution Act 1902* which disqualifies any member of Parliament who holds a contract or agreement for or on account of the public service of NSW
- research concerning the sources of authority for the appointment of the Council's two commissioned officers, the Clerk of the Parliaments and the Usher of the Black Rod
- research and advice concerning the Parliament's draft policy on employees standing for election to Parliament
- the drafting of a copyright policy for the Parliament, in consultation with the other parliamentary departments
- advice concerning the application of parliamentary privilege to members interest disclosure returns under the Register of Disclosure by Members of the Legislative Council and the possible waiving of privilege

- the drafting of revisions to the Memorandum of Understanding between the Presiding Officers and the Independent Commission Against Corruption concerning the execution of search warrants in members' offices, in consultation with the other parliamentary departments.

In 2012-2013, the Procedure Office also assisted in the preparation of the following:

- a submission from the President and Clerk to the UK Joint Committee on Parliamentary Privilege concerning that Committee's inquiry into the UK Government's Green Paper on Parliamentary Privilege
- correspondence from the Clerk concerning an application under the *Government Information (Public Access) Act 2009* seeking access to records of a select committee of the House.

The Procedure Office also prepared or coordinated responses to 17 requests for advice from other Parliaments on the Australia and New Zealand Association of Clerks-at-the-Table (ANZACATT) list server. These requests related to a wide range of topics including the declaration of interests of former members, the application of the sub judice convention in privileges committee inquiries, motions of no confidence, the financial independence of Parliament, policing functions in the parliamentary precincts, resources for twinning projects with other Parliaments in the Pacific region, benchmarking, and parliamentary traditions and procedural innovations.

In addition, as in previous years, the Procedure Office contributed to and co-ordinated the Council's entry in the ANZACATT journal, *Parliament Matters*.



*Dr Mehreen Faruqi MLC was elected on 19 June 2013 to fill the vacancy created by the resignation of the Hon Cate Faehrmann MLC.*



*The Hon Ernest Wong MLC was elected on 23 May 2013 to fill the vacancy created by the resignation of the Hon Eric Roozendaal MLC.*

## Recording the proceedings of the Legislative Council

In 2012-2013, the Procedure Office continued to ensure that proof editions of the House business papers – the Minutes of Proceedings, the Notice Paper and the Questions and Answers Paper – were completed within 30 minutes of the adjournment of the House each sitting day and made available on the Parliament's [website](#).

Final versions of the business papers were also produced following thorough proof reading and verification of relevant material.

The Procedure Office also continued to prepare the Statutory Rules and Instruments Paper, which is published weekly during sittings and monthly when Parliament is in recess and is available on the [website](#).

At the conclusion of each session of Parliament the indexed Minutes of Proceedings and certain other records and documents of the House are bound and published as the official Journal of the Legislative Council.

During 2012-2013, the Procedure Office finalised the Questions and Answers Journals for the 52nd and 53rd Parliaments and the Journals of Committee Bills for the 53rd Parliament. These volumes were bound and extend the Journal series which dates back to 1856.

In 2012-2013, the Procedure Office continued to publish the online *Running Record*, an online real-time record of proceedings as they occur in the House, available on the [website](#). Feedback on the *Running Record* remains extremely positive.

Similarly, the Procedure Office continues to compile the *House in Review* each sitting week. It summarises the key events that week, including the passage of legislation, and is available on the [website](#). As with the *Running Record*, feedback remains extremely positive.

## The Annotated Standing Orders of the Legislative Council

The standing orders of the Legislative Council are the written rules of procedure which provide for the conduct of proceedings of the House, the passage of bills, the conduct of debate, the preservation of order, the appointment of committees, and other matters affecting the operations of the House.

The Council's first standing orders were adopted in 1856. Since then the standing orders have been revised on three occasions: in 1870, 1895 and 2004. In between these four occasions, the standing orders were substantially revised and temporary sessional orders introduced that significantly altered the operation of procedures in the House. To date, the detail of many of these developments have not been recorded in a central and easily accessible form.

In 2012-2013, the Procedure Office progressed the development of a consolidated Annotated Standing Orders of the Legislative Council to provide information and analysis of the history, development, rationale and application of each standing order over time. The project canvasses over 150 years of proceedings of the House and its Standing Orders Committees, the analysis of complex procedural precedents and incorporation of the personal working notes of former clerks and procedure officers. While the project is an ambitious one, it is already showing significant benefits, with staff able to readily access a wide range of precedents, thus assisting the provision of accurate and timely advice to members. The first phase of the project, which is the identification of research into significant precedents since 1856, is due to be finalised by the end of 2013.

## Second edition of New South Wales Legislative Council Practice

The first edition of *New South Wales Legislative Council Practice* was published in 2008. It is a book of close to 700 pages bringing together the history, practices and procedures of the Legislative Council.

Similar books are published by the Australia Senate (*Odgers' Australian Senate Practice*, now in its 13th edition), the Australian House of Representatives (*House of Representatives Practice*, now in its 6th edition) and the UK Parliament (*Erskine May's Parliamentary Practice*, now in its 24th edition).

In 2012-2013, the Procedure Office commenced reviewing *New South Wales Legislative Council Practice* with a view to the publication of a second edition in 2015. Work progressed on a number of early chapters of the book concerning the system of government and the role of the Council, elections, and the qualifications and disqualifications of members.



## Improving procedural knowledge and skills

The Procedure Office coordinates procedural training for members, their staff and Legislative Council staff.

### Procedural training for members and their staff

In 2012, the Procedure Office developed a training program designed to provide members and their staff with practical information on the fundamentals of Legislative Council practice and procedure. The program is comprised of six one-and-a-half hour sessions on various topics. Three sessions were provided during the reporting period. The first session covered the legislative process including an in-depth analysis of committee-of-the-whole. The second session provided an overview of the role and operation of the Council's committee system. The third and final part of the program was a question and answer session providing participants with an opportunity to raise issues not yet covered or that they wished to revisit.

Following feedback from course participants, the Procedure Office commenced development of on-line training modules covering basic parliamentary procedure concepts and principles. The training modules are being developed as an introduction to parliamentary procedure for use by new members and their staff. This has included developing multimedia components for the training. At the end of June six members were filmed discussing the House, procedure and how they can be best supported by their staff. Short clips from these interviews will be used as part of the training.

Whenever new members are elected to fill a vacancy in the Legislative Council, they are offered an in-depth briefing on parliamentary procedure by senior Procedure Office staff. Similarly, all newly appointed members' staff are offered a face-to face briefing on practice and procedure by the Procedure Office.



## Procedure Committee and Privileges Committee

The Procedure Office provides administrative, research and procedural support to the Privileges Committee and the Procedure Committee. The Privileges Committee considers matters relating to parliamentary privilege referred to it by the House or the President. The Committee also considers citizen's right of reply requests to statements made about them in the House and undertakes functions relating to members' ethical standards under Part 7A of the *Independent Commission Against Corruption Act 1988*. The Procedure Committee is required by standing order to consider any amendments to the standing orders, propose changes in practice and procedures of the House and consider any matters relating to procedures referred to it by the House or the President.

## Privileges Committee

### *Members*

The Hon Trevor Khan, Chair  
The Hon Amanda Fazio, Deputy Chair  
The Hon John Ajaka  
The Hon Jenny Gardiner  
The Hon Matthew Mason-Cox  
Revd the Hon Fred Nile  
The Hon Peter Primrose

### *Inquiries undertaken*

On 14 March 2013, on the motion of the Leader of the House, the Hon Duncan Gay, the House referred to the Privileges Committee an inquiry in relation to the possible non-compliance with a 2009 order of the House for the return of State papers relating to a Mt Penny mining exploration licence. The referral followed the publication by the Independent Commission Against Corruption (ICAC) of documents as part of Operation Jasper, which also related to Mt Penny. The Hon Jeremy Buckingham raised concerns about an apparent discrepancy between the documents returned to the order of the House in 2009 and the much larger volume of documents published by the ICAC. The ICAC subsequently prepared a document comparison matrix which appeared to indicate a possibility that the order of the House in 2009 had not been fully complied with.

During the conduct of the inquiry, the Committee met with Mr John Evans, former Clerk of the Legislative Council, in relation to the issue of procedural protections for witnesses. The Committee also sought and received advice from Mr Bret Walker SC in relation to the documents provided by the ICAC in the document comparison matrix.

The Committee tabled its report on 30 April 2013. The Committee found that certain documents identified by the ICAC in the document comparison matrix as not having been provided to the House in 2009 should have been provided in the Mt Penny return to order.

The Committee recommended that the House adopt new terms of reference referring a further inquiry to the Privileges Committee to consider the matters raised in its report. The Committee included in its report draft terms of reference.

On 2 May 2013, the Leader of the House, the Hon Duncan Gay, gave notice of a motion to refer the matter to the Privileges Committee for inquiry and report. On 7 May 2013, on the motion of Mr Gay, the House resolved that the Privileges Committee inquire into and report on the failure to provide documents in the return to order tabled on 2009 concerning the Mt Penny mining exploration licence and tender process, including documents identified in the document comparison matrix. The Committee's inquiry is ongoing.

#### *Right of reply requests*

During the reporting period, the Committee tabled five reports concerning right of reply requests. In each case the House adopted the Committee's recommendation that the reply be published in Hansard.

Further information on the Privileges Committee is available on the [website](#).

## **Procedure Committee**

#### *Members*

The Hon Don Harwin, President and Chair  
The Hon Jenny Gardiner, Deputy President  
Revd the Hon Fred Nile, Assistant President  
The Hon Michael Gallacher, Leader of the Government  
The Hon Duncan Gay, Deputy Leader of the Government  
The Hon Luke Foley, Leader of the Opposition  
The Hon Adam Searle, Deputy Leader of the Opposition  
The Hon Dr Peter Phelps, Government Whip  
The Hon Amanda Fazio, Opposition Whip  
The Hon Robert Borsak  
The Hon John Kaye  
The Hon Sarah Mitchell

#### *Inquiries undertaken*

The Procedure Committee is required by standing order to: consider any amendments to the standing orders; propose changes in practice and procedures of the House; and consider any matter referred by either the House or the President.

In 2012-2013 the Procedure Committee commenced two inquiries, one into the introduction of a standing order setting a deadline by which bills must be introduced in the Legislative Council if they are to be finalised in the same sitting period, and one into the regulation of the consumption of alcohol by members of Parliament during sitting hours.

The inquiry into a deadline for the introduction of bills was established following a motion moved by the Hon Mick Veitch for the House to adopt a standing order. An amendment moved by the Leader of the House, the Hon Duncan Gay, referred the matter to the Procedure Committee for inquiry and report. At the time of reporting, the inquiry is still ongoing.

The inquiry into the regulation of the consumption of alcohol by members of Parliament during sitting hours was referred in June 2013. The terms of the reference require the committee to include suggestions for changes to standing orders, sessional orders, the Code of Conduct for Members or other relevant instruments. The Committee is to report on these matters in the latter half of 2013.

Further information on the Procedure Committee is available on the [website](#).

## Overview of activities undertaken by Procedure and Privileges Committees

### Privileges Committee

	2012-13	2011-12	2010-11	2009-10	2008-09
Meetings	16	9	5	10	4
Inquiries	7	2	0	4	1
Submissions	10	0	5	3	0
Reports	7	6	4	4	1

### Procedure Committee

	2012-13	2011-12	2010-11	2009-10	2008-09
Meetings	0	4	2	0	1
Inquiries	2	2	1	0	1
Submissions	0	4	0	0	0
Reports	0	2	1	1	1

## Looking ahead

In 2013-2014, the Procedure Office will continue to perform its core responsibilities in relation to the provision of accurate, timely and impartial procedural, analytical and administrative support to members, their staff and other clients. The team will also continue to deliver training and information programs designed to assist members, their staff, Legislative Council staff, ministerial and department staff, school groups and others.

Key projects to be undertaken by the Procedure Office in 2013-2014, in accordance with the *Department of the Legislative Council Strategic Plan 2012-2015*, are to progress the development of the Annotated Standing Orders of the Legislative Council, and to continue to edit and review the *New South Wales Legislative Council Practice*, with a view to publication of a second edition in 2015, as discussed in Chapter 1.

In addition, the Procedure Office will contribute to community engagement and parliamentary relations initiatives through the delivery of education and training programs, and by providing support to Twinning initiatives, discussed in Chapter 4.

# In Committees

*Supporting members' participation in committee work.*

*Increasing public awareness and debate on issues under consideration by the Parliament.*



# Overview

Legislative Council committees are one of the Council's key mechanisms for scrutiny and review of executive activity and issues in the public interest. The core business of committees is to conduct inquiries.

Committee inquiries enable members to examine an issue in more detail than if the matter was considered by the House as a whole. Inquiries also enable members to obtain expert opinions and advice on complex policy matters. Importantly, inquiries allow citizens and interest groups to participate in the parliamentary process.

Most members of the Council (excluding ministers) are members of one or more of its committees. Members may also be on one or more of the joint standing and statutory committees administered by the Legislative Assembly.

Legislative Council committees operate under the authority of the House and share its privileges. Committee powers are derived from the standing orders, sessional orders and resolutions relating to particular committees and inquiries. In addition, committees are regulated by the provisions of several Acts, such as the *Parliamentary Evidence Act 1901*.

During 2012-2013 there were 14 Legislative Council committees in operation, comprised of five standing committees, five general purpose standing committees (GPSCs) and four select committees. Twelve of these committees were supported by the Committee Office, which currently has 16 staff.

Two of the standing committees, the Privileges Committee and the Procedure Committee, were supported by the Procedure Office. The activities of these committees are discussed on page 32 to 34 of this report.

The Committee Office experienced a very busy period during 2012-2013. The year was most notable for the 7,586 responses received to the Inquiry into same-sex marriage law in New South Wales. This constitutes the largest number of responses ever received to date by a committee of the New South Wales Parliament.

A second notable feature of the reporting period was the sustained increase from the previous reporting period in the number of select committees established. The issues examined by these committees included: the partial defence of provocation; the closure of the Cronulla Fisheries Research Centre of Excellence, and the closure or downsizing of Corrective Services NSW facilities.

Issues examined by the standing committees in this period included drug and alcohol treatment, adequacy of water storages in New South Wales and strategies to reduce alcohol abuse among young people.

## Overview of committee activity (excluding activities undertaken by the Privileges and Procedure Committees)

Activity	2012-13	2011-12	2010-11	2009-10	2008-09
Meetings	98	143	75	142	161
Inquiries	19	26	26	27	26
<b>Consultation and public participation</b>					
Submissions	2,362*	2,153	700	2,273	1,491
Hearings	63	86	35	74	82
Witnesses (hearings and public forums)	547	850	302	581	668
Duration of hearings (hours)	276	341	160	317	383
<b>Reports tabled</b>	<b>11</b>	<b>16</b>	<b>18</b>	<b>18</b>	<b>19</b>

*\*This number does not include an additional 5,224 responses received by the Standing Committee on Social Issues for the Inquiry into same-sex marriage. These additional responses were not processed or published because it was beyond the capacity of the Committee to do so within the timeframe for the inquiry.*

Detailed information regarding committee report numbers, travel expenses, committee membership and other statistics is provided in Appendices 4 to 8.

Further information on all Committee inquiries is published on the Parliament's [website](#).

# Committee activity

## Standing Committees

The Legislative Council has three policy-oriented standing committees that conduct detailed inquiries into complex matters of public policy.

### Standing Committee on Law and Justice

#### *Members*

The Hon David Clarke, Chair  
The Hon Peter Primrose, Deputy Chair  
Mr Scot MacDonald  
The Hon Sarah Mitchell  
The Hon Shaoquett Moselmane  
Mr David Shoebridge

#### *Committee scope*

The Standing Committee on Law and Justice conducts inquiries into matters concerned with legal and constitutional issues including law reform, parliamentary matters, criminal and administrative law and the criminal justice system, police, corrective services and juvenile justice, industrial relations, emergency services and fair trading. The Committee also has responsibility under the *Safety, Return to Work and Support Board Act 2012* to oversight the WorkCover Authority of NSW, Workers Compensation (Dust Diseases) Board, Motor Accidents Authority and Lifetime Care and Support Authority.

#### *Inquiries undertaken*

During the reporting period, the Committee commenced an Inquiry into Racial Vilification Law in NSW, in particular, the effectiveness of section 20D of the *Anti-Discrimination Act 1977* which creates the offence of serious racial vilification. The Inquiry was referred to the Committee by the Premier who noted that there have been no successful prosecutions under the provision to date. The Committee received 45 submissions and one supplementary submission and held two public hearings.

## Standing Committee on Social Issues

#### *Members*

The Hon Niall Blair, Chair  
The Hon Helen Westwood, Deputy Chair  
The Hon Jan Barham (from 22/11/2012)  
The Hon Catherine Cusack  
The Hon Greg Donnelly  
The Hon Cate Faehrmann (until 22/11/2012)  
The Hon Natasha Maclaren-Jones

#### *Committee scope*

The Standing Committee on Social Issues conducts inquiries into matters concerned with the social development of the people of NSW, including health, education, housing, ageing, disability, children's and community services provided by the government and non-government sector, citizenship, social relations, cultural diversity, recreation, gaming, racing and sporting matters.

#### *Inquiries undertaken*

The Committee tabled the report of its Inquiry into Domestic Violence Trends and Issues in New South Wales on 27 August 2012. The Government response to the report was received on 27 February 2013. It addressed all of the Committee's 89 recommendations and welcomed the opportunity presented by the Inquiry to pursue comprehensive, systemic reform in relation to domestic violence.

The Inquiry into Same-Sex Marriage Law in New South Wales was referred to the Committee by the Premier, on 6 December 2012. The Committee received 7,586 responses to this Inquiry. This figure includes all pro forma and unique submissions, as well as signatures on petitions, and constitutes the largest number of responses ever received by a NSW Legislative Council Parliamentary Committee inquiry to date. The Committee held two public hearings and heard from 22 witnesses. The Committee tabled its report on 26 July 2013.

The Inquiry into Strategies to Reduce Alcohol Abuse Among Young People in NSW was referred to the Committee by the Minister for Mental Health, Wellbeing and Western Sydney on 15 November 2012. The terms of reference required the Committee to examine a range of issues including the effect of alcohol advertisements on young people and whether to place restrictions on advertising, the effectiveness of alcohol harm minimisation strategies for young people, the effectiveness of measures to reduce certain impacts of alcohol and the effectiveness of measures to reduce alcohol related violence. The Committee has received 52 submissions, held three public hearings and heard from 35 witnesses. The Committee is intending to report in late 2013.

More information can be found on the Committee's [website](#).

