

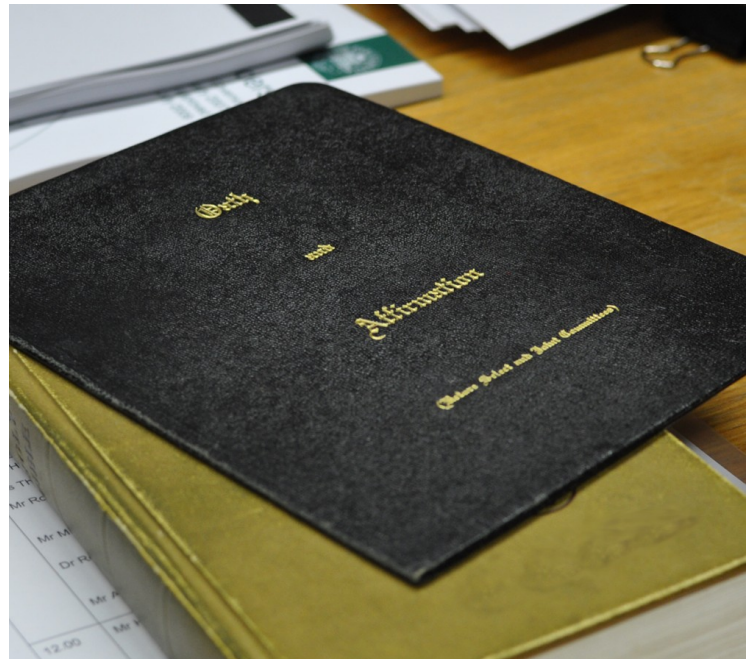


Legislative Assembly INFORMATION FOR COMMITTEE WITNESSES

YOUR EVIDENCE

All hearings conducted by parliamentary committees are recorded by Hansard (Parliamentary Reporting staff). To assist Hansard to record evidence accurately, please complete the enclosed 'Witness Details' form for each member of your organisation who will be giving evidence and return it to the committee staff prior to the hearing.

If you intend to submit supplementary written evidence to the committee during the course of the hearing, it would assist if extra unmarked copies were available for circulation to committee members. Committee staff can make copies if you advise them upon your arrival.



Generally, the public and witnesses may enter and exit the hearing room as they wish. However, sometimes committees ask witnesses not to sit in the public gallery until they have given their evidence. Within reason, witnesses may consult other people in the room while giving evidence.

Witnesses are asked to clearly identify documents to which they refer when giving evidence, e.g. "table one on page five of our submission indicates that ...".

Soon after the hearing, the committee staff will send you a copy of a proof transcript for correction of errors (but not content or style). It would be appreciated if witnesses could return the corrected transcript to committee staff as soon as possible. The transcript of evidence given in a public hearing will be placed on the committee's website once it has been authorised for release by resolution of the committee under the *Parliamentary Papers (Supplementary Provisions) Act 1975*.

Evidence taken in camera must be corrected in the presence of a committee staff member at Parliament House.

NOTES FOR THE GUIDANCE OF WITNESSES APPEARING BEFORE PARLIAMENTARY COMMITTEES

PARLIAMENTARY PRIVILEGE

Committee proceedings are proceedings of Parliament and accorded the same protection as proceedings in the House. The *Parliamentary Evidence Act 1901* provides that a witness who has given evidence under oath or affirmation cannot be subject to legal action for any defamatory evidence given before a committee. However, statements made after formal evidence or outside the proceedings, or any documents not formally tabled by the committee, are not protected.

OPENING PROCEDURES AND CALLING OF WITNESSES

When you enter the meeting room, please introduce yourself to the committee staff.

When you are called to give evidence, the committee Chair will first ask you to take the oath (swearing on the bible) or make an affirmation to tell the truth. Prompt cards are provided by committee staff for you to read from. If you require a Holy Book other than the Bible for taking the oath, or further information about this procedure, please contact the staff before the hearing.

The committee Chair will then ask you to state your full name, professional or private address and in what capacity you appear before the committee, e.g. as an officer of an organisation or as a private individual.

DOCUMENTS TENDERED

If you or your organisation has made a written submission, the Chair will ask you whether you wish the submission to form part of your formal evidence. You can provide additional documents at the hearing, such as diagrams, maps, reports, etc. If these documents are not already in the public domain, the committee may subsequently resolve to publish them.

EXAMINATION OF WITNESSES

Before inviting members of the committee to ask questions, the committee Chair will give you the opportunity to make a short opening statement (usually about five minutes). You will then be asked questions by the Chair and members of the committee.

The questions are designed to clarify aspects of your submission and to seek information relevant to matters within the committee's terms of reference. Generally, hearings help the committee go beyond written submissions.

Witnesses should indicate if a question is outside their professional competence or if they consider it to be outside the committee's terms of reference. Witnesses are free to offer information if the committee has not fully explored an issue that deserves further attention.

At any stage of proceedings, a witness can request to give evidence in private (in camera) or seek leave of the committee to obtain legal advice on an issue.

IN CAMERA HEARINGS

If the information you intend to provide or which you have been asked to provide is confidential, you may ask to give your evidence *in camera*. The committee will consider your request and if granted, the press and public will be excluded and the hearing will proceed in private. A Chair or a member may also ask that the hearing be held in camera, particularly if the evidence reflects adversely on a third person not present, or if the matter is subject to legal proceedings (sub judice).

In camera evidence is treated as confidential at the time that it is heard. However, depending on the nature of the evidence, the committee may wish to refer to it in its report. If the committee intends to release any in camera evidence it will consult the witness first. Although unlikely, the House can order the production and publication of in camera evidence without consulting the witness.

ADDITIONAL MATERIAL

If you cannot answer a question or provide information at the hearing, or if the committee subsequently has additional questions, you may be asked to provide a written answer or additional material later.

MEDIA COVERAGE

The media is usually permitted to attend hearings, except when evidence is taken in camera. Hearings may also be televised on the Parliament's in-house broadcast system. If you have concerns about these arrangements or will require copies of the footage of your evidence, please contact committee staff.

For more information on any aspect of committee hearings please contact:

Director, Committees
Legislative Assembly
Parliament House
Macquarie Street
SYDNEY NSW 2000
Ph: (02) 9230 2899 or (02) 9230 3439
Fax: (02) 9230 3052

or visit the Parliament's website:

www.parliament.nsw.gov.au/committees

Follow the link to the relevant committee and contact the Inquiry Manager.

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