



Guide for witnesses

Inviting people to give evidence at public hearings is one of the most important ways that parliamentary committees gather evidence. Any person or organisation can be invited to be a witness.

Hearings allow committees to seek expert knowledge from people and ask questions about an issue. They also allow committees to find out how you, your organisation, or your community feel about an issue.

Committee reports quote the information and arguments presented by witnesses.

Selecting witnesses

Members of the public, representatives of organisations, public servants, academics and government ministers can be invited to appear at a hearing. A witness will have usually made a written submission to an inquiry.

You can ask to appear as a witness but it is up to the committee to decide which witnesses to invite. The committee will listen to as many views as possible. However, due to time constraints, it may not be possible to hear from everyone who would like to give evidence.

Public and private hearings

Hearings are usually held in public and the transcript of evidence is published on the committee's website. Sometimes hearings are held in private (*in camera*) and in such cases the public and the media cannot attend.

Your guide to being a witness

Here is a step-by-step guide to what usually happens before, during and after a hearing.

1 Making arrangements

The committee staff will contact you and invite you to appear at a hearing. They will discuss the date, time and place for your appearance. These details will be confirmed in writing. You can request that other members of your organisation give evidence with you.

Committee hearings are usually held at Parliament House in Sydney. [Click here](#) for information on travelling to Parliament.

2 Preparing to give evidence

You should read your submission before the hearing. You may also wish to prepare an opening statement to read at the start of your evidence. If you do, it should be relevant to the terms of reference, and no more than two to three minutes long.

3 Arriving at the hearing

When you arrive at the hearing you should introduce yourself to committee staff. The committee will be sitting at a table, with witnesses facing the committee. Members of the public and the media may be in the audience. During the hearing only the committee and witnesses may speak. A staff member will bring you up to the committee table when it is time for your evidence. You can ask, either before or during a hearing, that your evidence be heard in private. The committee will usually agree to your request.

4 Giving evidence

Before you start your evidence, the committee chair will ask you to state your full name and to take either the oath (sworn on the Bible) or the affirmation (a non-religious statement). You do not need to stand while you are being sworn. If you want a holy book other than the Bible, please tell committee staff before the hearing.

After you have been sworn the chair will ask if you want to make a short opening statement.

The committee will then ask you questions. If you cannot answer a question, or need to check for more information, you can ask to provide a written response at a later date. This is called taking a question 'on notice'. While it is important that you are well-prepared, you should avoid reading answers word-for-word from a prepared script. Hearings are meant to be interactive.

Hearing in the Macquarie Room, Parliament House



5 Providing additional documents

During the hearing, you can provide additional documents including reports or statistical data as evidence. This is called ‘tabling’ a document. If you plan to table documents please bring nine copies for the committee.

6 Transcript of evidence

Your evidence will be recorded and a transcript will be sent to you several days after the hearing. You will be asked to correct errors, but you cannot change the content or style. You will also be provided with any questions taken ‘on notice’ and any additional written questions submitted by the committee.

Transcripts of public hearings are usually available on our website a day or so after the hearing.

Parliamentary privilege

Committees are an extension of the Parliament. Committee proceedings, including the making of submissions and oral evidence given by witnesses, are protected by parliamentary privilege. This means that evidence can be given freely and honestly without fear or threat of legal action for defamation. At the same time, committee hearings are not an opportunity to make adverse comments about others. Comments made outside a hearing do not receive the protection of parliamentary privilege.

Parliamentary privilege extends to transcripts of evidence that are published by a committee. Anyone who republishes a committee document apart from the Parliament or its committees is subject to the laws of defamation.

Witnesses are also protected by parliamentary privilege from intimidation or other attempts to influence or deter them from giving evidence, or from being penalised as a result of their evidence.

Further information

You can find contact details, submissions, hearing schedules, transcripts, committee reports and other information on our website at www.parliament.nsw.gov.au/committees. From here you can navigate to specific committees and inquiries. If you need help finding information please contact the committee staff.

For more information about committees:

- Upper House committees
- Guide to writing submissions

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