## Standing Committee on State Development

### *Members*

The Hon Rick Colless, Chair  
The Hon Mick Veitch, Deputy Chair  
The Hon Paul Green  
The Hon Charlie Lynn  
The Hon Dr Peter Phelps  
The Hon Steve Whan

### *Committee scope*

The Standing Committee on State Development conducts inquiries into matters concerned with State, local and regional development, planning, infrastructure, finance, industry, the environment, primary industry, natural resources, science, local government, emergency services and public administration.

*Members of the Standing Committee on State Development, accompanied by the President of the Legislative Council, the Hon Don Harwin MLC, and the Hon Paul Green MLC, visiting Bamarang Dam and Water Treatment Plant as part of the Inquiry into the adequacy of water storage in NSW.*





### *Inquiries undertaken*

The Committee completed its Inquiry into the Adequacy of Water Storages, which commenced in the previous reporting period. The inquiry was referred to the Committee by the Minister for Primary Industries. The terms of reference required the Committee to examine a range of issues including the capacity of existing water storages to meet agricultural, urban industrial and environmental needs, and proposals for the construction and/or augmentation of existing water storages. The Committee received 110 submissions and held five public hearings, including two regional hearings. The Committee also conducted five days of site visits around the State, which included inspections of water storage facilities, recent dam safety upgrades, stormwater harvesting sites and a range of irrigation practices.

The Committee tabled its report at the end of June with 19 recommendations aimed at ensuring a secure water supply for the future of New South Wales. The report recognised that all water users have a responsibility to use water wisely and efficiently and that government has a role in facilitating the responsible use of water. It recommended that water security is best achieved through an integrated, holistic approach to water management which utilises a range of measures. The report also recommended that the environmental water allocations be reviewed.

More information can be found on the Committee's [website](#).

*Members of the State Development Committee visiting Copeton Dam near Inverell. Legislative Council Committees frequently visit regional and rural NSW to take evidence and obtain the views of citizens outside of metropolitan Sydney.*



## General Purpose Standing Committees

The Legislative Council has five General Purpose Standing Committees, with each committee allocated responsibility for overseeing specific government portfolios. These accountability-oriented committees were first appointed by the House in 1997. A distinguishing feature of these committees is that, in addition to receiving references from the House, they have a non-government majority and the power to self-refer matters for inquiry.

### General Purpose Standing Committee No. 1

#### *Members*

Revd the Hon Fred Nile, Chair  
The Hon Melinda Pavey, Deputy Chair  
The Hon Catherine Cusack  
The Hon Matthew Mason-Cox (from 15/08/2012)  
The Hon Jenny Gardiner (until 15/08/2012)  
Dr John Kaye  
The Hon Walter Secord  
The Hon Mick Veitch

#### *Substitute members*

Mr David Shoebridge and Hon Peter Primrose will substitute for Dr Kaye and Mr Secord respectively for the duration of the Inquiry into allegations of bullying in WorkCover NSW, which commenced in this reporting period.

#### *Committee scope*

General Purpose Standing Committee No. 1 has responsibility for examining the expenditure, performance or effectiveness of any government department, statutory body or corporation within the portfolios of Premier, Western Sydney, Treasury, Finance and Services, Planning and Infrastructure, The Illawarra, and Industrial Relations.

#### *Inquiries undertaken*

In October 2012, the Committee conducted the annual examination of the Budget Estimates and related papers for the financial year 2012-2013, holding hearings for each of the portfolios for which it is responsible. A supplementary hearing was held for the Treasury portfolio.

In June 2013, the Committee commenced its Inquiry into Allegations of Bullying in WorkCover NSW. This Inquiry was referred to the Committee by the Legislative Council on 27 June 2013. The Committee is required to investigate the culture of WorkCover and WorkCover's role as the state regulator of occupational health and safety as it relates to bullying in the workplace. The Committee commenced receiving submissions during the reporting period.

More information can be found on the Committee's [website](#).

## General Purpose Standing Committee No. 2

### Members

The Hon Marie Ficarra, Chair  
The Hon Paul Green, Deputy Chair  
The Hon Jan Barham  
The Hon David Clarke  
The Hon Jenny Gardiner (from 15/08/2012)  
The Hon Sarah Mitchell (until 15/08/2012)  
The Hon Shaoquett Moselmane  
The Hon Helen Westwood

### Substitute members

Revd the Hon Fred Nile substituted for Mr Green for the duration of the Inquiry into Drug and Alcohol Treatment.

### Committee scope

General Purpose Standing Committee No. 2 has responsibility for examining the expenditure, performance or effectiveness of any government department, statutory body or corporation within the portfolios of Health, Medical Research, Education, Mental Health, Healthy Lifestyles, Ageing, Aboriginal Affairs, Disability Services, Family and Community Services, Women, Citizenship and Communities, Western NSW and Sports and Recreation.

### Inquiries undertaken

The Committee completed the annual examination of the Budget Estimates and related papers for the financial year 2012-2013, holding hearings for each of the portfolios for which it is responsible.

The Committee also undertook an Inquiry into Drug and Alcohol Treatment. The terms of reference were self-referred and the Committee inquired into the following matters relevant to drug and alcohol treatment: the delivery and effectiveness of treatment services, and in particular naltrexone implants; the effectiveness of involuntary treatment; the proposed reforms identified in the Drug and Alcohol Treatment (Rehabilitation of Persons with Severe Substance Dependence) Bill 2012; adequacy of funding; the effectiveness of education programs; strategies and models in other jurisdictions; and the adequacy of integrated services to treat people with co-morbid conditions. The Committee received 54 submissions, held four public hearings, made site visits to drug and alcohol treatment centres in New South Wales and Western Australia, and commenced drafting its report.

More information can be found on the Committee's [website](#).

*GPSC No. 2 conducting the annual examination of the Budget Estimates and related papers for the financial year 2013-2014, for the Aging and Disability Services portfolio. During budget estimates hearings questions may be put to the Minister and to the senior officials accompanying the Minister.*



## General Purpose Standing Committee No. 3

### *Members*

The Hon Natasha Maclaren-Jones, Chair  
The Hon Niall Blair, Deputy Chair  
The Hon John Ajaka  
The Hon Cate Faehrmann (until 18/06/2013)  
Dr Mehreen Faruqi (from 25/06/2013)  
The Hon Paul Green  
The Hon Penny Sharpe  
The Hon Mick Veitch

### *Substitute members*

For the duration of the Inquiry into Tourism in Local Communities, the following substitutions occurred: Hon Jan Barham for Dr Faruqi; Hon Lynda Voltz for Ms Sharpe; and Hon Steve Whan for Mr Veitch.

### *Committee scope*

General Purpose Standing Committee No. 3 has responsibility for inquiring examining matters regarding the expenditure, performance or effectiveness of any government department, statutory body or corporation within the portfolios of Regional Infrastructure and Services, Transport, Roads, Ports, Tourism, Major Events, Hospitality, Racing, the Arts, the Legislature and Trade and Investment.

### *Inquiries undertaken*

The Committee completed the annual examination of the Budget Estimates and related papers for the financial year 2012-2013, holding public hearings for each of the portfolios for which the Committee is responsible.

The Inquiry into Tourism in Local Communities was established on 2 May 2013 to inquire into and report on the value and impacts of tourism on local communities. The Committee received 70 submissions during the reporting period, and will hold hearings in 2013-2014.

More information can be found on the Committee's [website](#).

## General Purpose Standing Committee No. 4

### *Members*

The Hon Sarah Mitchell, Chair (from 15/08/2012)  
The Hon Robert Borsak, Deputy Chair  
The Hon Trevor Khan  
The Hon Charlie Lynn  
The Hon Matthew Mason-Cox (until 15/08/2012)  
The Hon Adam Searle  
Mr David Shoebridge  
The Hon Lynda Voltz

### *Substitute members*

Dr John Kaye and Hon Amanda Fazio substituted for Mr Shoebridge and Ms Voltz respectively for the duration of the Inquiry into the Use of Cannabis for Medical Purposes.

### *Committee scope*

General Purpose Standing Committee No. 4 has responsibility for examining the expenditure, performance or effectiveness of any government department, statutory body or corporation within the portfolios of Attorney General, Justice, Police, Emergency Services, and The Hunter.

### *Inquiries undertaken*

The Committee completed the annual examination of the Budget Estimates and related papers for the financial year 2012-2013. The Committee held hearings for each of the portfolios for which it is responsible.

On 22 November 2012, the Inquiry into the Use of Cannabis for Medical Purposes was referred to the Committee by the Legislative Council. The Committee was required to examine and report on the efficacy and safety of cannabis for medical use, whether and how cannabis should be supplied for medical use and any legal or other issues concerning the use of cannabis for medical purposes.

The Committee received 123 submissions and seven supplementary submissions and held two hearings. The Committee tabled its unanimous report in May 2013. The report recommended legislative reforms to allow the use of cannabis by patients with terminal illness and those who have moved from HIV infection to AIDS.

More information can be found on the Committee's [website](#).

## General Purpose Standing Committee No. 5

### *Members*

The Hon Robert Brown, Chair  
The Hon Jeremy Buckingham, Deputy Chair  
The Hon Rick Colless  
The Hon Greg Donnelly  
Mr Scot MacDonald  
The Hon Dr Peter Phelps  
The Hon Peter Primrose

### *Substitute members*

The Hon Cate Faehrmann substituted for Mr Buckingham for the duration of the Inquiry into the Management of Public Land in New South Wales.

### *Committee scope*

General Purpose Standing Committee No. 5 has responsibility for examining matters regarding the expenditure, performance or effectiveness of any Government department, statutory body or corporation within the portfolios of The Environment, Heritage, Small Business, Local Government, Fair Trading, Primary Industries, Resources and Energy, Special Minister of State, The Central Coast and The North Coast.

### *Inquiries undertaken*

The Committee completed the annual examination of the Budget Estimates and related papers for the financial year 2012-2013, holding hearings for each of the portfolios for which the Committee is responsible.

*GPSC No. 5 meeting with stakeholders from Baradine Sawmill on a site visit to the Pilliga State Forest and Pilliga National Park, September 2012.*



The Committee completed its Inquiry into the Management of Public Land in New South Wales, which commenced in the previous reporting period. This broad-ranging inquiry examined how public land is managed in New South Wales, and in particular, the process and impacts of converting Crown land, State forests and agricultural land into national park estate. The Committee considered a range of issues, including pest, weed and fire management practices, and examined other models of public land management. This high-profile inquiry received over 500 submissions and took evidence from over 120 witnesses. The Committee received additional funding which enabled travel to many areas of relevance in New South Wales, including a number of state forests and recently converted national parks. Details of additional funding is provided in the Financial Performance chapter of this report.

In its report the Committee made 12 recommendations, among which was the key recommendation that an independent, comprehensive assessment be conducted of the management of all public lands in New South Wales. The Committee also recommended a more streamlined, consistent and transparent approach to land management practices, given the complexity of the current land management system and role played by multiple agencies within it. The Committee also concluded that, in managing public land, conservation outcomes could be better balanced with social and economic outcomes.

More information can be found on the Committee's [website](#).

## Select Committees

Select committees are appointed by the House to examine specific matters. Once a select committee has presented its final report to the House it ceases to exist.

### Select Committee on the Partial Defence of Provocation

#### *Members*

Revd the Hon Fred Nile, Chair  
The Hon Trevor Khan, Deputy Chair  
The Hon David Clarke  
Mr Scot MacDonald  
The Hon Adam Searle  
Mr David Shoebridge  
The Hon Helen Westwood

#### *Inquiry undertaken*

The Select Committee was established in June 2012 to inquire into and report on the partial defence or provocation, following a high-profile case involving the killing of a woman by her husband. The Committee received 52 submissions and 32 supplementary submissions.

The Committee tabled its unanimous report on 23 April 2013, which made 11 recommendations aimed at reforming the partial defence to respond to concerns about the way the partial defence operates in practice. Primarily, the report recommended that the availability of the defence be restricted in a number of ways, including in circumstances where the 'provocative conduct' comprises a non-violent sexual advance, discovering a partner committing adultery, or the deceased indicating an intention to leave a domestic relationship. The Committee also recommended that any legal reform be supported by a broad community education campaign focussing on the nature and dynamics of family violence.

More information can be found on the Committee's [website](#).

## Select Committee into the Closure of the Cronulla Fisheries Research Centre of Excellence

### *Members*

Revd the Hon Fred Nile, Chair  
The Hon Marie Ficarra, Deputy Chair  
The Hon John Ajaka (until 14/08/2012)  
The Hon Niall Blair  
The Hon David Clarke (from 14/08/2012)  
The Hon Cate Faehrmann  
The Hon Mick Veitch  
The Hon Steve Whan

### *Inquiry undertaken*

The Select Committee was established on 21 June 2012 to inquire into and report on the Closure of the Cronulla Fisheries Research Centre of Excellence.

The Committee received 108 submissions and heard from 21 witnesses. The Committee conducted site visits to the Cronulla Fisheries Research Centre of Excellence, the Sydney Institute of Marine Sciences, and the Port Stephens Fisheries Institute. The Committee also held a public forum at Parliament House on the evening of Monday 10 September where it heard from current and former staff of the Cronulla Fisheries Research Centre of Excellence.

The Committee tabled its report in October 2012. The Report found the decision to close the Centre to be wanting in a number of significant respects. It made 13 recommendations, including that the decision to close the Centre be reversed, the staff be given an opportunity to return to the Centre and that the New South Wales Government conduct a thorough review of the decision.

More information can be found on the Committee's [website](#).

## Select Committee on the Closure or Downsizing of Corrective Services NSW Facilities

### *Members*

The Hon Paul Green, Chair  
The Hon Robert Borsak, Deputy Chair  
The Hon David Clarke  
The Hon Amanda Fazio  
Mr Scot MacDonald  
The Hon Melinda Pavey  
The Hon Mick Veitch

### *Inquiries undertaken*

The Select Committee was established on 6 September 2012 to inquire into and report on the closure or downsizing of Corrective Services NSW facilities, following the recent closure of gaols at Parramatta and Berrima and the downsizing of the Kirkconnell and Grafton correctional centres.

The Committee received 53 submissions and heard from 17 witnesses. The Committee also conducted a site visit to the Grafton Correctional Centre and held a public forum where members of the local community shared their personal stories about the impact of the decision to downsize the facility.

The Committee tabled its report in June 2013, which made nine recommendations designed to improve the process of downsizing or closing of correctional centres in the future, including a recommendation that rural impact communities statements be undertaken, and that the NSW Government develop and implement economic growth strategies in these areas.

More information can be found on the Committee's [website](#).

## Select Committee on the Agistment of Horses at Yaralla Estate

### *Members*

The Hon Robert Borsak, Chair  
The Hon Trevor Khan, Deputy Chair  
The Hon Luke Foley  
Dr John Kaye  
The Hon Dr Peter Phelps  
Mr Scot MacDonald  
The Hon Ernest Wong

### *Inquiry undertaken*

The Select Committee was established on 27 June 2013 to inquire into and report on the agistment of horses at Yaralla Estate, also known as the Dame Eadith Walker and Thomas Walker Estate. The Committee is to have particular regard to the actions of the Sydney Local Health District; the eviction of community members whose horses are agisted on the Estate lands; and the 'independent audit of the site' referred to in a 19 April 2013 media release issued by the Sydney Local Health District.

More information can be found on the Committee's [website](#).

## Joint Standing and Statutory Committees

Members of the Legislative Council also serve on several Joint Standing and Statutory Committees, which are administered by the NSW Legislative Assembly. These joint committees are the:

- Committee on Children and Young People (Joint Statutory)
- Committee on Electoral Matters (Joint Standing)
- Committee on Health Care Complaints Commission (Joint Statutory)
- Committee on the Independent Commission Against Corruption (Joint Statutory)
- Legislation Review Committee (Joint Statutory)
- Committee on the Ombudsman and Police Integrity Commission (Joint Statutory)
- Staysafe Committee, also known as the Road Safety Committee (Joint Standing)
- Committee on the Office of the Valuer-General (Joint Standing).

Appendix 7 contains a table of the membership of joint committees by Legislative Council members. Information on the inquiries undertaken by the joint committees can be found in the annual report of the NSW Legislative Assembly and on the NSW Parliament [website](#).



## Budget Estimates 2012-2013

The Budget Estimates and related papers have been referred to the General Purpose Standing Committees (GPSCs) for inquiry and report each financial year since the five GPSCs were first constituted in 1997. The Budget Estimates and related papers include the amounts to be appropriated from the Consolidated Fund for Government programs and spending initiatives.

The hearings are conducted by the GPSCs according to their portfolio responsibilities, with the initial round of hearings attended by the relevant ministers and accompanying departmental officials. The Legislative Council referred the 2012-2013 Budget Estimates inquiry to the GPSCs on 15 March 2012, scheduling five days in October 2012 for the initial hearings and a further five days in November 2012 for the supplementary hearings.

Twenty three hearings were held during the initial round of hearings, involving 113 witnesses. One supplementary hearing was held in November 2012, compared to two supplementary hearings in 2011-2012.

The total of 61 hours of public examination for the initial and supplementary hearings in 2012-2013 is less than the 73.5 hours duration of hearings in 2011-2012. This was due to a significant reduction in the time used for Government questions, as ten hearings proceeded without Government questions.

In 2012-2013, there were 3,289 questions taken on notice or submitted as supplementary questions, compared with 2,579 questions in 2011-2012.

The Budget Estimates inquiry for 2013-2014 was referred to the GPSCs on 14 November 2012. Initial hearing dates are scheduled for August 2013, with supplementary hearings to take place in October 2013.

More information can be found on the [website](#) of each GPSC.

## Statutory secrecy provisions

During the GPSC No. 4 hearing into the Police portfolio, a witness declined to answer certain questions on the basis of secrecy provisions in the *Crime Commission Act 2012*. The Chair advised that such provisions have no effect on the powers of the Committee to ask questions. Nonetheless, questioning on the matter concerned was adjourned until a Supplementary hearing in November to allow the witnesses and the Committee to seek legal advice.

On behalf of the Committee, the Clerk obtained the advice of Mr Bret Walker SC who concluded that a person bound by the secrecy provisions in s 80 of the *Crime Commission Act 2012*, or other like provisions, would not be in breach for disclosing information to a Council committee in answer to questioning. Mr Walker therefore confirmed the view long held by the Clerks of the Council that statutory secrecy provisions do not have the effect of restricting the power of the committees to ask and compel answers to questions that would require the disclosure of information that may otherwise be caught by statutory secrecy provisions.

The Committee subsequently resolved that, notwithstanding its power in relation to statutory secrecy provisions, it would not go ahead with the supplementary hearing.

