



Being a witness

Hearings allow committee members to engage directly with key stakeholders about the matters being examined in an inquiry and to question witnesses about issues raised in submissions.

They enable a committee to gather expert knowledge and to bring important information to light. Hearings help committee members to understand the real or potential impact of government decisions and systems, and to explore key stakeholder opinions about the issues being examined.

Who is selected to give evidence?

Committees may invite representatives of key organisations, community members, public officials, academics and government officials to give evidence at a hearing. Witnesses will usually have made a submission. They are invited because the committee recognises their perspective as particularly important to the inquiry.

You can ask to appear as a witness but there is no guarantee you will be invited – it is the committee's decision.

Why is it important to be a witness?

Being a witness is an opportunity to help shape committee members' views about a particular issue. If you are invited to be a witness, your evidence will contribute directly to the committee's report, and can inform recommendations to government. Giving evidence at a hearing is one of the most valuable ways that you can contribute to a parliamentary inquiry.

Public or private?

Hearings are usually held in public because this facilitates public participation in the parliamentary process and ensures that the public is informed of the issues being examined.

Hearings can take place at Parliament House in Sydney or in regional locations. Public hearings are open to members of the public and the media and, where possible, are live streamed on the Parliament's website.

Committees can decide to conduct a hearing in private (also referred to as *in camera*) when very sensitive matters are to be discussed or to protect a person's privacy. If you wish to request that your hearing be held in private, please discuss this with committee staff.

Parliamentary privilege

Committee proceedings, including submissions, what is said at the hearing and the transcript of evidence, are protected by parliamentary privilege. This means that your evidence cannot be used against you in legal proceedings, so you can speak to the committee freely and honestly, without fear of reprisal.

At the same time, hearings are not an opportunity to make comments that may seriously damage the reputation of a person or organisation. Comments made outside a hearing are not protected by privilege.

Procedural fairness

The Legislative Council has adopted procedures to provide proper process and fair treatment for inquiry participants, known as the Procedural fairness resolution. You can read them [here](#).

Your step by step guide to giving evidence

1. Making arrangements

By now committee staff will have contacted you to invite you to appear at a hearing. They will have advised you of the time, date and place of the hearing. These details will be confirmed by email later, sometimes just a day prior to the hearing.

You should let staff know prior to the hearing if you have any parking, travel or access requirements.

2. Preparation

You should:

- prepare a brief opening statement – no more than two to three minutes and relevant to the terms of reference
- re-read your submission and expect to be asked to elaborate on it
- be prepared to comment on the views of other stakeholders by reading other submissions and hearing transcripts on the inquiry webpage
- think about the key messages you want to convey to the committee
- feel free to make recommendations and suggestions as the committee values this input.

While it is important that you are well prepared, you should avoid reading your answers from a prepared script as hearings are meant to be interactive.

3. Arriving at the hearing

Please arrive at the hearing room at least 10 minutes early and introduce yourself to committee staff. The committee members will be seated at the hearing table, and a staff member will bring you to the table when it is time for you to give evidence.

4. Giving evidence

Before you start, the chair of the committee will ask you to state your full name and whether you are appearing on behalf of an organisation. The chair will then ask you to take either the oath (sworn on the Bible) or the affirmation (a non-religious statement) to tell the truth. If you would like to swear on a different holy book please advise committee staff before the hearing.

Next, the chair will invite you to make a short opening statement. Try not to read it word for word but to speak directly to the committee. The committee will then ask you questions. Approach the hearing as a discussion and answer each question as best you can.

If you cannot answer a question asked of you during a hearing, or you need to check for further information, you can ask to provide a written response later. This is called taking a question on notice. After the hearing, staff will advise you which questions you took on notice and when your written responses are due.

5. Providing additional documents

You can provide additional documents such as reports or research papers as part of your evidence. You do this by formally giving it to the committee during your hearing. If you wish to do this, please bring ten copies so that it can be distributed to each member immediately.

6. After the hearing

Your evidence will be transcribed by Hansard reporters during the hearing. Committee staff will email the transcript to you several days after the hearing. You will be given an opportunity to correct errors of transcription. You cannot, however, change or improve the words you actually said during the hearing.

Committee staff will also provide you with any questions you took on notice and any additional questions from the committee.

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

Further information

Please contact committee staff if you would like any further information or advice.

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 there you can navigate to specific committees and inquiries.

See also:

[Upper House committees](#)

[Making a submission](#)

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Legislative Council
Parliament of New South Wales
Macquarie Street SYDNEY NSW 2000
Phone: (02) 9230 3081