## Looking ahead

The Committee Office will be working towards achieving a number of priorities in 2013-2014, including those that have been identified as key projects in the Department's 2012-2015 *Strategic Plan*. The following activities to improve stakeholder access and engagement will be undertaken during 2013-2014:

- explore online consultation methods for committee inquiries, including surveys and social media forums
- review the format of committee reports and investigate the development of an eReader version
- develop new committee brochures with a focus on plain language
- consider the reach and effectiveness of current methods of committee inquiry advertising with a view to develop a new strategy.

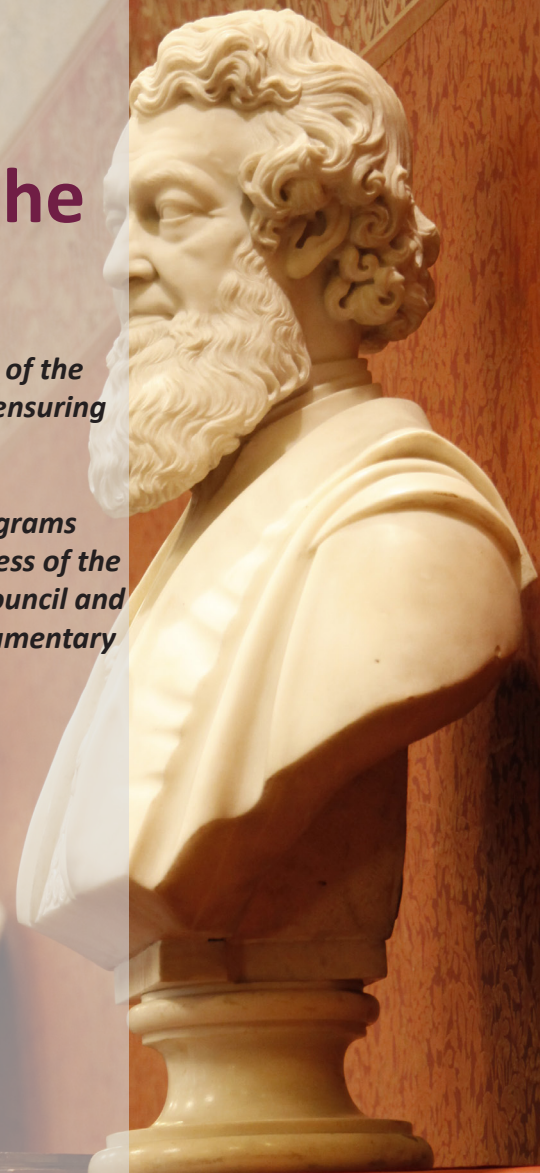
In addition, Committee staff will examine current methods of processing large volumes of individual submissions with the intention of increasing efficiency in this area.

The Committee Office will also be an integral contributor to the organisation of a seminar to mark the 25th anniversary of the modern committee system, to be held in September 2013.

## Engaging with the community

*Strengthening our links with members of the community and our stakeholders and ensuring access to the Legislative Council.*

*Providing education and outreach programs that are informative, creating awareness of the role and functions of the Legislative Council and encouraging participation in the parliamentary process.*



## Overview

The Department of the Legislative Council is committed to strengthening our links with members of the community and other stakeholders. The Department aims to provide education and outreach programs that are informative and encourage participation in the parliamentary process. The Department continues to enhance the access of the community and stakeholders to its services, facilities and resources through staff participation in Parliament-wide events and activities, as well as our own initiatives.

## Visitor Experience Group

With construction having commenced in 1811, the Rum Hospital is arguably the oldest public building in Australia in continuous use. The old hospital's northern wing is now the core of Parliament House. The Parliamentary precinct also neighbours a number of Sydney's biggest attractions, such as the State Library, the Mint, Hyde Park Barracks and the Art Gallery of New South Wales.

Consequently around 50,000 visitors enter Parliament House each year, including school students, a range of community leaders and groups, overseas delegations and tourists.

The Visitor Experience Group was established by the Presiding Officers in early 2012. The Department's Deputy Clerk and the Usher of the Black Rod are members of the Group, which is comprised of senior managers from the three Parliamentary Departments. During the reporting year, the Group developed a Visitor Experience Strategy which was approved by the Presiding Officers in September 2012.

Since then, several key projects have commenced with the aim of:

- enhancing the experience of visitors to the Parliament
- creating new and interesting reasons for members of the community to visit the Parliament
- better informing and educating visitors about the history and roles of the Parliament
- enhancing the Parliament's general service delivery to the people of New South Wales.

Projects and activities undertaken during the reporting period include:

- introduction of new public information resources, including a touch screen kiosk in the Legislative Council foyer (more information on the kiosk can be found on page 57)
- trial of weekend openings of the Parliament
- showcasing the restoration of the heritage Wentworth Room (the old Council chamber from 1829-1843), including organisation of art work for display through liaison with the State Library
- update of the Fountain Court exhibition policy to ensure the Parliament is displaying high quality exhibitions of community art that are relevant to the people of New South Wales
- new displays in the Fountain Court area of traditional artefacts including jabots, and both the Usher of the Black Rod and Serjeant-at-Arms' swords.

In addition, the Visitor Experience Group has contributed to the organisation of a range of events, including the Family Fun Day, which are described in the following pages.

## Looking ahead

The Visitor Experience Group will continue to develop and implement initiatives arising from the Strategy, including:

- production of new information brochures on the role of the Parliament, including an informative and educational self-guided tour brochure, taking visitors through the public areas of Parliament House
- expanding our education resources to include video conferencing sessions with rural and regional schools, who otherwise may find it difficult to access civic education
- preparing for a major exhibition in April 2015 to mark the centenary of the ANZAC landings at Gallipoli in 1915
- developing seminars for private sector organisations interested in learning more about the role of the Parliament and, in particular, parliamentary procedure and the work of committees
- establishing a social media presence for the Parliament including use of Twitter and Facebook, to provide opportunities to engage with the community and allow for interactive commentary on the important activities and events of the Parliament.

## Chamber and Support services

Legislative Council Chamber and Support staff provide a wide variety of support services to members, members' staff and staff of the Legislative Council. During sittings of the House, Chamber and Support provide administrative assistance in the chamber and control the public gallery. They also assist on ceremonial occasions and receive official guests and dignitaries.

Chamber and Support staff give talks in the chamber to groups including primary and secondary schools, special interest groups and visiting dignitaries. During the reporting year, approximately 364 schools and other groups visited the Parliament and 14,616 participants undertook tours delivered by Chamber and Support staff.

## Community engagement activities

Throughout the reporting period the Department participated in a wide variety of community engagement activities, some of which are described below.

### 2013 Young Women's Leadership Seminar

The Young Women's Leadership Seminar, organised by the Education and Community Relations Section, gives female Year 11 students the opportunity to engage with a variety of women in leadership roles and discuss the issues that they face. It exposes students to role models to inspire them and instil confidence to participate in public life.

Four programs were held during the reporting period, in August and October 2012 and May and March 2013, attracting approximately 100 students on each occasion. The format begins with a keynote address, followed by youth presenters and then Chamber presentations by Ronda Miller, Clerk of the Legislative Assembly, and Rachel Callinan, Usher of the Black Rod. Female members of Parliament address the students in a panel session in the afternoon. The key note speakers included Professor Penny Sackett, physicist, astronomer and former Chief Scientist for Australia and Scientia Professor Veena Sahajwalla, Director of Sustainable Materials Research and Technology (SMaRT) at the University of NSW.

## Presentation to NSW Business Chamber Council

The Procedure Office coordinated a presentation by senior departmental officers to the NSW Business Chamber Council on 28 February 2013. The presentation was held at Parliament House and covered the relationship between the Government and the Parliament, the legislative process, and the work of committees.

## Legislative Council in Practice seminar

The Legislative Council in Practice seminar is available to public servants who wish to develop their knowledge and understanding of the Legislative Council. The seminar includes sessions on the Legislative Council in context, the conduct of proceedings in the House, the passage of legislation and parliamentary committee inquiries. A highlight for many participants is the question and answer session with a panel of members. Two seminars were held during the reporting period, on 8 August 2012 and 6 November 2012.

Demand was high, with available spaces at both seminars fully booked. Feedback from participants was considered to be very positive:

“The mix of information backed up with video footage of real situations in the chamber was both extremely useful as well as often entertaining.”

“The information provided was very helpful in providing the big picture perspective and context.”

“Panel session was very interesting.”

“Fantastic course. Really interesting and informative. Very professional.”

Further seminars are scheduled for the next reporting period.

*The President, the Hon Don Harwin MLC, addresses the Legislative Council in Practice course participants in the chamber. This course provides practical information on how the Legislative Council performs its legislative, representative and scrutiny functions.*



## Effective participation in parliamentary inquiries

Committee staff continued the very successful program of workshops run in conjunction with the Council of Social Service of NSW (NCOSS) aimed at improving non-government stakeholders' understanding of parliamentary inquiries and their skills in participating in them. Four workshops were conducted during the reporting period, including one in Lismore and one in Parramatta. Fifty-eight people from the community sector took part.

In addition, a fifth workshop was run specifically for staff of Community Legal Centres, with 36 participants attending. The feedback received from all sessions was positive:

"...very valuable, competently presented and complex issues discussed clearly."

"It gave me some good ideas about how to conduct future law reform work."

"I would never before today agree to undertake a submission, however, definitely would really consider it!!"

"I came in with very little knowledge and so found it all linked together well and helped greatly."

In addition to the NCOSS workshops, Committee Office staff delivered 28 other presentations to a broad variety of stakeholders on the role and functions of Legislative Council committees. The audiences included such diverse groups as university students, the Public Interest Advocacy Centre, staff and members from parliaments in the Asia-Pacific region (under the auspices of the Centre for Democratic Institutions), and official delegations visiting from overseas.



*The Usher of the Black Rod, Rachel Callinan, presenting at a workshop in Lismore, delivered in conjunction with the National Council of Social Service of NSW. The workshops provide participants with an understanding of the Committee inquiry process and cover skill development for submission writing and presenting as an effective witness.*



## School Outreach Program

The School Outreach Program involves staff from the Procedure Office accompanying parliamentary committees conducting regional hearings to provide outreach and information sessions to local high school students. The sessions, lasting approximately two hours, include:

- an overview of the State Parliament and its relationship to the community and the government
- discussion of the role and function of the Legislative Council and its committees
- an explanation of the inquiry process with particular reference to the relevant inquiry
- an opportunity to briefly attend the hearing
- a group workshop with a view to students either undertaking a role play of the public hearing, or writing a submission to the inquiry.

On 2 August 2012, an outreach session was held in Deniliquin, in conjunction with the General Purpose Standing Committee No. 5 public hearing for the Inquiry into Public Land Management. Students from Deniliquin High School and Deniliquin Christian School attended the session. The Chair of the Committee addressed the students and answered questions. The program concluded with the students participating in a mock hearing. The President of the Legislative Council also attended the session.

*Sam Griffith, Senior Council Officer, presents to local students attending an outreach session in Deniliquin which was conducted in conjunction with the General Purpose Standing Committee No. 5 public hearing for the Inquiry into Public Land Management. The School Outreach Program was developed as direct result of the Parliament's twinning relationship with the National Parliament of the Solomon Islands, community education events often being held in conjunction with committee hearings in the Solomon Islands.*



## Touch screen kiosk

In 2011, the Procedure Office commenced a project to install a touch screen kiosk to enhance the visitor experience by providing users with useful information about the Legislative Council and the building. The project was completed during the reporting period with the kiosk being installed in the Legislative Council foyer. The content of the kiosk is designed to be engaging, interactive, educational and practical. It combines plain English writing, photographs, videos, maps, graphs and an interactive quiz.

Implementation of the touch screen kiosk was a collaborative effort between the Procedure Office, Information Technology Services in the Department of Parliamentary Services, and an external design company.

Experience with, and feedback on, the touchscreen will be useful in evaluating the potential role of this technology in other public areas of the building.

## Twitter

The Legislative Council launched its Twitter account, @nsw\_upperhouse on 24 June 2013. Twitter will be used to inform members, the media and the public about what is happening in the Legislative Council, promote the role of the Council and its Committees, and to educate the public about the Council.

The account will be trialled for the remainder of 2013 to ascertain the level of interest. The account is managed by a small project team headed by the Deputy Clerk of the Legislative Council. The Department aims to tweet at least once each weekday, with the majority of tweets relating to business in the House and the progress of committee inquiries.

The number of followers to the account has been increasing each day and most tweets have received re-tweets, favourites or replies.

## Fountain Court exhibitions

The Fountain Court is a venue for free monthly art exhibitions which are relevant to New South Wales and hosted by a member of Parliament. The exhibitions are coordinated through the Office of the Black Rod. Information about holding an exhibition, including the application form is available on the Parliament's [website](#).

The following exhibitions were displayed throughout the year in the Fountain Court exhibition space:

- Australians All Images of ethnic minorities, sponsored by the Hon Victor Dominello MP.
- Travelling North, an exhibition of colour, light and landscape by three artists from Banyan Tree Creative Services from Sydney's northern beaches, sponsored by Mr Robert Stokes, MP.
- Biyanga Naminma, an exhibition of street banners from Gamarada Indigenous Healing and Life Training, sponsored by the Hon Linda Burney, MP.
- In Living Memory, an exhibition featuring surviving photographs from the records of the Aborigines Welfare Board, 1919-1966 as well as contemporary images of Elders, families and communities by senior Indigenous photographer, Mervyn Bishop, sponsored by the Hon Don Harwin, MLC.
- The Art Trail, a collective show of paintings, drawings and photography by the Bundeena Maianbar Art Trail, hosted by Mr Lee Evans, MP.
- Beaded Links, organised by the Commonwealth Day Council to celebrate the use of beads by Commonwealth countries, and to commemorate Her Majesty's Diamond Jubilee, hosted by Mr David Elliot, MP.
- Contribution of Greek Women to Australian Culture and Economic Development, an exhibition of artwork coordinated by the Hellenic Lyceum Sydney, sponsored by the Hon Sophie Cotsis, MLC.
- Australian Latvian Artists, a showcase of artworks coordinated by the Australian Latvian Artists Association, hosted by the Hon David Clarke, MLC.
- Confidence by Art, an exhibition of artworks by Aboriginal and Torres Strait Islander job seekers, hosted by the Hon Victor Dominello, MP.
- Harmony Day, a collection of posters by NSW school students, hosted by the Hon Gladys Berejiklian, MP.
- Centenary of Irrigation, a display of historic photographs, depicting the development of the Murrumbidgee Irrigation Area, hosted by the Hon Adrian Piccoli, MP.

## Twenty Five: Stories from Australia's First Parliament

On 17 January 2013 Her Excellency the Governor officially opened the Exhibition "Twenty Five: Stories from Australia's First Parliament" which ran from 16 January to 1 March 2013. The exhibition marked the 225th anniversary of the founding of New South Wales and the Parliament presented twenty five stories. The exhibition featured artefacts and artworks from the Parliament's collection, each object telling a story about an event, character or decision that shaped our State. Many of these precious historic items were on public view for the very first time. In organising the exhibition, the Department of Parliamentary Services led a Parliament-wide team that included staff of the Department of the Legislative Council, and the Office of the President.

## YMCA Youth Parliament

The 11th annual YMCA NSW Youth Parliament organised by Parliamentary Education was held between 2 to 6 July 2012 with 96 Youth Parliamentarians taking part and representing electorates throughout New South Wales. Participants debated a variety of issues such as child safety, transport, youth disability, fair pay, and euthanasia. Members from the Legislative Assembly and Legislative Council participated as 'Speakers', bringing order to the debate.

## Family Fun Day

The Parliament hosted its third Family Fun Day on 3 October 2013 which attracted approximately 850 visitors. Activities available to visitors included arts and crafts for children, tours of the chambers, the roof top garden and the press conference room, and a barbecue in the Speaker's Garden. Family Fun Day is organised by Parliamentary Education, with staff throughout the Parliament, including the Department of the Legislative Council assisting on the day.



*Young visitors participate in a craft activity in the Jubilee Room. Family Fun Day is an annual event that promotes the accessibility of the Parliament to members of the community.*

## Sydney Open

The Parliament participated in the Historic Houses Trust of New South Wales' Sydney Open event. The event, held every two years, showcases Sydney's architecture and built environment. Parliament opened outside of its normal business hours on the evening of 2 November 2012 and on Sunday 4 November 2012 and almost 2,000 visitors enjoyed the event.

## Australia Day

The Parliament was open on Australia Day 2012 with approximately 2,000 people visiting the House, taking in tours of the Legislative chambers and other features of the building.

## Commonwealth Day

On the second Monday in March each year Commonwealth Day is celebrated and once again NSW Parliament was the venue for a gala luncheon, with over 100 school students participating in activities prior to and during the luncheon.

On Monday 11 March the day's activities commenced with a student debate in the Legislative Assembly, chaired by Professor David Flint AM, adjudicated by the Clerk of the Parliaments, Mr David Blunt, the Clerk of the Legislative Assembly, Ms Ronda Miller and Revd the Honourable Fred Nile, Assistant President of the Legislative Council.

Mrs Janet Stewart, President of the Commonwealth Day Council, the Presiding Officers and the Usher of the Black Rod, Ms Rachel Callinan, greeted Her Excellency the Governor upon her arrival at Parliament. Approximately 50 students from Scots College Pipes and Drums formed an honour guard and played a Vice-Regal Salute. The Vice-Regal and Official Party moved through a flag display of 53 Commonwealth countries in the Fountain Court prior to the commencement of the Commonwealth Day Council Gala Luncheon in the Strangers' Dining Room, during which Her Excellency the Governor delivered the Queen's Commonwealth Day message.

# Parliamentary relations

*Working to strengthen and foster respect for parliamentary institutions and the democratic process.*

*Welcoming visitors, dignitaries, officials and delegations from around the world.*

*Supporting the Twinning Project and our colleagues in the parliaments of the Autonomous Region of Bougainville and the Solomon Islands.*



## Overview

The NSW Legislative Council takes an active approach to engaging with visitors who attend Parliament House for a variety of reasons and occasions. The Parliament welcomes official visitors, dignitaries and delegations from around the world, and parliamentary colleagues from around Australia, embracing opportunities to share knowledge and exchange ideas.

The Legislative Council is also represented on several inter-parliamentary groups and associations. As part of the NSW Parliament, the Legislative Council is a committed participant in the Commonwealth Parliamentary Association's Twinning Program.

During the year, the Parliament also hosted a diversity of events and exhibitions that involved the wider community's participation.

## Hospitality and Visitors

### Official visitors and delegations

The following visits and delegations occurred during the reporting period.

#### **National Assembly of Laos**

13-14 August 2012 – a delegation from the National Assembly of Laos, led by Mrs Pany Yathortou, President of the National Assembly.

#### **National Assembly of the Seychelles**

20 August 2011 - the Honourable Dr Patrick Herminie, Speaker of the National Assembly of the Seychelles, Ms Sabrina Ah Kong, Director, Office of the Speaker, and Ms Fiona Way from International and Community Relations Office, Parliament of Australia.

#### **National Council of Provinces, Parliament of South Africa**

21 August 2012 – a delegation of Whips from the National Council of Provinces.

#### **House of Representatives Kingdom of Thailand**

21 August 2012 - a delegation from the Bureau of Legal Affairs, Secretariat of the House of Representatives, Kingdom of Thailand.

#### **Republic of the Union of Myanmar**

17 September 2012 – the Honourable Thura U Shwe Mann, Speaker of the Lower House, and a delegation of 11 members from the Parliament of Myanmar.

#### **Parliament of the Kingdom of Morocco**

1 November 2012 - his Excellency Dr Mohamed Cheikh Biadillah, President of the Moroccan Senate and a delegation of six members from the Parliament of the Kingdom of Morocco.

**Senators from the California State Senate**

10 to 15 November 2012 - a delegation of Senators from the California State Senate, United States of America.

**Members from the North West Provincial Legislature**

20 November 2012 – a delegation from the North West Provincial Legislature, South Africa, led by the Chairperson of the Portfolio Committee on Local Government, the Honourable Auchalie Mothupi.

**Young political leaders from the People’s Republic of China**

29 November 2012 – young political leaders from the People’s Republic of China, organised through the Australian Political Exchange Council.

**Members of the European Parliament**

11 February 2013 - a delegation from the European Parliament led by Mr Giles Chichester MEP, Acting Chair of the Delegation, European Conservatives and Reformists Party, United Kingdom.

**Parliament of India**

12 February 2013 - a delegation from the Parliament of India, led by Shri Rajiv Shukla, Minister for State for Parliamentary Affairs and Planning.

**Delegation from the Afghan Parliament**

18 February 2013 – a delegation of members from the Afghan Parliament’s lower house (the Wolesi Jirga, or House of the People) Public Accounts Sub-Committee.

**DIET members from Japan**

30 April 2013 – a delegation of young political leaders, including five members of the Japanese Parliament (DIET), organised by the Australian Political Exchange Council.

**Governor of the Eastern Highland Province, Papua New Guinea**

2 May 2013 - the Honourable Julie Soso-Akeke MP, Governor of the Eastern Highland Province in Papua New Guinea.

**Parliament of Vietnam**

13 May 2013 – His Excellency Ha Minh Son, Vice-Chairman of Deputies Affairs Commission and a delegation from the Parliament of Vietnam.

**Climate change study tour for Pacific parliamentarians**

31 May 2012 – a group of Pacific parliamentarians, including members of Parliament from Kiribati, Marshall Islands, Samoa and Tonga, including the Speaker of Tonga.

**Parliament of Victoria**

3 June 2013 - Andrew Young, Assistant Clerk – Committees from the Victorian Parliament.

**Tynwald - Parliament of the Isle of Man**

5 June 2013 - the President of Tynwald, the Honourable Clare Christian.



## California State Senate delegation

The NSW Parliament hosted a delegation of Californian State Legislature senators from 10-15 November 2012. The two legislatures entered into a sister-state relationship in 1997 with the intention of strengthening relationships and fostering political, economic, trade and educational contacts.

The delegation's statement of purpose focused on the issue of harmonising the need for balanced budgets and economic development with educational priorities and environmental sustainability.

In response to this, the delegation's business program comprised of meetings with the Treasurer and Treasury officials, Parliamentary Secretaries for Transport and Renewable Energy, officials from the Department of Education and Communities, academics from the Institute of Sustainable Futures at UTS and the United States Studies Centre, and Opposition and Cross Bench Members.

The program also included a successful panel discussion hosted by the NSW Chapter of the Australasian Study of Parliament Group, where the delegation shared their knowledge on the current political environment in California and the United States. This was a popular event with over 50 audience members.

The visit was highly successful in meeting its aim of further strengthening relations between California and New South Wales.

*The NSW Parliament hosted a delegation of Senators from the Californian State Legislature during November 2012. This was the third delegation from California to visit the NSW Parliament since the inception of the sister-state relationship between NSW and California in 1997.*



## Official visits

Official visits are made to the Parliament. These visits comprise mainly diplomats of ambassadorial status. Official visits made during 2012-13 are as follows:

Ambassador of the Delegation of the European Union  
Ambassador of Brazil  
Commanding Officer of the La Moqueuse, accompanied by the Consul-General for France  
Ambassador of the State of Kuwait  
Ambassador of Switzerland  
Ambassador of the Russian Federation  
Ambassador of the Federal Republic of Germany  
Consul General of Sri Lanka  
Ambassador of the Royal Danish Embassy  
Ambassador of Spain  
Ambassador of the Republic of Turkey  
Consul General of the People's Republic of China  
Ambassador and Consul General of Peru  
Ambassador of the Arab Republic of Egypt  
Consul General of the People's Republic of China  
Ambassador of Austria  
Ambassador and Consul General for the Kingdom of the Netherlands.

## Vice regal visits

Her Excellency the Governor visited the Parliament on numerous occasions during the year in her capacity as patron or guest of honour. Her Excellency the Governor opened several events including the YMCA Youth Parliament, the 2012 Sydney China Business Forum, the 'Beaded Links – Diamond Jubilee Celebration', and the exhibition 'Twenty Five - Stories from Australia's First Parliament'.

Her Excellency Ms Quentin Bryce AC CVO, Governor-General of the Commonwealth of Australia visited the Parliament on one occasion as guest of honour at a function.

## Commonwealth Parliamentary Association

The Commonwealth Parliamentary Association (CPA) is made up of parliamentarians who, irrespective of race, religion or culture, are united by a community of interest, respect for the rule of law and the rights and freedom of individual citizens, and the pursuit of positive ideals of parliamentary democracy. The Association's mission is to promote the advancement of parliamentary democracy by enhancing knowledge and understanding of democratic governance. This mission is achieved through a range of programs and activities for parliamentarians and parliamentary staff.

The Clerk of the Parliaments is the Assistant Honorary Secretary-Treasurer of the NSW Branch of the CPA. The Clerk of the Legislative Assembly is the Secretary-Treasurer. Under the Constitution of the NSW Branch, the positions of Honorary Secretary- Treasurer and Assistant Honorary Secretary-Treasurer are to rotate each parliament.

## Commonwealth Parliamentary Association Twinning Program with Solomon Islands and Autonomous Region of Bougainville

The Commonwealth Parliamentary Association's (CPA) Twinning Program was established in June 2007 and requires every Australian state and territory parliament to be twinned with one or more parliaments in the Pacific. The NSW Parliament has a twinning arrangement with the Bougainville House of Representatives and the National Parliament of Solomon Islands and receives funding to support these arrangements from AusAID, under its Pacific Public Sector Linkages Program.

The NSW Parliament was successful in receiving funding under the 2012-2013 round of the Pacific Public Sector Linkages Program, covering the period May 2013 to June 2015. The current period of funding extends to August 2015.

Many of the activities conducted have involved attachments of staff between NSW Parliament and the twinned parliaments. The secondments have focussed on a number of areas of need including: strengthening procedural support for members; building inquiry management skills within committee secretariats, and conducting needs analyses of Hansard and Library sections.

During the reporting year a variety of activities took place, involving the NSW Parliament, and the parliaments of Bougainville and the Solomon Islands. A Twinning Conference was held in Honiara in July 2012, involving all Pacific and Australian twinned parliaments, including Bougainville House of Representatives and the National Parliament of Solomon Islands. This was followed by a Twinning Workshop which was attended by a number of staff from the NSW Parliament and our twinned parliaments. A summary of other activities follows.

## Bougainville

- In August 2012, Ignatius Hamal and Donald Misang, committee staff from Bougainville, were seconded for a week to the NSW Parliament's Committee Offices in both the Legislative Assembly and the Legislative Council.
- Three staff of the Public Accounts Committee, Pais Otima; Douglas Pisi, and Ignatius Hamal were seconded during October 2012 to the Papua New Guinea National Parliament's Public Accounts Committee to observe the inquiry process and develop links with the Office of the Auditor General.
- The Parliamentary Librarian, John Bosco, attended a library course in Port Moresby in October 2012.
- Peter Topura was seconded to the National Parliament of Solomon Islands Procedure Office in November 2012.
- In November 2012, Edwin Kenehata attended the Australian Parliamentary Educators Conference in Perth.
- Joel Tukana attended a Hansard Conference in Perth in January 2013.
- Three regional workshops for members were held during April and May 2013. New South Wales Parliament MP Melanie Gibbons, CDI Associate Warren Cahill and NSW Parliament twinning project Simon Johnston participated in workshops held in the North, South and Central regions of Bougainville, addressing issues of leadership and Members' responsibilities.
- In May 2013 two Committee staff, Jane Kiroha and Julie Masike, were seconded to the Legislative Council Committee Office for one week.
- In June 2013 the Speaker of the Bougainville House of Representatives, the Hon Andrew Miriki, the Clerk of the Bougainville House of Representatives, Mr Robert Tapi and the Clerk of the National Parliament of the Solomon Islands, Ms Taeasi Sanga visited the NSW Parliament on their way to the 2012-13 Presiding Officers and Clerk's Conference. The Group observed the Legislative Council sitting with Speaker Miriki joining the President on the dais during Question Time.

*Participants attending the Twinning workshop in July 2012, which included representatives from NSW Parliament, the National Parliament of Solomon Islands and the Bougainville House of Representatives. The workshop included presentations on parliamentary procedure and committee inquiries, and skill development opportunities on writing, use of systems and software.*



## Solomon Islands

- In August 2012 four staff from the Solomon Islands, Rexford Koutu, Jefferson Hallu, Natalina Hong and Wilson Anii, were seconded for a week to NSW Parliament's Committee Offices in both the Legislative Assembly and the Legislative Council, and to Hansard.
- During November 2012 Patteson Lusi and Marisa Pepa, Civic Education Officers, attended the Australasian Parliamentary Educators Conference in Perth.
- Clera Pita, Chief Hansard Editor and Liam Sau, Assistant Hansard Editor attended the Australasian Hansard conference held in Perth during January 2013.
- Sunjay Dhari was seconded to the NSW Parliament Information Technology Section for a week during January 2013.
- Susan Want, Director Procedure with the NSW Legislative Council was attached to the National Parliament of Solomon Islands for a three week period to assist with continued development of the Procedure Office and review of the Standing Orders.
- The Twinning Project Coordinator, Simon Johnston, visited the National Parliament during April 2013 to undertake planning for future activities.
- During May 2013 four staff, Marisa Pepa, Marson Lilipeza, Rexford Koutu and Stephen Hachi were seconded throughout the NSW Parliament.

*Simon Johnston, Twinning Coordinator presenting a workshop for Members of the Bougainville House of Representatives and Chairs of Councils of Elders, held in the Tunaniya Learning Centre near Arawa, Central Bougainville. This was one of three regional workshops conducted during April and May 2013 in the North, South and Central regions of Bougainville to address issues of leadership and members' responsibilities.*



## External review of the Twinning Project

An external review of the twinning project was conducted in May 2013. The report was completed in June 2013 and found that the twinning project is meeting its stated objectives. Eight recommendations were accepted by the Clerks, Executive Manager and the Presiding Officers. The outcomes of the review will inform the twinning activities and initiatives planned and implemented during the period 2013-2016.

## Regional Youth Parliament

The National Parliament of Solomon Islands holds an annual Youth Parliament as part of its commitment to community outreach and civic education. The Youth Parliament is organised and funded through the Ministry for Women, Youth, and Children's Affairs, with the assistance of the National Parliament's Civic Education Unit. The Autonomous Region of Bougainville House of Representatives also holds Youth Parliaments. Since the Twinning Project commenced in 2010, the possibility of having Bougainville and New South Wales students involved in the Solomon Islands Youth Parliament has been the subject of discussions between the education staff from the three parliaments.

Five students from New South Wales will participate in a Regional Youth Parliament to be hosted in Honiara between 25 September to 28 September 2013. Funding has been provided through sponsorship from Virgin Australia (five return flights to Honiara) and support from the NSW Parliament branch of the Commonwealth Parliamentary Association which will be used for medical and other expenses. The students will join twenty Solomon Islands students to form the Regional Youth Parliament. Unfortunately, Bougainville is unable to participate on this occasion.

The Regional Youth Parliament has as its theme 'Youth partnership for climate change: think local, act now!' The program will include committee hearings, debate on a bill and other parliamentary proceedings.

The Solomon Islands Government and the United Nations Development Program Parliamentary Strengthening Project will provide financial and administrative support for the Regional Youth Parliament in Honiara.

New South Wales students participating in the Regional Youth Parliament will be accompanied by staff from the NSW Parliament.

## Other activities for the coming year

Twinning activities will continue to focus on strengthening of procedural and committee support for members, with an emphasis on parliamentary support services including information technology, Hansard, library and research services. Initiatives to improve the financial and administrative capacity of the parliaments will also be explored.

The Parliament is actively examining ways of involving members in twinning activities. While the focus of the AusAID funding has been on institutional strengthening through capacity-building of staff and systems improvements, there is a clear need for direct support for members in the two Pacific parliaments to fulfil their representative, legislative and scrutiny roles. Organisations such as the Centre for Democratic Institutions have the capacity to deliver this support and it remains a priority for the NSW Parliament in the year to come.

## Effective Parliamentary Committee Inquiries for Pacific Island Parliamentary Staff

During the reporting year, the NSW Parliament hosted the 'Effective Parliamentary Committee Inquiries for Pacific Island Parliamentary Staff's program on two occasions. The first program was conducted in August 2012 and the second in May 2013. Participants came from the parliaments of Bougainville and the Solomon Islands, as well as the parliaments of Papua New Guinea, Tonga, Samoa, Vanuatu, and Niue. The five day program aims to enhance the capacity of staff to support the effective operation of parliamentary committees and focusses on the practical aspects of parliamentary committee work. It is comprised of presentations, case studies, discussions, group exercises and role plays.

The program is delivered in partnership with the Centre for Democratic Institutions (CDI) and Mr Trevor Rowe, a CDI Associate, undertook the role as course convenor on both occasions. Presenters included committee staff from the Assembly and the Council, as well as guest speakers such as the NSW Auditor General, Mr Peter Achterstraat, the Hon Niall Blair, MLC, Chair of the Social Issues Committee, the Hon Trevor Khan MLC, Chair of the Privileges Committee, Mr David Elliot MP, Member for Baulkham Hills and Chair of the Economic Development Committee, and Mr Grant Harrison, Deputy Director of the Centre for Democratic Institutions.

*Participants, organisers and presenters from the Effective Parliamentary Committee Inquiries for Pacific Island parliamentary staff program conducted in May 2013. The aim of this program is to enhance the capacity of officials from Pacific Parliaments to support the effective operation of parliamentary committees.*



## Parliamentary Friendship Groups

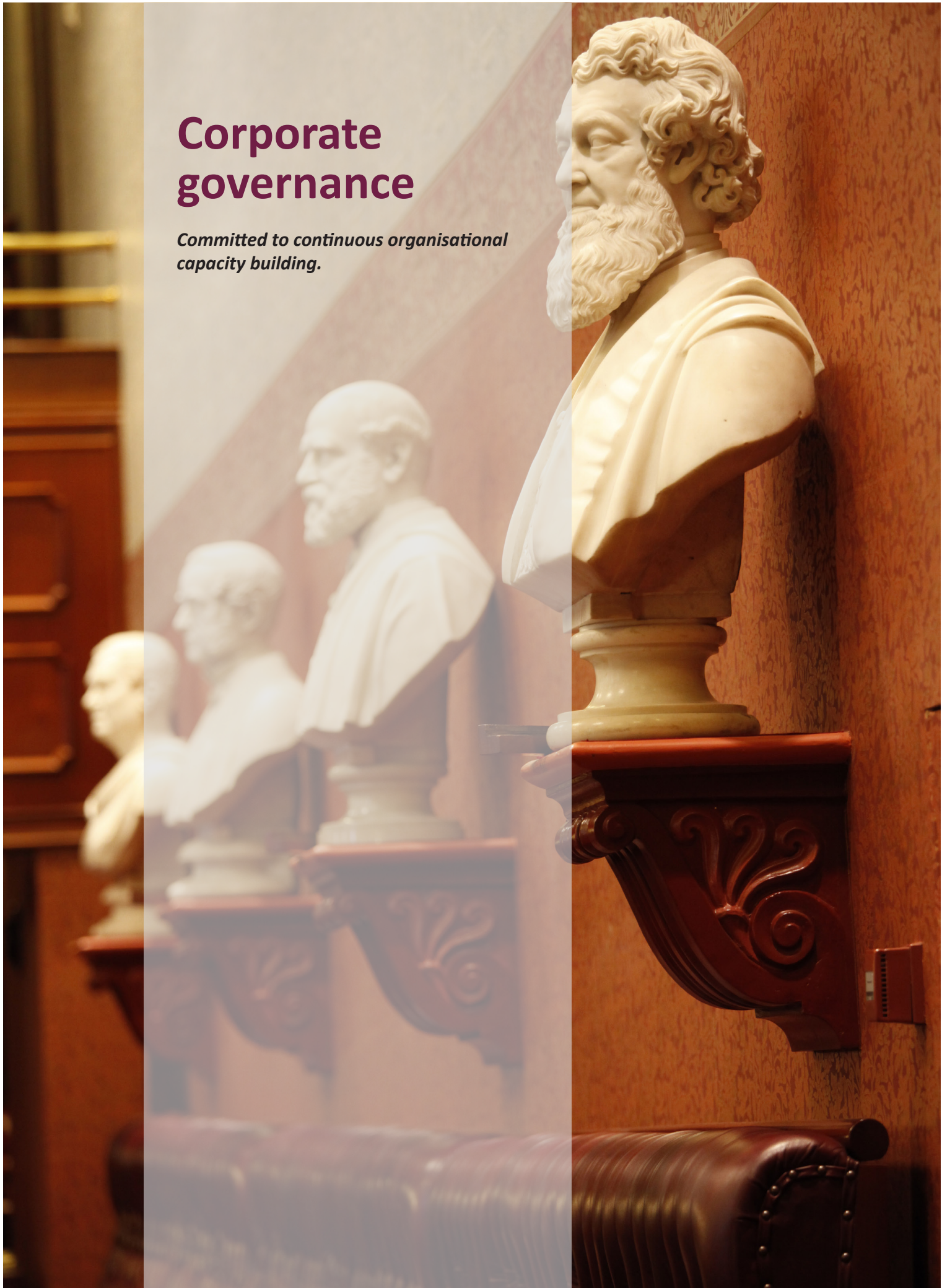
In May 2011, the Presiding Officers of the NSW Parliament approved a policy to regulate the establishment and operation of Parliamentary Friendship Groups. Parliamentary Friendship Groups are established by members of Parliament to provide a forum for a shared cause or interest, or to arrange events and assist delegations associated with countries and regions. Approval by the Presiding Officers to establish a Parliamentary Friendship Group is contingent on a number of criteria including that it must be parliamentary in character and non-party political. Membership must be open to members from both Houses of Parliament and the Group must have a minimum of five current members of Parliament, with representation from at least two political parties.

Since June 2011, 24 Parliamentary Friendship Groups have been approved by the Presiding Officers, covering a diversity of interests including asthma, diabetes, surf lifesaving and the Cancer Council. As the Parliamentary Friendship Groups Policy has been in place for just over two years, the Presiding Officers have considered it timely to review its effectiveness. As a result, there is currently a moratorium in place on the establishment of any new groups until the review is completed in the first half of the 2013-2014 financial year.



# Corporate governance

*Committed to continuous organisational capacity building.*



## Overview

The Department of the Legislative Council works collaboratively with the Department of the Legislative Assembly and the Department of Parliamentary Services to ensure that the Parliament of New South Wales is supported by a strong governance framework. The Departments each contribute to the provision of support and services to members and work together to ensure the institution of the Parliament is advanced.

The three Departments have developed a *Strategic Outlook for the NSW Parliamentary Departments 2012-2015* that defines a shared purpose, values and strategic objectives. Following from this, the Department of the Legislative Council developed its *Strategic Plan 2012-2015* which encompasses the strategic objectives of the Parliament and defines the key projects the Department will be involved in during this period. The key projects are updated each reporting year.

## Parliament-wide groups

The three Departments have established several groups and committees that provide for joint consideration and decision making on issues that affect the Parliament as a whole.

### Management groups

There are two principal management groups:

- the Executive Group comprised of the Presiding Officers, the Clerks and the Executive Manager
- the Senior Management Group, comprised of the Clerks and the Executive Manager.

The two groups meet on a regular basis to discuss governance and other issues applicable to the Parliament as a whole. Other committees and their activities are described in the following pages.

### Audit and Risk Committee Report

The Legislature's Audit and Risk Committee aims to oversee the internal audit function, risk management, corporate governance and monitoring the Legislature's governance, risk and control frameworks and its external accountability requirements.

The Committee operated during 2012-2013 with three members independent of The Legislature:

- Mr Jim Mitchell (Independent Chairperson)
- Ms Christine Feldmanis (Independent Member) and
- Ms Gerry Brus (Independent Member).

The Clerk of the Legislative Assembly, Clerk of the Legislative Council and the Executive Manager of Parliamentary Services also attended meetings of the Committee as invitees. Meetings were also regularly attended by the Chief Audit Executive and representatives of the NSW Audit Office.

Further information on committee meetings and audit activities and reports is available in the Department of Parliamentary Services Annual Report 2013, available on the Parliament's [website](#).

### Policy Review Steering Committee

The Policy Review Steering Committee, comprised of representatives from all three Departments, was established in 2012 to review all corporate policies, guidelines and forms. There are well in excess of 200 documents to be analysed, amended, reformatted and finalised. A number of policies were finalised during the reporting year, including policies on media enquiries, equal employment opportunity, harassment free workplace and grievances.

The Department of Legislative Council representatives on the Committee are Ms Donna Hogan, Principal Council Officer and Ms Rachel Callinan, Usher of the Black Rod.

### Security Committee

The Security Committee consists of the Serjeant-at-Arms, the Usher of the Black Rod, the Director Facilities Branch and the Security Manager Facilities Branch. During the reporting period the committee met seven times. The Committee reviews security and emergency response policies and procedures; reviews security incidents within the precincts; and works towards enhancing the security of the Parliament House, its occupants and its visitors.

## Industrial matters

### Staffing

Department of the Legislative Council staff provide advisory, research and support services to the House and its committees and to the members individually, through the principal program areas of the Office of the Clerk, the Procedure Office, the Committee Office and the Office of the Black Rod.

The Department of the Legislative Council has an establishment of 41 staff members. However, as at 30 June 2013, the Department recorded 38 full time equivalent (FTE) staff members. This lower figure is due to a number of staff members who work less than full time hours.

The Department also employs Secretary/ Research Assistants who provide administrative support in the offices of members of the Legislative Council.

Staffing levels have fluctuated slightly over the last three reporting years:

	2012-13	2011-12	2010-11
Council Officers	38 FTE	38 FTE	41 FTE
Secretary/ Research Assistants	46 FTE	47 FTE	52 FTE

## Changes to the Department's structure

In late 2011, the Clerk of the Parliaments initiated a review of the structure and administration of the Department. As a result of that process, in March 2012, the Clerk announced the trial of a new structure for the Department of the Legislative Council, incorporating the pre-existing Procedure and Committee Offices, but also the formation of a new Office of the Black Rod. The new structure was trialled for six months and its success resulted in the formal establishment of the Office of the Black Rod. The new organisational structure is set out on page 11.

The Office of the Black Rod, under the management of the Usher of the Black Rod, Ms Rachel Callinan, is responsible for the organisation and direction of a range of protocol, community access and corporate activities for the Department.

## Staffing changes

A number of staffing changes occurred within this reporting period. Ms Julie Langsworth, Clerk Assistant – Committees left the Legislative Council to join the Department of Parliamentary Services as Deputy Executive Manager. Julie commenced in her new position on 16 July 2012.

Ms Rachel Simpson, Director – Committees also left the Legislative Council to work with the Legislative Assembly as a Director in its Committee Office.

The 24th Usher of the Black Rod, Ms Rachel Callinan, was sworn in on 4 March 2013 by Her Excellency the Governor at Government House. Ms Callinan was formerly a Director within the Legislative Council's Committee Office.



*Her Excellency the Governor Professor Marie Bashir, AC, CVO and Ms Rachel Callinan at the swearing in ceremony for the new Usher of the Black Rod at Government House on 11 March 2013. Ms Callinan is the 24th Usher of the Black Rod since the appointment of the first Usher, Mr Edmund Lockyer, in 1856.*

## Salary movements

At the end of the reporting period proceedings were underway to vary the Crown Employees (Public Sector – Salaries 2008) Award by NSW Treasury.

Any increase in this award flows onto the Crown Employees (Parliament House Conditions of Employment) Award 2010. The Parliament House award contains the pay rates for Department of Parliamentary Services staff and salaries will increase an interim 2.27%<sup>4</sup> for the 12 months commencing on the first pay period on or after 1 July 2013.

<sup>4</sup> This amount is subject to the proceedings in the NSW Industrial Relations Commission. The Public Service Association of NSW has made a claim that salaries increase by 2.5% p.a. over the relevant period.

The Statutory and Other Officers Remuneration Tribunal Determination of 2013 increased the salaries of the Clerk and Deputy Clerk by 2.5% from 1 October 2012. A determination as to salaries beyond 30 September 2013 has not yet been made.

## Parliamentary Service Awards 2012

The Parliamentary Awards Scheme recognises staff who have achieved 10 years of service and multiples of five years of service thereafter. At a function held in the Jubilee Room on Thursday 15 November 2012, the President and the Speaker presented the following staff members with an award, and the following staff from the Legislative Council were recognised:

- 15 years of service: Ms Beverly Duffy, Clerk Assistant - Committees.
- 10 years of service: Ms Merrin Thompson, Principal Council Officer; Mr John Young, Principal Council Officer; and Mr Richard Weber, Council Officer Assistant.

*Parliamentary Service Award recipients from the Legislative Council from left to right: Merrin Thompson (Committees Office), Beverly Duffy (Committees Office), Richard Weber (Chamber and Support) and John Young (Procedure Office). The annual Parliamentary Awards Program provides an opportunity to recognise the dedicated service of staff from across the Parliament.*



## Equal Employment Opportunity

The Department of the Legislative Council is committed to providing a workplace that provides equal employment opportunity (EEO) for potential and existing employees. The Department's commitment is evidenced by:

- Merit selection – the Department's recruitment processes are underpinned by the principles of merit selection, including fairness, equity, and open competition.
- Flexible work practices – the Department provides employees with access to a range of flexible work practices to assist staff to achieve a balance between their professional and personal life. Many of our staff have returned from maternity leave on a part-time basis. Other flexible work practices and family friendly conditions of employment used by staff from time to time include working from home arrangements, variations to working hours, family and community service leave and flex time.
- Fair work practices and procedures – the Department has a range of policies in place that provide for a harassment free workplace, grievance mechanisms, performance development and workplace diversity. The implementation of these policies has been supported through training for staff and managers.

In addition to the above, the Parliament supports women returning to work following maternity leave who are breastfeeding. Our employees are provided with a clean, private room with appropriate facilities and are able to use lactation breaks to express breast milk or feed their babies.

The Department contributes EEO data for the Public Service Commission Workforce Profile, which measures performance in meeting NSW Government employment benchmarks for employees from EEO minority groups.

### Trends in the representation of EEO Groups in the Legislative Council at 30 June 2013

Representation	Benchmark/ target	2013	2012	2011
Women	50%	64.9%	56.4%	54.7%
Aboriginal or Torres Strait Islanders	2.6%	1.8%	0.9%	0.9%
People whose Language first spoken as a child was not English	19%	24.3%	16.8%	27.1%
People with a disability	NA	8.1%	0%	0%
People with a disability requiring work-related adjustment	1.5%	7.2%	0%	0%

### Trends in the distribution of EEO Groups in the Legislative Council at 30 June 2013<sup>5</sup>

Representation	Benchmark/ target	2013	2012	2011
Women	100	100	104	107
Aboriginal or Torres Strait Islanders	100	N/A	N/A	N/A
People whose Language first spoken as a child was not English	100	100	N/A	97
People with a disability	100	N/A	N/A	N/A
People with a disability requiring work-related adjustment	100	N/A	N/A	N/A

<sup>5</sup> A Distribution Index of 100 indicates that the centre of distribution of the EEO group across salary levels is equivalent to that of other staff. Values less than 100 mean that the EEO group tends to be more concentrated at lower salary levels than is the case for other staff. An index more than 100 indicates that the EEO group is less concentrated at the lower salary levels. The distribution index is not calculated where the EEO group numbers are less than 20.

Women are well represented within the Department and occupy five of the 9 management/supervisory positions the Department has on its establishment.

## Childcare services

The NSW Parliament has an agency sponsorship agreement with Nanbaree Child Centre, located in Margaret Street, Sydney. This agreement gives the staff of the Department priority of access to childcare at Nanbaree for children aged 0-5 years of age. In addition, the Department subsidises Nanbaree at a rate of \$10 for each day of childcare our staff use at the Centre.

## Indigenous Cadetship Program

The Department of Education, Employment and Workplace Relations (DEEWR) Indigenous Cadetship Program is aimed at assisting young indigenous students to develop their employment skills while undertaking a full time tertiary degree. The Department of the Legislative Council is an active supporter of this Program and has engaged two cadets over recent years, the most recent being Ms Nyoka Friel who is undertaking an Arts/Law degree at the University of New South Wales. The Department provides a 12-week paid work placement for cadets for each year of their studies while participating in the program. During this time cadets develop an understanding of the parliamentary process and gain professional skills and experience. The Department is committed to continuing its support of this valuable initiative.

## Parliament House Internship Program

The Parliament House Internship Program provides an opportunity for tertiary students to undertake work placements with members, committees and other functional areas within the Parliament that can provide relevant work.

The placements are promoted through partnerships with universities as part of their program of study. During the reporting year, several interns were placed within the Legislative Council, undertaking a range of project, research and other related work.

## Work Health and Safety

The Department of the Legislative Council is committed to ensuring the workplace health and safety of our employees as well as that of visitors. Recent legislative changes saw the introduction of a new nationally consistent framework for work health and safety. A re-constituted Work Health and Safety Committee is soon to commence operation and the Department of Legislative Council will continue to be represented in that new forum.

As part of a strategic Work Health and Safety (WHS) framework, Parliament maintains an organisation-wide Work Health and Safety Policy as well as a number of other WHS policies and guidelines.

These policies and guidelines support the Parliament's online WHS management system which has been established in accordance with the Australian Standard and New Zealand Standard for Occupational Health and Safety Management Systems (AS/NZS4801).

A current review of the Parliament's intranet will have a positive outcome for WHS online systems and information, with new user friendly information architecture anticipated to improve the presentation of WHS information. This project is due to be completed by the end of financial year 2013-2014.

Summary of workplace health and safety incidents		
	2012-13	2011-12
No. of incidents	5	13
Near miss/hazards	0	0
Strains & overuse	4	7
Slip trips & falls	1	4
Other (not categorised)	0	1
Lost time injuries	1	0
Claims	2	2
Claim cost	\$3,939.57	\$683.34

The information provided in the table indicates that there has been a propensity towards the occurrence of strains and overuse injuries. In response, the Department has made available a number of measures, including ergonomic assessments and computerised prompts for staff to take a stretch break. In addition, work equipment, such as document stands and modified mice, have been provided when recommended.

*Kerry Blandon, Council Officer Assistant in the Procedure Office. The Procedure Office is committed to providing high level services that assist members in the discharge of their parliamentary duties.*





## Employee Assistance Program

In conjunction with the Legislative Assembly and the Department of Parliamentary Services, the Department of the Legislative Council engages the services of Davidson Trahaire Corpsych to provide counselling and support for staff who are experiencing personal or work related problems. The service is completely confidential and voluntary.

## Professional development and training

The Department of the Legislative Council is committed to cultivating a workplace that is professionally and personally rewarding for staff. The Department provides opportunities for development through internal and external training programs.

During the reporting year, the Department spent \$28,887 on staff training and development.

## Performance Development Program

The Department's Performance Development Program provides an opportunity for staff and managers to meet every six months to review work performance and skill and knowledge development. During the reporting period the program was reviewed, with all staff and managers participating in the review. The new program has been finalised for implementation in the next reporting period. In preparation for the first round of performance reviews under the new Program, in June 2013 staff and managers participated in training session on effective participation in the Performance Development Program.

*John Ferguson, Council Officer Assistant, Chamber and Support. The Legislative Council's Chamber and Support staff ensure that the chamber is physically and administratively prepared in time for sittings and respond to urgent information needs during proceedings of the House.*



## **Parliamentary Law, Practice and Procedure Program**

Each year ANZACATT, the professional development body for Australasian parliamentary officers, sponsors the Parliamentary Law, Practice and Procedure Program. The Program is a university-accredited professional development opportunity that develops participants' understanding of the fundamental principles of parliamentary law, practice and procedure, and of the place of parliaments in the systems of government of Australia and New Zealand. In addition to a sound theoretical grounding, the program provides an opportunity to learn from the practical experiences of officers from the different parliaments. The Legislative Council supported the participation of two staff members, Ms Rebecca Main, Principal Council Officer – Committees, and Mr John Young, Principal Council Officer, Procedure Office, at this year's program in July 2012.

Ms Main's research examined the changing nature of dissenting statements in NSW Legislative Council committee reports.

Mr Young's research examined the proposition that the exclusion of ministers from an Upper House strengthens its role as a House of Review from the perspective of the practicalities of the Legislative Council to determine whether the exclusion of ministers would affect the Council's ability to operate as an effective legislature.

## **ANZACATT Professional Development Seminar 2013**

The ANZACATT Professional Development Seminar was hosted by the Parliament of Australia in Canberra in January 2013. Several staff attended the seminar which had the theme 'Parliament Works! People, Practice and Place'. The program, conducted over three days, included presentations, workshops and panel discussions covering topics relating to parliamentary skills and training, regional parliamentary sittings, parliamentary budgets, standing orders and privilege.

### **Effective presentation skills training**

The need for presentation skills training was identified by a number of staff as part of the performance development program, in light of the frequency with which staff members are required to make public presentations. In 2012 the opportunity to undertake presentation skills training was opened to all staff of the Legislative Council. The training was comprised of two half-day sessions. During the reporting period a second group of staff completed the course in July 2012. The course was completed by all departmental staff who had expressed an interest in the training.

### **Leadership training**

In 2012, the Departments of the Legislative Council, Legislative Assembly and Parliamentary Services agreed to a joint initiative for leadership training, aimed at officers who as part of their duties perform managerial and supervisory roles that require leadership skills. Two external providers were selected to each deliver a training program. During the reporting period, the second course, run on-site and over one and a half days was held in July. The course was well received by participating staff.

## Multicultural policies and services

The Department of the Legislative Council respects the cultural diversity of our staff, members and visitors. It participates in the Community Relations Commission's Community Language Allowance Scheme (CLAS) and has two staff members who receive this allowance because of their ability to speak a second language and willingness to use their language skills in the workplace to assist clients and visitors. The two staff members are Mr Maurice Rebecchi, who has Italian language skills, and Ms Shu-Fang Wei, who has Mandarin language skills.

An information brochure about the Parliament is available in a range of languages including Greek, Japanese, Korean, Italian, Indonesian, Arabic, Chinese, French, Hindi and Dinka.

The Department will continue to develop initiatives that will provide the greatest opportunity for all individuals to participate in the activities and programs of the Parliament and will make provision for the culture, language and religion of individuals where necessary.

## Code of Conduct

The NSW Parliament has a strong ethical framework which includes separate codes of conduct for members, Departmental staff and members' staff. Each of the codes, while different, incorporates the common principles of honesty, integrity, confidentiality, and requires the appropriate use of public resources. All new members and staff are provided with copies of the relevant Code of Conduct.

## Travel expenditure

The Department expended approximately \$18,587 on domestic travel by staff during the reporting year:

- In July 2012 the Clerk Assistant – Committees (Ms Julie Langsworth) attended a one-day AusAID workshop in Canberra. The workshop was open to agencies that have applied for the 2012-2013 round of the Pacific Public Sector Linkages Program (PSLP) and who have been approved to proceed to the design stage. Total cost: \$399.
- In July 2012 two staff members (Mr John Young and Ms Rebecca Main) participated in the ANZACATT Parliamentary Law, Practice and Procedure Course (PLPP) in Hobart, Tasmania. Total cost: \$6,454.
- In September 2012 two staff members (Ms Rachel Callinan and Ms Merrin Thompson) delivered a one day NCOSS Workshop in Lismore, NSW. Total cost: \$850.
- In September 2012 a staff member (Ms Rachel Callinan) attended the Regional Sitting of the Legislative Council of Victoria which was held in Bendigo to view proceedings. Total Cost: \$336.
- In October 2012, the Deputy Clerk, Mr Steven Reynolds, attended the 2012 Australasian Study of Parliament Group annual conference at Parliament House, Darwin. Total cost: \$1,703.
- In January 2013, the Department sponsored the attendance of five staff members at the ANZACATT Professional Development Seminar in Canberra:
  - Ms Rebecca Main, A/Director Deputy Usher of the Black Rod
  - Ms Merrin Thompson, A/Director Deputy Usher of the Black Rod
  - Ms Miriam Cullen, Principal Council Officer, Committees
  - Mr Stewart Smith, A/Director, Committees
  - Mr Alexander Stedman, Senior Council Officer, Procedure OfficeTotal cost \$7,458.

- In February 2013, two staff members (Mr Stephen Frappell and Ms Jenelle Moore) visited the Australian House of Representatives and Senate to observe their behind-the-scenes procedures on a sitting day, with a view to developing ideas for streamlining procedures for the sittings of the Council. Total cost \$1,386.

### **Commonwealth Parliamentary Association—parliamentary supported travel**

During this financial year, the following members undertook CPA travel as follows:

- July 2012—The Hon Penny Sharpe MLC travelled to Japan, France, United Kingdom, Turkey, Canada and the United States to undertake a Commonwealth Parliamentary Association Study Tour. Total cost: \$16,700.
- September 2012—The Hon Lynda Voltz MLC travelled to Sri Lanka to attend the 58th Commonwealth Parliamentary Conference, accompanied by Ms Madeleine Foley, State Secretary. Total cost: \$14,884.
- January 2013—The Hon Marie Ficarra MLC travelled to the United States of America and Trinidad and Tobago to undertake a Commonwealth Parliamentary Association Study Tour. Total cost: \$14,650.
- January 2013—The Hon Matthew Mason-Cox MLC travelled to Israel and Singapore to undertake a Commonwealth Parliamentary Association Study Tour. Total cost: \$13,330.
- January 2013—The Hon David Clarke MLC travelled to Italy, Israel and Malta to undertake a Commonwealth Parliamentary Association Study Tour. Total cost: \$11,632.
- January 2013—The Hon Don Harwin MLC and the Clerk of the Parliaments, Mr David Blunt and the Clerk of the Legislative Assembly, Ms Ronda Miller travelled to Melbourne to attend a Special Meeting of the Australian Region Management Committee. Total cost: \$2,574.
- May 2013—The Hon Jenny Gardiner MLC travelled to London to attend the Study Group on Parliament and Parliamentary Monitoring Organisations “Study Group - “Benchmarking 2.0: Improving Parliamentary Performance in a Tech-Enabled World” followed by

a Commonwealth Parliamentary Association Study Tour to the United Kingdom and Scottish Parliaments. Total cost: \$10,063.

- May 2013—The Hon Richard Colless MLC attended the 24th Commonwealth Parliamentary Seminar in Singapore. Total cost: \$5,113.
- June 2013—The Hon Natasha Maclaren-Jones MLC and the Clerk of the Parliaments, Mr David Blunt, attended the 62nd Westminster Seminar on Parliamentary Practice and Procedure in London. Total cost: \$21,466.

Travel expenditure relating to Committees is reported separately at Appendix 4.

## Communications

The Department of the Legislative Council is committed to strong communication throughout the department and the Parliament as a whole. A number of strategies are utilised to ensure that staff are kept abreast of information and developments relevant to their roles including staff meetings, a fortnightly departmental newsletter, *Elucidations* and contributions to the Parliament-wide monthly newsletter, *Interjections*.

### General staff meetings

General staff meetings commenced in October 2011 and are held on a regular basis. The meetings are conducted by the Clerk of the Parliaments and allow staff from within the Department to come together to hear and exchange information about what is occurring in the Legislative Council. The meetings are well attended by staff and assist with communication in all areas of the Department.

### Elucidations

The Office of the Black Rod created the Department's new fortnightly electronic newsletter *Elucidations* during this reporting period, with the first edition released on 8 May 2013. *Elucidations* is issued under the signature of the Clerk and aims to promote a collaborative working environment within the Department by keeping staff informed of activities and news from all areas of the Department.

## Use of consultants, contractors and legal services

The Department expended approximately \$93,224 on consultancy, contractor and legal services, the detail of which is provided below.

### Television coverage and other filming services

The Legislative Council engaged the services of G K Productions to provide television coverage in the Chamber. In 2012-2013 G K Productions was paid \$42,603 for services provided including camera operators and equipment.

Australian Systems Integration was paid \$1,625 to undertake residual work relating to the replacement of the Legislative Council chamber broadcast system. The Department also engaged Australian Systems Integration to provide expertise and assistance in preparation of the Department's contract with G K Productions, costing \$4,875.

Total \$49,103.

### Legal services

The Department engaged the Honourable Terence Cole to act as an independent legal arbiter in respect of a claim of privilege (regarding the Nimmie-Caira System Environmental Water Delivery Project return to order) on one occasion, incurring expenditure of \$4,000.

The Department sought advice on a copyright issue from Crown Solicitors, costing \$1,094.

The Department engaged Mr Bret Walker SC to provide advice on statutory secrecy provisions and the powers of Legislative Council Committees to compel witnesses to answer questions, costing \$7,500.

The Department engaged Mr Bret Walker SC to provide advice to the Privileges Committee on its first Mount Penny inquiry, costing \$7,500.

Total \$20,094.

### Professional services

The Department used professional photography, filming and design services to develop information and educational resources. Services were provided by Macroview, Australian Systems Integration, Studio Rouge, Patrick W Norris & Andy Baker Photographers. The total cost incurred for these purposes was \$10,850.

The Department also contributed \$1,603 for payment of the professional fees charged by the independent members of the Parliament's Audit and Risk Committee.

The Department paid Hay Group Ltd \$670 for job evaluation services.

Total: \$13,123.

## Shared expenditure

The Legislative Council contributes to the cost of services delivered across the Parliament, including the Employee Assistance Program (\$7,000) and Nanbaree Child Care services (\$2,000). Total: \$9,000.

## Transcription services

Two organisations, Pacific Solutions Pty Ltd and Spark & Cannon were engaged to provide transcription services for Legislative Council Committees on occasions when Hansard was already committed to the House proceedings or other committees. The cost of providing this service was \$1,904.

## Credit card certification

The Parliament has a Corporate Credit Card Policy and supporting procedures, which comply with NSW Treasurer's Directions. Cardholders are required to observe the policy and complete monthly reconciliations for authorisation by the Parliament's Financial Services Branch.

The Department has 11 credit cards issued with individual limits ranging from \$5,000 up to \$20,000 and a total combined limit of \$75,000. Any expenditure must be authorised by a supervisor. Any expenditure by the Clerk is authorised by the Executive Manager, Parliamentary Services or the Clerk of the Legislative Assembly.

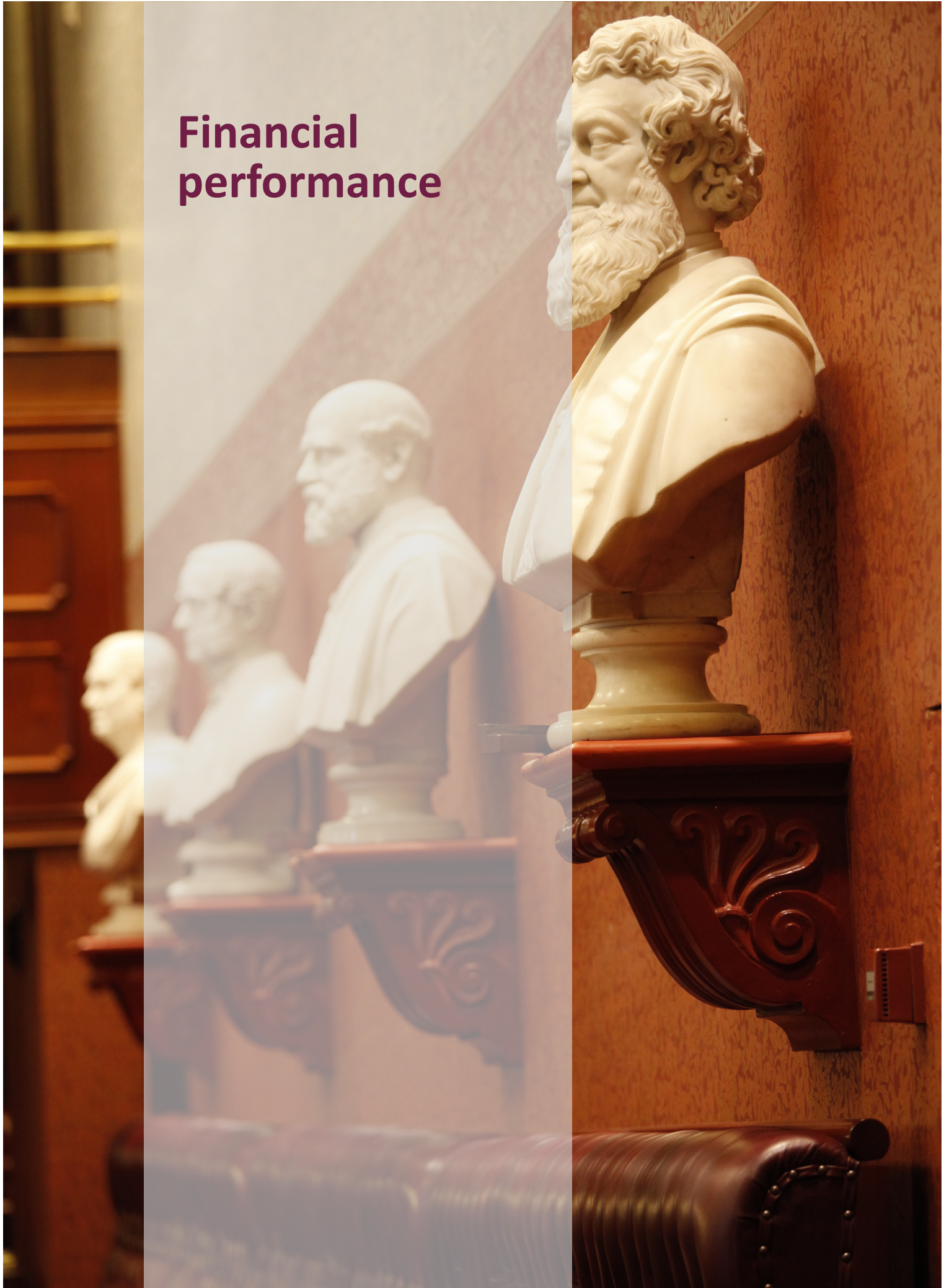
## Waste Reduction and Purchasing Policy

The Parliament supports the NSW Government's Waste Reduction and Purchasing Policy (WRAPP) and is committed to reducing waste in the areas of paper products, office equipment and components, vegetation material and construction and demolition material, and to increasing the recycled content of purchased materials. The Parliament reports biennially to the Office of Environment and Heritage (OEH) on progress made against strategies to reduce waste and purchase materials with recycled content. Further information on the Parliament's initiatives and achievements in regard to WRAPP are available in the Department of Parliamentary Services Annual Report 2013, available on the Parliament's [website](#).

## Annual Report

This report is available on the New South Wales Parliament's [website](#). The overall production of this 2012-2013 Annual Report was completed in-house, with the exception of the template design, provided by Studio Rouge for approximately \$540. This template will be used in subsequent years, eliminating any further external production costs.

# Financial performance



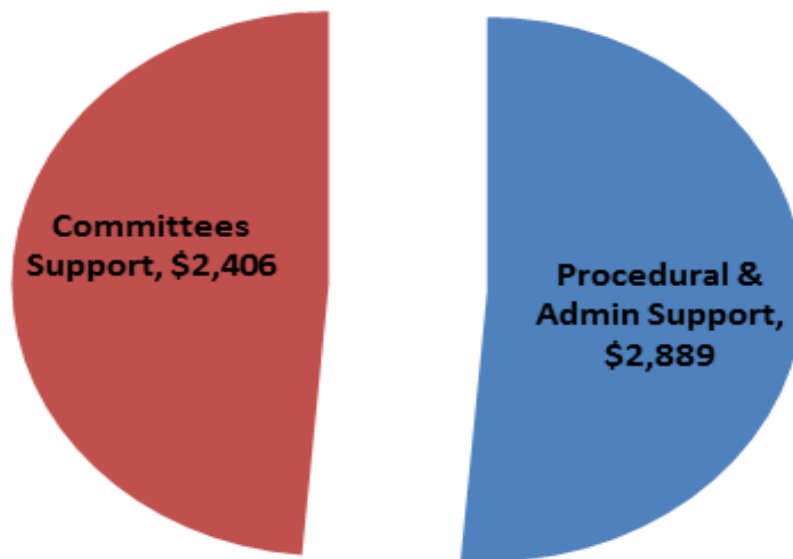


## Department of the Legislative Council

The net cost of services of the Legislative Council (including members' programs) was \$23.005 million and represents 18.9% of the total net cost of services of the Parliament for the 2012-2013 financial year. This compares to a budget of \$24.577 million reflecting a favourable variance against budget of \$1.572 million or 6.4%. The main reasons for this variation include: Members' salaries and allowances being lower than expected by \$0.734 million; lower employee related expenses for Members' staff and Parliamentary staff of \$0.341 million and lower other operating expenses of \$0.355 million.

The net cost of services for the Council, excluding expenditure on the Members' program, was \$5.315 million which equates to 4.4% of the total net cost of service for the Parliament and 23.1% of the Legislative Council's total net cost of service. The two main operational activities within the Council are Procedural and Administrative Support (incorporating the Office of the Black Rod) and Committee Support.

### Legislative Council Operations \$000s



The Legislature's financial statements, which comprise the statement of financial position as at 30 June 2013, and other supporting financial information are contained in a standalone document which is accessible on the Parliament's [website](#).

## Legislative Council Supplementary Financial Information

### Legislative Council Total

*Statement of comprehensive income for the year ended 30 June 2013*

	Actual 2013 \$'000	Budget 2013 \$'000	Actual 2012 \$'000
<b>Expenses excluding losses</b>			
Operating expenses			
Employee related	9,766	10,107	10,525
Other operating expenses	2,365	2,720	2,508
Depreciation and amortisation	185	180	86
Other expenses - Members' remuneration	<u>11,507</u>	<u>12,241</u>	<u>11,197</u>
<b>Total Expenses excluding losses</b>	<b>23,823</b>	<b>25,248</b>	<b>24,316</b>
<b>Revenue</b>			
Sale of goods and services	568	568	495
Grants and contributions	181	100	167
Other revenue	<u>72</u>	<u>3</u>	<u>23</u>
<b>Total Revenue</b>	<b>821</b>	<b>671</b>	<b>685</b>
Loss on disposal	3	-	3
<b>Net Cost of Services</b>	<b><u>23,005</u></b>	<b><u>24,577</u></b>	<b><u>23,634</u></b>

### Legislative Council - Operations

*Statement of comprehensive income for the year ended 30 June 2013*

	Actual 2013 \$'000	Budget 2013 \$'000	Actual 2012 \$'000
<b>Expenses excluding losses</b>			
Operating expenses			
Employee related	4,571	4,747	5,052
Other operating expenses	724	1,018	814
Depreciation and amortisation	<u>34</u>	<u>33</u>	<u>67</u>
<b>Total Expenses excluding losses</b>	<b>5,329</b>	<b>5,798</b>	<b>5,933</b>
<b>Revenue</b>			
Other revenue	<u>34</u>	<u>2</u>	<u>-</u>
<b>Total Revenue</b>	<b>34</b>	<b>2</b>	<b>-</b>
Gain / (loss) on disposal	-	-	3
<b>Net Cost of Services</b>	<b><u>5,295</u></b>	<b><u>5,796</u></b>	<b><u>5,936</u></b>

## Legislative Council - Parliamentary Representation

### Statement of comprehensive income for the year ended 30 June 2013

	Actual 2013 \$'000	Budget 2013 \$'000	Actual 2012 \$'000
<b>Expenses excluding losses</b>			
Operating expenses			
Employee related	5,132	5,292	5,404
Other operating expenses	1,583	1,630	1,586
Depreciation and amortisation	151	147	19
Other expenses - Members' remuneration	11,507	12,241	11,197
<b>Total Expenses excluding losses</b>	<b>18,373</b>	<b>19,310</b>	<b>18,206</b>
<b>Revenue</b>			
Sale of goods and services	568	568	495
Investment revenue	-	-	-
Grants and contributions	80	-	-
Other revenue	38	1	23
<b>Total Revenue</b>	<b>686</b>	<b>569</b>	<b>518</b>
Loss on disposal	3	-	-
<b>Net Cost of Services</b>	<b>17,690</b>	<b>18,741</b>	<b>17,688</b>

## Legislative Council - Special Projects

### Statement of comprehensive income for the year ended 30 June 2013

	Actual 2013 \$'000	Budget 2013 \$'000	Actual 2012 \$'000
<b>Expenses excluding losses</b>			
Operating expenses			
Employee related	63	68	70
Other operating expenses	58	72	108
<b>Total Expenses excluding losses</b>	<b>121</b>	<b>140</b>	<b>178</b>
<b>Revenue</b>			
Grants and contributions	101	100	167
<b>Total Revenue</b>	<b>101</b>	<b>100</b>	<b>167</b>
<b>Net Cost of Services</b>	<b>20</b>	<b>40</b>	<b>11</b>

# Appendices



# Appendix 1

## Members' Survey 2013

Note: The figure in the bracket indicates the number of responses for a rating level.

Procedure Office									
	Highly satisfied	Satisfied	Neutral	Dissatisfied	Highly dissatisfied	Rating Count	Rating average		
Advice on the procedures of the House, parliamentary privilege, powers of the House, amendments to bills, and amendments to motions	63.6% (14)	31.8% (7)	0	4.5% (1)	0	22	4.55		
Support and advice from clerks-at-the-table during sitting of the House including Committee of the Whole	77.3% (17)	22.7% (5)	0	0	0	22	4.77		
Preparation for the House, including papers for tabling, petitions, notices of motion, and Loqs	77.3% (17)	22.7% (5)	0	0	0	22	4.77		
Processing of Questions on Notice and Answers	60.0% (12)	25.0% (5)	15.0% (3)	0	0	20	4.45		
Production of House Papers (Notice Paper and Minutes of Proceedings)	65.0% (13)	30.0% (6)	5.0% (1)	0	0	20	4.60		
Provision of sitting week resources – Running Record	65.0% (13)	20.0% (4)	15.0% (3)	0	0	20	4.5		
Provision of sitting week resources – House in Review	66.7% (14)	19.0% (4)	14.3% (3)	0	0	21	4.52		
Provision of sitting week resources – bills database	59.1% (13)	27.3% (6)	13.6% (3)	0	0	22	4.45		
Provision of sitting week resources – tabled papers database	52.6% (10)	31.6% (6)	15.8% (3)	0	0	19	4.37		
Provision of procedural resources – A Precis of Business and Procedures	55.6% (10)	33.3% (6)	11.1% (2)	0	0	18	4.44		
Provision of procedural resources – Procedure in Committee of the Whole House	52.6% (10)	31.6%	15.8% (3)	0	0	19	4.37		
Provision of procedural resources – Guide to the Occupants of the Chair	46.7% (7)	26.7% (4)	26.7% (4)	0	0	15	4.20		
Provision of procedural resources – Selected Rulings of the President	47.4% (9)	42.1% (8)	10.5% (2)	0	0	19	4.37		
Provision of procedural resources – NSW Legislative Council Practice	57.9% (11)	26.3% (5)	10.5% (2)	5.3% (1)	0	19	4.37		
Procedural training for members and members' staff	50.0% (10)	30.0% (6)	10.0% (2)	5.0% (1)	5.0% (1)	20	4.15		
Committee Office									
Timely circulation of meeting papers and submissions	63.6% (14)	31.8% (7)	0	4.5% (1)	0	22	4.59		
Organisation of meetings and hearings	72.7% (16)	22.7% (5)	4.5% (1)	0	0	22	4.68		
Organisation of site visits	72.7% (16)	22.7% (5)	4.5% (1)	0	0	22	4.68		
Liaison with members and their staff	68.2% (15)	22.7% (5)	4.5% (1)	0	4.5% (1)	22	4.50		
Procedural advice to chairs and committee members	71.4% (15)	23.8% (5)	0	0	4.8% (1)	21	4.57		
Quality draft reports and briefing papers	77.3% (17)	18.2% (4)	0	4.5% (1)	0	22	4.73		
Support provided to Chair's Committee	70.6% (12)	5.9% (1)	23.5% (4)	0	0	17	4.47		

## Office of the Black Rod

	Highly satisfied	Satisfied	Neutral	Dissatisfied	Highly dissatisfied	Rating Count	Rating average
Security and protocol advice in relation to visitors, demonstrations and general access to the LC Chamber	45.0% (9)	45.0% (9)	10.0% (2)	0	0	20	4.35
Ceremonial and official events and visits by delegations	62.5% (10)	25.0% (4)	12.5% (2)	0	0	16	4.50
Coordination of the use of the Fountain Court for events, room bookings and equipment set up	44.4% (8)	44.4% (8)	11.1% (2)	0	0	18	4.33
Assistance in the chamber provided by Chamber and Support staff	63.6% (14)	27.3% (6)	4.5% (1)	4.5% (1)	0	22	4.5
Monitoring and organising chamber access	66.7% (14)	28.6% (6)	4.8% (1)	0	0	21	4.62
Reception service on Level 11	68.2% (15)	31.8% (7)	0	0	0	22	4.68
Reception service on Level 7	68.2% (15)	31.8% (7)	0	0	0	22	4.68
Delivery of mail, documents and messages by Chamber and Support staff	86.4% (19)	13.6% (3)	0	0	0	22	4.86

## Office of the Clerk

Advice and counsel on parliamentary law, practice and procedure	72.7% (16)	18.2% (4)	9.1% (2)	0	0	22	4.64
Procedural advice in the chamber	72.7% (16)	27.3% (6)	0	0	0	22	4.73
Management of the 'Pecuniary Interest' register	66.7% (14)	33.3% (7)	0	0	0	21	4.67
Administration of the Commonwealth Parliamentary Association (NSW) and its activities	55.6% (10)	27.8% (5)	16.7% (3)	0	0	18	4.39

## Overall performance of the Department of the Legislative Council

	59.1% (13)	36.4% (8)	4.5% (1)	0	0	22	4.55
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# Appendix 2

## Members of the Legislative Council as at 30 June 2013

<b>Ajaka</b> <sup>A</sup> The Honourable John George <i>Parliamentary Secretary</i>	LIB
<b>Barham</b> <sup>B</sup> The Honourable Jan	G
<b>Blair</b> <sup>B</sup> The Honourable Niall	NAT
<b>Borsak</b> <sup>A</sup> The Honourable Robert B Bus FCPA JP <sup>4</sup>	SFP
<b>Brown</b> <sup>B</sup> The Honourable Robert Leslie	SFP
<b>Buckingham</b> <sup>B</sup> The Honourable Jeremy	G
<b>Clarke</b> <sup>B</sup> The Honourable David <i>Parliamentary Secretary</i>	LIB
<b>Colless</b> <sup>B</sup> The Honourable Richard Hargrave HD App Sci(Agric) <i>Deputy Government Whip</i>	NAT
<b>Cotsis</b> <sup>A</sup> The Honourable Sophie <sup>3</sup>	ALP
<b>Cusack</b> <sup>B</sup> The Honourable Catherine Eileen BEc(SocSc)	LIB
<b>Donnelly</b> <sup>B</sup> The Honourable Gregory John BEc MIR	ALP
<b>Faruqi</b> <sup>A</sup> Dr Mehreen PhD MEngSc BE <sup>9</sup>	G
<b>Fazio</b> <sup>A</sup> The Honourable Amanda Ruth <i>Opposition Whip</i>	ALP
<b>Ficarra</b> <sup>A</sup> The Honourable Marie Ann BSc(Hons) <i>Parliamentary Secretary</i>	LIB
<b>Foley</b> <sup>A</sup> The Honourable Luke Aquinas <sup>2</sup> <i>Leader of the Opposition</i>	ALP
<b>Gallacher</b> <sup>B</sup> The Honourable Michael Joseph BProfSt <i>Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council</i>	LIB
<b>Gardiner</b> <sup>A</sup> The Honourable Jennifer Ann BBus <i>Deputy President and Chair of Committees</i>	NAT
<b>Gay</b> <sup>B</sup> The Honourable Duncan John <i>Minister for Roads and Ports</i>	NAT
<b>Green</b> <sup>B</sup> The Honourable Paul BNursing <i>Temporary Chair of Committees</i>	CDP
<b>Harwin</b> <sup>A</sup> The Honourable Donald Thomas BEc(Hons) <i>President</i>	LIB
<b>Kaye</b> <sup>A</sup> Dr John	G
<b>Khan</b> <sup>A</sup> The Honourable Trevor John B Juris LLB (UNSW) <i>Temporary Chair of Committees</i>	NAT
<b>Lynn</b> <sup>A</sup> The Honourable Charlie John Stuart psc <i>Parliamentary Secretary</i>	LIB
<b>MacDonald</b> <sup>B</sup> Mr Scot	LIB
<b>Maclaren-Jones</b> <sup>B</sup> The Honourable Natasha BN, MHSM <i>Temporary Chair of Committees</i>	LIB

<b>Mason-Cox</b> <sup>A</sup> The Honourable Matthew Ryan <i>Parliamentary Secretary</i>	LIB
<b>Mitchell</b> <sup>B</sup> The Honourable Sarah <i>Temporary Chair of Committees</i>	NAT
<b>Moselmane</b> <sup>A</sup> The Honourable Shaoquett <sup>1</sup>	ALP
<b>Nile</b> <sup>A</sup> The Reverend the Honourable Frederick John ED LTh <i>Assistant President</i>	CDP
<b>Pavey</b> <sup>A</sup> The Honourable Melinda Jane <i>Parliamentary Secretary</i>	NAT
<b>Pearce</b> <sup>B</sup> The Honourable Gregory Stephen BA LLB <i>Minister for Finance and Services, and Minister for the Illawarra</i>	LIB
<b>Phelps</b> <sup>B</sup> The Honourable Dr Peter <i>Government Whip</i>	LIB
<b>Primrose</b> <sup>B</sup> The Honourable Peter Thomas B SocStud(Syd)	ALP
<b>Searle</b> <sup>A</sup> The Honourable Adam <sup>6</sup> <i>Deputy Leader of the Opposition</i>	ALP
<b>Secord</b> <sup>A</sup> The Honourable Walt <sup>5</sup>	ALP
<b>Sharpe</b> <sup>B</sup> The Honourable Penelope Gail	ALP
<b>Shoebridge</b> <sup>B</sup> Mr David	G
<b>Veitch</b> <sup>A</sup> The Honourable Michael Stanley	ALP
<b>Voltz</b> <sup>A</sup> The Honourable Lynda Jane <i>Deputy Opposition Whip</i>	ALP
<b>Westwood</b> <sup>A</sup> The Honourable Helen Mary AM <i>Temporary Chair of Committees</i>	ALP
<b>Whan</b> <sup>B</sup> The Honourable Steve <sup>7</sup>	ALP
<b>Wong</b> <sup>B</sup> The Honourable Ernest <sup>8</sup>	ALP

**QUORUM — 8 MEMBERS ( in addition to the PRESIDENT or other MEMBER presiding )**

**PARTY REPRESENTATION: HOUSE OF 42 MEMBERS**

<b>ALP</b> -Australian Labor Party	14	<b>LIB</b> -Liberal Party of Australia (NSW Division)	12
<b>CDP</b> -Christian Democratic Party (Fred Nile Group)	2	<b>NAT</b> -The Nationals	7
<b>G</b> -The Greens	5	<b>SFP</b> -Shooters and Fishers Party	2
		<b>Total</b>	<b>42</b>



## Officers of the Legislative Council

### **President**

The Honourable Donald Thomas Harwin

### **Deputy President and Chair of Committees**

The Honourable Jennifer Ann Gardiner

### **Assistant President**

The Reverend the Honourable Frederick John Nile

### **Clerk of the Parliaments**

David Michael Blunt M Phil LLB (Hons)

### **Deputy Clerk**

Steven Reynolds BEc LLB MPS

### **Clerk Assistant - Procedure**

Stephen Frappell BEc (Soc Sci) BA(Hons) LLM

### **Clerk Assistant - Committees**

Beverly Duffy BSW (Hons)

### **Usher of the Black Rod**

Rachel Callinan BA LLB

*A. Elected Members whose term of service expires on dissolution or expiry of 55th Parliament.*

*B. Elected Members whose term of service expires on dissolution or expiry of 56th Parliament.*

1. Elected (03.12.2009) to vacancy caused by the resignation of the Hon H Tsang.
2. Elected (10.06.2010) to vacancy caused by the resignation of the Hon I Macdonald.
3. Elected (07.09.2010) to vacancy caused by the resignation of the Hon John Della Bosca.
4. Elected (07.09.2010) to vacancy caused by the death of the Hon Roy Smith.
5. Elected (24.05.2011) to vacancy caused by the resignation of the Hon Edward Obeid.
6. Elected (24.05.2011) to vacancy caused by the resignation of the Hon John Hatzistergos.
7. Elected (20.06.2011) to vacancy caused by the resignation of the Hon Tony Kelly.
8. Elected (23.05.2013) to vacancy caused by the resignation of the Hon Eric Roozendaal.
9. Elected (19.06.2013) to vacancy caused by the resignation of Ms Cate Faehrmann.

# Appendix 3

## 2012-2013 Legislative Council members' allowances and expenditure

Note: The figures reported are accurate as at the closing date for the 2012-2013 financial accounts. Any adjustments to data by subsequent reconciliation processes will be reported in the following year's annual report.

Member	Description	Committee Allowance	Members' Home to Sydney Travel	Logistic Support Allocation (LSA) total	Members' LSA travel	Spouse / Approved Relative LSA Travel	Members' Staff LSA travel
John Ajaka	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			26,371.00 18,324.31 44,695.31 10,290.86 34,404.45	1,797.07		133.20
Jan Barham	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		9,513.00	35,100.00 26,868.17 61,968.17 8,303.56 53,664.61	5,531.24		
Niall Blair	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		9,365.44	38,466.00 23,212.65 61,678.65 19,841.68 41,836.97	9,438.01	179.55	1,140.96
Robert Borsak	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining	1,400.00		23,005.00 4,299.41 27,304.41 18,052.51 9,251.90	14,598.19	309.19	
Robert Brown	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			26,371.00 12,349.14 38,720.14 19,598.29 19,121.85	15,489.47	1,361.58	
Jeremy Buckingham	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		17,636.64	35,100.00 6.06 35,106.06 34,474.67 631.39	12,130.50	356.96	2,695.59
David Clarke	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			26,371.00 13,318.35 39,689.35 15,169.96 24,519.39	1,597.04		
Rick Colless	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		8,992.50	38,466.00 20,744.05 59,210.05 22,255.99 36,954.06	9,820.81	3,232.39	
Sophie Cotsis	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			23,005.00 17,218.71 40,223.71 11,515.79 28,707.92			
Catherine Cusack	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		19,637.22	38,466.00 6,887.22 45,353.22 34,826.14 10,527.08	10,903.44	2,113.20	

Member	Description	Committee Allowance	Members' Home to Sydney Travel	Logistic Support Allocation (LSA) total	Members' LSA travel	Spouse / Approved Relative LSA Travel	Members' Staff LSA travel
Greg Donnelly	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			23,005.00 878.80 23,883.80 20,522.93 3,360.87	7,499.23		
Cate Faehrmann	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			23,005.00 4,442.35 27,447.35 27,447.35 0.00	11,187.89	191.12	1,693.51
Amanda Fazio	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			26,966.50 4,725.52 31,692.02 20,717.43 10,974.59	3,052.83	217.57	938.40
Marie Ficarra	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			26,371.00 8,651.45 35,022.45 15,793.02 19,229.43	63.64		
Luke Foley	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			33,318.50 26,730.33 60,048.83 25,090.64 34,958.19	3,435.48		
Michael Gallacher	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			27,850.25 29,708.48 57,558.73 3,487.94 54,070.79			
Jenny Gardiner	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		27,250.92	38,466.00 3,623.27 42,089.27 26,084.83 16,004.44	13,227.69		
Duncan Gay	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			38,466.00 33,870.88 72,336.88 4,666.56 67,670.32	1,115.92		
Paul Green	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		8,934.75	35,100.00 35,139.64 70,239.64 8,595.54 61,644.10	2,955.13	553.88	
Don Harwin	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			49,385.50 27,186.04 76,571.54 53,318.16 23,253.38	4,529.58		9.10
John Kaye	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining	700.00		23,005.00 10,835.42 33,840.42 25,359.21 8,481.21	6,651.75	419.50	
Trevor Khan	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		24,973.89	38,466.00 15,003.62 53,469.62 21,912.76 31,556.86	7,254.60	6,440.79	

Member	Description	Committee Allowance	Members' Home to Sydney Travel	Logistic Support Allocation (LSA) total	Members' LSA travel	Spouse / Approved Relative LSA Travel	Members' Staff LSA travel
Charlie Lynn	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		4,024.50	26,371.00 0.00 26,371.00 22,528.16 3,842.84	1,830.26	803.52	
Scot Macdonald	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		31,221.37	35,100.00 0.00 35,100.00 34,975.55 124.45	18,476.24	1,860.88	656.28
Natasha Maclaren-Jones	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		1,966.50	26,371.00 9,371.44 35,742.44 23,753.21 11,989.23	8,881.00	591.79	
Matthew Mason-Cox	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		26,046.93	38,466.00 26,452.51 64,918.51 22,756.28 42,162.23	8,465.86	608.09	
Sarah Mitchell	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		24,916.52	37,986.46 16,135.06 54,121.52 24,677.76 29,443.76	12,829.79	5,631.63	796.50
Shaoquett Moselmane	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			23,005.00 6,477.62 29,482.62 29,387.17 95.45			
Fred Nile	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			26,371.00 6,435.47 32,806.47 22,779.20 10,027.27			
Melinda Pavey	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		33,454.69	38,466.00 10,706.45 49,172.45 43,831.58 5,340.87	22,432.69	6,194.39	442.56
Gregory Pearce	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			26,371.00 31,151.33 57,522.33 3,160.04 54,362.29			
Peter Phelps	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		22,937.95	39,061.50 23,836.63 62,898.13 12,461.32 50,436.81	5,640.18	830.37	
Peter Primrose	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			23,690.00 11,219.21 34,909.21 20,847.94 14,061.27	1,395.98		814.80

Member	Description	Committee Allowance	Members' Home to Sydney Travel	Logistic Support Allocation (LSA) total	Members' LSA travel	Spouse / Approved Relative LSA Travel	Members' Staff LSA travel
Eric Roozendaal	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			23,005.00 6,218.62 29,223.62 14,881.60 14,342.02	176.95		
Adam Searle	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			28,181.00 23,084.80 51,265.80 13,000.36 38,265.44	1,179.10	125.00	
Walt Secord	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			23,005.00 1.68 23,006.68 23,003.27 3.41	928.58		
Penny Sharpe	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			23,005.00 3,225.99 26,230.99 25,834.45 396.54	2,657.72		20.09
David Shoebridge	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			23,005.00 7,025.09 30,030.09 24,745.63 5,284.46	8,780.08	268.09	147.16
Michael Veitch	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		16,092.43	35,100.00 15,708.63 50,808.63 25,529.01 25,279.62	10,233.45		
Lynda Voltz	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			26,371.00 4,632.88 31,003.88 31,183.43 -179.55	4,684.00		433.14
Helen Westwood	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			23,005.00 16,577.73 39,582.73 16,213.60 23,369.13			
Steve Whan	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining		23,267.40	35,100.00 18,223.52 53,323.52 22,659.29 30,664.23	10,781.29	344.40	309.30
Ernest Wong	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			2,458.07 0.00 2,458.07 1,182.69 1,275.38	104.10		
Mehreen Faruqi	Allocation for 2012/13 C/Forward from 2011/12 Total available 2012/13 Expended claimed Funds Remaining			756.33 0.00 756.33 32.02 724.31			

## 2011-2012 Sydney Allowance for Members of the Legislative Council

Note: The Sydney Allowance is reported on retrospectively to capture reconciliation processes and ensure the figures accurately reflect final expenditure. Consequently, the following data is representative of the 2011-2012 financial year.

Member	Description	Sydney Allowance 2011/2012 (may include actual expenses claimed)
Jan Barham	Allocation for 2011/12	34,965.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	11,137.00
		23,828.00
Niall Blair	Allocation for 2011/12	36,260.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		36,260.00
Jeremy Buckingham	Allocation for 2011/12	34,965.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		34,965.00
Richard Colless	Allocation for 2011/12	36,260.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		36,260.00
Catherine Cusack	Allocation for 2011/12	36,260.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		36,260.00
Michael Gallacher	Allocation for 2011/12	46,620.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	3,108.00
		43,512.00
Jenny Gardiner	Allocation for 2011/12	36,260.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		36,260.00
Duncan Gay	Allocation for 2011/12	46,620.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		46,620.00
Paul Green	Allocation for 2011/12	34,965.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	777.00
		34,188.00
	Expended claimed	12,950.00
	Funds Remaining	21,238.00

Member	Description	Sydney Allowance 2011/2012 (may include actual expenses claimed)
Don Harwin	Allocation for 2011/12	46,620.00
	Add: Entitlement not previously allocated	0.00
	Less: Late claims/Accounts Receivable	
		46,620.00
Trevor Khan	Allocation for 2011/12	36,260.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		36,260.00
Scot MacDonald	Allocation for 2011/12	34,965.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		34,965.00
Matthew Mason-Cox	Allocation for 2011/12	36,260.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		36,260.00
Sarah Mitchell	Allocation for 2011/12	34,965.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	1,813.00
		33,152.00
Melinda Pavey	Allocation for 2011/12	36,260.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		36,260.00
Peter Phelps	Allocation for 2011/12	36,260.00
	Add: Entitlement not previously allocated	0.00
	Less: Late claims/Accounts Receivable	518.00
		35,742.00
Peter Primrose	Allocation for 2011/12	27,195.00
	Add: Entitlement not previously allocated	50.00
	Less: Late claims/Accounts Receivable	
		27,245.00
Adam Searle	Allocation for 2011/12	46,620.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		46,620.00
Michael Veitch	Allocation for 2011/12	34,965.00
	Add: Entitlement not previously allocated	
	Less: Late claims/Accounts Receivable	
		34,965.00
	Expended claimed	34,188.00
	Funds Remaining	777.00

Member	Description	Sydney Allowance 2011/2012 (may include actual expenses claimed)
Steve Whan	Allocation for 2011/12 Add: Entitlement not previously allocated Less: Late claims/Accounts Receivable  Expended claimed Funds Remaining	34,965.00   518.00 34,447.00 23,828.00 10,619.00



# Appendix 4

## Committee reports and Government responses

Committee	Report no.	Report title	Date tabled	Government response due	Government response tabled
GPSC 1	38	Budget Estimates 2012-2013	21/02/2013	N/A	N/A
GPSC 2	38	Education Amendment (Ethics Classes Repeal) Bill 2011	30/05/2012	30/11/2012	4/12/2012
	39	Budget Estimates 2012-2013	30/11/2012	N/A	N/A
GPSC 3	26	Rail infrastructure project costing in NSW	08/03/2012	10/09/2012	11/09/2012
	27	Budget Estimates 2012-2013	30/11/2012	N/A	N/A
GPSC 4	26	Budget Estimates 2012-2013	30/11/2012	N/A	N/A
	27	The use of cannabis for medical purposes	15/05/2013	15/11/2013	pending
GPSC 5	36	Budget Estimates 2012-2013	14/12/2012	N/A	N/A
	37	Management of public land in New South Wales	15/05/2013	15/11/2013	pending
Social Issues	45	Transition support for students with additional or complex needs and their families	06/03/2012	06/09/2012	06/09/2012
	46	Domestic violence trends and issues in NSW	27/08/2012	27/02/2013	27/02/2013
State Development	36	Economic and social development in central western New South Wales	31/05/2012	03/12/2012	15/01/2013
	37	Adequacy of water storages in New South Wales	26/06/2013	06/01/2014	pending
Law and Justice	0	N/A	N/A	N/A	N/A
Select Committee on the provisions of Election Funding, Expenditure and Disclosures Amendment Bill 2011	1	The provisions of Election Funding, Expenditure and Disclosures Amendment Bill 2011	15/02/2012	15/08/2012	15/08/2012
Select Committee on Kooragang Island Orica chemical leak	1	Kooragang Island Orica chemical leak	23/02/2012	23/08/2012	23/08/2012
Select Committee on the Closure of Cronulla Fisheries Research Centre of Excellence	1	Closure of the Cronulla Fisheries Research Centre of Excellence	23/10/2012	23/04/2013	14/12/2012
Select Committee on the partial defence of provocation	1	The partial defence of provocation	23/04/2013	23/10/2013	pending
Select Committee on the closure or downsizing of Corrective Services NSW facilities	1	The closure or downsizing of Corrective Services NSW facilities	14/06/2013	16/12/2013	pending

# Appendix 5

## Committee travel expenses<sup>1</sup>

### Standing Committee on State Development

Date	Inquiry	Minutes No.	Destination	Activity	In attendance	Travel expenses
29-30 August 2012	Adequacy of water storages in NSW	15, 16	Shoalhaven, Goulburn	Site visit	Colless, Veitch, Green, Phelps, Whan, Harwin, Secretariat (3)	\$8,183.62
30-31 October 2012	Adequacy of water storages in NSW	18, 19	Orange, Griffith, Wagga Wagga	Site visit and hearing	Colless, Veitch, Green, Phelps, Whan, Secretariat (2)	\$23,574.87
5-6 March 2013	Adequacy of water storages in NSW	22, 23	Inverell, Moree	Site visit and hearing	Colless, Veitch, Green, Phelps, Secretariat (2)	\$20,082.99
<b>TOTAL</b>						<b>\$51,841.48</b>

### General Purpose Standing Committee No. 2

Date	Inquiry	Minutes No.	Destination	Activity	In attendance	Travel expenses
14 May 2013	Drug and alcohol treatment	28	Orange	Site visit	Ficarra, Nile, Barham, Clarke, Westwood Secretariat (2)	\$5,561.70
15-16 June 2013	Drug and alcohol treatment	29, 30	Perth, Western Australia	Site visit	Ficarra, Nile, Barham, Clarke, Moselmane, Westwood, Secretariat (2)	\$12,965.33
<b>TOTAL</b>						<b>\$18,527.03</b>

<sup>1</sup> Travel expenses may include venue hire, chartered flights, accommodation, meals, catering, bus hire, taxi fares etc. Committees not represented in these tables incurred no travel related expenses in the reporting period.

**General Purpose Standing Committee No. 5**

Date	Inquiry	Minutes No.	Destination	Activity	In attendance	Travel expenses
31 July 2012-1 August 2012	Management of Public Lands in New South Wales	26, 27	Balranald and Deniliquin	Site visits and hearing	Brown, Colless, Faehrmann, Foley, Phelps, Primrose, Secretariat (3), Hansard (3)	\$34,149.48
25-27 September 2012	Management of Public Lands in New South Wales	32, 33	Bourke and Coona-barabran	Site visits and hearings (2)	Brown, Colless, Faehrmann, Moselmane, Phelps, Primrose, Secretariat (3), Hansard (3)	\$35,104.85
3-5 October 2012	Management of Public Lands in New South Wales	35, 36, 37	Port Macquarie and Grafton	Site visits and hearing	Brown, Colless, Faehrmann, Moselmane, Phelps, Primrose, Secretariat (3), Hansard (3)	\$36,319.09
					<b>TOTAL</b>	<b>\$105,573.42</b>

**Select Committee on the closure of the Cronulla Fisheries Research Centre of Excellence**

Date	Inquiry	Minutes No.	Destination	Activity	In attendance	Travel expenses
6 August 2012	Closure of the Cronulla Fisheries Research Centre of Excellence	2	Cronulla Fisheries Research Centre of Excellence, Cronulla	Site visit	Nile, Blair, Clarke, Faehrmann, Veitch, Whan, Secretariat (3)	\$485.00
31 August 2012	Closure of the Cronulla Fisheries Research Centre of Excellence	4	Sydney Institute of Marine Sciences (SIMS), Mosman	Site visit	Nile, Ficarra, Clarke, Whan, Secretariat (2)	\$240.10
28 September 2012	Closure of the Cronulla Fisheries Research Centre of Excellence	8	Port Stephens Fisheries Institute, Port Stephens	Site visit	Nile, Ficarra, Blair, Clarke, Faehrmann, Whan, Secretariat (2)	\$1,100.00
					<b>TOTAL</b>	<b>\$1,825.10</b>

*Select Committee on the closure or downsizing of Corrective Services NSW*

<b>Date</b>	<b>Inquiry</b>	<b>Minutes No.</b>	<b>Destination</b>	<b>Activity</b>	<b>In attendance</b>	<b>Travel expenses</b>
10 December 2012	The closure or downsizing of Corrective Services NSW facilities	4	Grafton	Site visit, public hearing and public forum	Green, Borsak, Clarke, Fazio, MacDonald, Pavey, Veitch, Secretariat (3), Hansard (3)	\$14,733.60
<b>TOTAL</b>						<b>\$14,733.60</b>

# Appendix 6

## Membership of all Legislative Council committees

### Standing Committee membership

Member	Party	Social Issues Committee	State Development Committee	Law and Justice Committee
Blair, Niall	N	Chair		
Barham, Jan	G	Member		
Clarke, David	LP			Chair
Colless, Rick	N		Chair	
Cusack, Catherine	LP	Member		
Donnelly, Greg	ALP	Member		
Faehrmann, Cate	G	Member*		
Green, Paul	CDP		Member	
Lynn, Charlie	LP		Member	
MacDonald, Scot	LP			Member
Maclaren-Jones, Natasha	LP	Member		
Mitchell, Sarah	N			Member
Moselmane, Shaoquett	ALP			Member
Phelps, Peter	LP		Member	
Primrose, Peter	ALP			Deputy Chair
Shoebridge, David	G			Member
Veitch, Mick	ALP		Deputy Chair	
Westwood, Helen	ALP	Deputy Chair		
Whan, Steve	ALP		Member	

\* Ms Barham replaced Ms Faehrmann on 22 November 2012.

### Privileges Committee membership

Member	Party
Khan, Trevor (Chair)	N
Fazio, Amanda (Deputy Chair)	ALP
Ajaka, John	LP
Donnelly, Greg*	ALP
Gardiner, Jenny	N
Mason-Cox, Matthew	LP
Nile, Fred	CDP

\* Mr Donnelly replaced Mr Primrose on 18 March 2013.

**NB** Mr Shoebridge was a member for the Inquiry into possible non-compliance with the 2009 Mt Penny order for papers from 14 March 2013 to 30 April 2013. Mr Buckingham was a member for the Inquiry into the 2009 Mt Penny return to order from 7 May 2013 onwards past 30 June 2013.

***Procedure Committee membership***

<b>Member</b>	<b>Party</b>
Harwin, Don (Chair)	LP
Gardiner, Jenny	N
Nile, Fred	CDP
Gallacher, Michael	LP
Gay, Duncan	N
Foley, Luke	ALP
Searle, Adam	ALP
Phelps, Peter	LP
Fazio, Amanda	ALP
Borsak, Robert	SF
Kaye, John	G
Mitchell, Sarah	N

### General Purpose Standing Committee membership

Member	Party	GPSC1	GPSC2	GPSC3	GPSC4	GPSC5
Ajaka, John	LP			Member		
Barham, Jan	G		Member			
Blair, Niall	N			Deputy Chair		
Borsak, Robert	SF				Deputy Chair	
Brown, Robert	SF					Chair
Buckingham, Jeremy	G					Deputy Chair
Clarke, David	LP		Member			
Colless, Rick	N					Member
Cusack, Catherine	LP	Member				
Donnelly, Greg	ALP					Member
Faruqi, Mehreen	G			Member		
Faehrmann, Cate	G			Member***		
Ficarra, Marie	LP		Chair			
Gardiner, Jenny	N	Member*	Member			
Green, Paul	CDP		Deputy Chair	Member		
Kaye, John	G	Member				
Khan, Trevor	N				Member	
Lynn, Charlie	LP				Member	
MacDonald, Scot	LP					Member
Maclaren-Jones, Natasha	LP			Chair		
Mason-Cox, Matthew	LP	Member				Member****
Mitchell, Sarah	N		Member**		Chair	
Moselmane, Shaoquett	ALP		Member			
Nile, Fred	CDP	Chair				
Pavey, Melinda	N	Deputy Chair				
Phelps, Peter	LP					Member
Primrose, Peter	ALP					Member
Searle, Adam	ALP				Member	
Secord, Walt	ALP	Member				
Sharpe, Penny	ALP			Member		
Shoebridge, David	G				Member	
Veitch, Mick	ALP	Member		Member		
Voltz, Lynda	ALP				Member	
Westwood, Helen	ALP		Member			

\* Mr Mason-Cox replaced Miss Gardiner on 15 August 2012.

\*\* Miss Gardiner replaced Mrs Mitchell on 15 August 2012.

\*\*\* Ms Faruqi replaced Ms Faehrmann on 25 June 2013.

\*\*\*\* Mrs Mitchell replaced Mr Mason-Cox on 15 August 2012.

### Select Committee membership

Member	Party	Cronulla Fisheries	Provocation	Closure of corrective services	Agistment of horses at Yaralla Estate
Ajaka, John	LP	Member*			
Blair, Niall	N	Member			
Borsak, Robert	SF			Member	Chair
Clarke, David	LP	Member	Member	Member	
Faehrmann, Cate	G	Member			
Fazio, Amanda	ALP			Member	
Ficarra, Marie	LP	Deputy Chair			
Foley, Luke	ALP				Member
Green, Paul	CDP			Chair	
Kaye, John	G				Member
Khan, Trevor	N		Deputy Chair		Deputy Chair
MacDonald, Scot	LP		Member	Member	Member
Nile, Fred	CDP	Chairman	Chairman		
Pavey, Melinda	N			Member	
Phelps, Peter	LP				Member
Searle, Adam	ALP		Member		
Shoebridge, David	G		Member		
Veitch, Mick	ALP	Member		Member	
Westwood, Helen	ALP		Member		
Whan, Steve	ALP	Member			
Wong, Ernest	ALP				Member

\* Mr Clarke replaced Mr Ajaka on 14 August 2012.

ALP Australian Labor Party

N The Nationals

CDP Christian Democratic Party

SF Shooters and Fishers Party

G The Greens

LP Liberal Party



# Appendix 7

## Membership of Joint Committees - Legislative Council Members

Member	Party	Children and Young People	Electoral Matters	Health Care Complaints	ICAC	Legislation Review	Office of the Ombudsman and PIC	Road Safety (Staysafe)	Office of the Valuer-General
Barham, Jan	G	Member							
Blair, Niall	N	Member			Member				
Borsak, Robert	SF		Deputy Chair						
Colless, Rick	N							Deputy Chair	
Cusack,	LP			Member			Chair		
Catherine									
Donnelly, Greg	ALP	Member							
Fazio Amanda	ALP		Member						
Green, Paul	CDP			Member					
Khan Trevor	N		Member						
MacDonald Scot	LP								Deputy Chair
Mitchell, Sarah	N						Member		
Moselmane,	ALP								
Shaoquett						Member			
Nile, Fred	CDP				Member			Member	
Phelps Peter	LP		Member			Member			
Primrose Peter	ALP		Member						
Searle, Adam	ALP						Member		Member
Secord, Walter	ALP							Member	
Shoebridge, David	G					Member			
Voltz, Lynda	ALP				Member				
Westwood, Helen	ALP			Member					

*Note: The joint committees are administered by the Legislative Assembly.*

ALP Australian Labor Party  
 CDP Christian Democratic Party  
 G The Greens  
 LP Liberal Party  
 N The Nationals  
 SF Shooters and Fishers Party

# Appendix 8

## Inquiry statistics

Inquiry Name	Submissions received	No. of hearings	Witnesses	Forums	Forum Speakers
<b>General Purpose Standing Committee No. 1</b>					
Budget Estimates 2012 - 2013	0	5	24	0	0
Allegations of bullying in WorkCover NSW	0	0	0	0	0
TOTAL	0	5	24	0	0
<b>General Purpose Standing Committee No. 2</b>					
Budget Estimates 2012 - 2013	0	7	42	0	0
Drug and alcohol treatment	50	5	35	0	0
TOTAL	50	12	77	0	0
<b>General Purpose Standing Committee No. 3</b>					
Budget Estimates 2012 - 2013	0	5	35	0	0
Tourism in local communities	20	0	0	0	0
TOTAL	20	5	35	0	0
<b>General Purpose Standing Committee No. 4</b>					
Budget Estimates 2012 - 2013	123	2	29	0	0
Use of cannabis for medical purposes	0	2	18	0	0
TOTAL	123	4	47	0	0
<b>General Purpose Standing Committee No. 5</b>					
Budget Estimates 2012 - 2013	0	5	36	0	0
Management of public land in New South Wales	497	11	108	0	0
TOTAL	497	16	144	0	0
<b>Standing Committee on Law and Justice</b>					
Racial vilification law in NSW	45	2	24	0	0
TOTAL	45	2	24	0	0
<b>Standing Committee on Social Issues</b>					
Strategies to reduce alcohol abuse amongst young people	52	3	34	0	0
Same sex-marriage law in New South Wales	1257	2	22	0	0
TOTAL	1309	5	56	0	0
<b>Standing Committee on State Development</b>					
Adequacy of water storages in NSW	106	5	39	0	0
TOTAL	106	5	39	0	0
<b>Select Committees</b>					
Agistment of horses at Yaralla Estate	0	0	0	0	0
Partial defence of provocation	52	3	37	0	0
The closure or downsizing of Corrective Services NSW facilities	53	3	22	0	0
Closure of the Cronulla Fisheries Research Centre of Excellence	107	3	42	1	20
TOTAL	212	9	101	1	20
<b>TOTAL</b>	<b>2362</b>	<b>63</b>	<b>547</b>	<b>1</b>	<b>20</b>

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## Portrait busts of former Presidents and members of the Legislative Council

Featured throughout the report are four busts which are currently exhibited in the Legislative Council Chamber. The busts portray three of the Council's former Presidents and one member:

### **Sir Alfred Stephen (1802-1894)**

Sir Alfred Stephen was appointed first President of the Legislative Council from 1856 to 1857 and was appointed to the Legislative Council a further three times up to 1890. As President, he ensured the Council's role as a house of review through the manner in which he guided the legislative process.

### **Sir John Hay (1816-1892)**

Sir John Hay entered the Legislative Assembly in 1856. He became Secretary of Lands and Works and was elected Speaker of the Legislative Assembly in 1862. Resigning as Speaker in 1865 he was appointed to the Legislative Council and was its President for 19 years, from 1873 until his death in 1892.

### **Sir John Lackey (1830-1903)**

Sir John Lackey was elected to the Legislative Assembly from 1860 until 1885. He was at various times, Chairman of Committees, Secretary of Public Works and Minister for Public Instruction. He resigned from the Legislative Assembly in 1885 and was nominated to the Legislative Council. He became President of the Legislative Council in 1892, resigning in 1903 but remaining a Member of the Legislative Council until his death.

### **William Bede Dalley (1831-1888)**

A Member of the Legislative Assembly from 1856 to 1860 and from 1862 to 1864, Dalley was also a Member of the Legislative Council from 1870 to 1873, 1875 to 1880 and 1883 until his death in 1888. He held the offices of Attorney General from 1875 to 1877 and from 1883 to 1885, and Acting Colonial Secretary from October of 1884 to May of 1885. He is remembered as a pioneer statesman whose contributions to the colony of NSW through his Parliamentary activities and his endeavours in both literature and the law are also commemorated with a plaque and stained glass window in nearby St Mary's Cathedral and a statue in Hyde Park. He has also been honoured with a plaque in St Paul's Cathedral, London.



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